Council Handbook
FYE27

City of Norman, 201 West Gray Street, Norman, OK 73069
www.NormanOK.gov

2026-2027

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INTRODUCTION TO COUNCIL HANDBOOK

Letter from City Manager

History of Norman

City Council Ward Map

The City of
NORMAN

201 West Gray • P.O. Box 370
Norman, Oklahoma • 73070

CITY MANAGER'S OFFICE
Phone: 405-366-5402

July 1, 2026

City Councilmembers
City of Norman
201 W. Gray Street
Norman, Oklahoma 73069

RE: City Council Handbook

Dear Mayor and City Council,

The enclosed "City Council Handbook" is an attempt by staff to compile into one document the most essential information needed by elected Councilmembers. This is the first City Council Handbook and it is hoped the handbook will be a useful reference manual for both experienced and new Councilmembers. The goal is to update it each year and have City Council adopt it by resolution each July after new members are formerly seated.

If you have any questions, need additional information, please reach out and let me know.

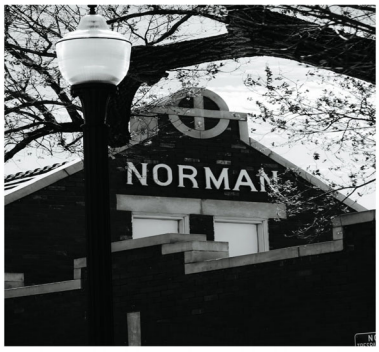
Sincerely,

Darrel Pyle
City Manager

History of Norman, Oklahoma

In 1870, the United States Land Office contracted with a professional engineer to survey much of Oklahoma territory. Abner E. Norman, a young surveyor, became chairman and leader of the central survey area in Indian Territory. The surveyor's crew burned the words "NORMAN'S CAMP" into an elm tree near a watering hole to taunt their younger supervisor. When the "SOONERS" (those who headed west before the official Land Run date, April 22, 1889) and the other settlers arrived in the heart of Oklahoma, they kept the name "NORMAN." Today, with an estimated 132,361 residents, Norman is the third largest city in the State of Oklahoma.

Norman was primarily developed around the Santa Fe Railroad. Home to a passenger depot as well as a freight station, Norman became the headquarters for the railway. As business grew, it was necessary to expand the depot three times in the first few years of its existence. The last expansion was announced by J.E. Hurley, General Manager of the Santa Fe Railway, in 1909. The Santa Fe Depot was deeded to the city in 1972 and has had major renovations in the recent past.



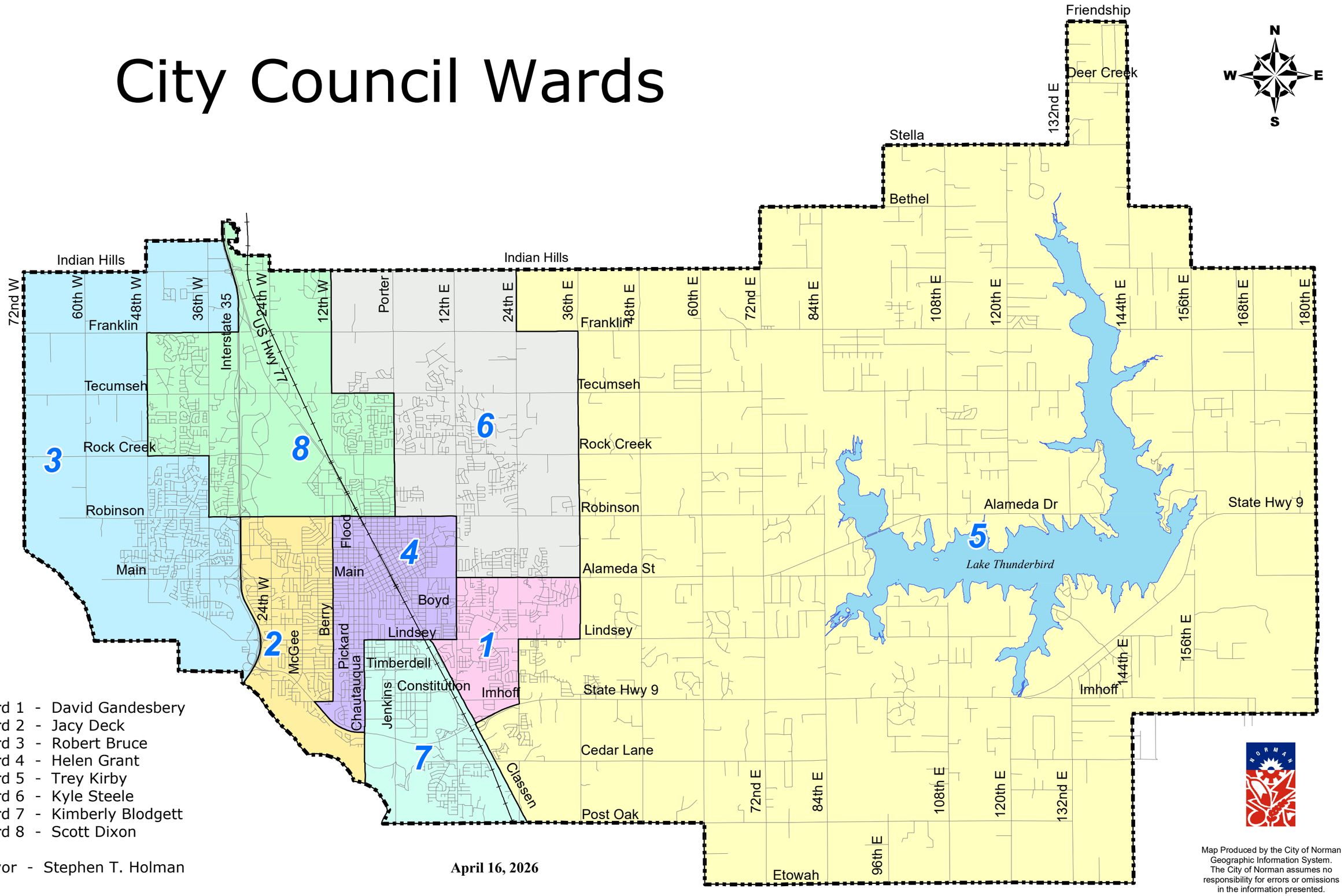
The City of Norman has agreed to preserve and maintain the Santa Fe Depot as a historical landmark and use the building in a manner as to benefit the entire community. Performing Arts Studio, Inc. leases the building for rental of meetings, banquets and parties. Daily Amtrak passenger service is provided at the depot as well.

The railroad laid the foundation for Norman to flourish into a prominent city. While other Oklahoma towns were battling to be the capital, Norman's Mayor, T.R. Waggoner, directed a bill through the Territorial Legislature to become home of the state's first institution of higher learning. In 1890, Norman was chosen as the location for the University of Oklahoma (OU), contingent upon the county passing bonds to construct a building. Town and country residents were also required to donate 40 acres of land for a campus site. The residents of Norman were successful in all their plans to be OU's home and by 1895, the university enrolled 100 students. Today, the Norman campus has an enrollment of approximately 31,863.

Today, OU and the City of Norman are still making history. Norman is recognized as one of the most progressive cities in the state and the Norman Public School system is acknowledged as one of the top school systems in Oklahoma.

Norman's rich history plays an important role in citizens' lives, and we continually make our history book more exciting with each passing year.

City Council Wards



Ward 1 - David Gandesbery
Ward 2 - Jacy Deck
Ward 3 - Robert Bruce
Ward 4 - Helen Grant
Ward 5 - Trey Kirby
Ward 6 - Kyle Steele
Ward 7 - Kimberly Blodgett
Ward 8 - Scott Dixon

Mayor - Stephen T. Holman

April 16, 2026

Map Produced by the City of Norman
Geographic Information System.
The City of Norman assumes no
responsibility for errors or omissions
in the information presented.

CHARTER

Explanation of Charter and Other Laws

Charter

CHARTER AND OTHER LAWS

The City of Norman is a "charter" city, meaning that the voters have approved a "charter" to govern the form of government for the City. A charter is similar to a constitution, in that it is voter approved and establishes some general rules that govern the operation of the City. The Norman Charter is similar to the statutory "council-manager" form of government but is not identical.

Even though Norman is a charter city, the charter itself regulates very few of the issues the city faces on a day-to-day basis. Similar to state and federal law, ordinances enacted by the City should not be in contravention to the Charter. In general, the regulations that affect City operations will be in the form of one of the following:

A. United States Constitution – all activities of the City are subject to the restrictions imposed by the Constitution.

B. Federal laws and regulation – many time Congress will pass a law that requires action by a local government or that will preclude the City against taking action.

C. Oklahoma Constitution – Oklahoma's Constitution contains many regulations that affect the operations of the City, especially in the area of financial transactions.

D. Oklahoma Statutes – the legislature regularly enacts new laws that affect the operations of the City, and we are generally required to follow those laws unless in matters of purely local concern or in areas where the state has not "occupied the field" of law.

E. City Ordinances – the City, by ordinance, can enact criminal laws with limited punishment and can establish rules and regulations in a wide range of areas. Ordinances are intended to be permanent enactments, but are subject to revision by the governing body. Ordinances require a First Reading, where notice by title is provided, a Second Reading at least 7 days later, and a Final Reading (final reading occurs at the same meeting a second reading). With a separate vote and declaration of emergency, Council can combine the readings and or ensure the ordinance goes into effect immediately. Without a declaration of emergency, ordinances will go into effect 30 days after adoption.

F. City Resolutions – a resolution approved by the City is typically reserved for policy statements, and not enforceable regulations.

CHARTER

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ARTICLE II CITY OFFICERS; ELECTIONS
ARTICLE III CITY MANAGER
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ARTICLE XX REAPPORTIONMENT

Editor's note—Printed herein is the Charter for the City of Norman, as amended through March 15, 1994. All subsequent amendments thereto are reflected by history notes following each amended section. For a legislative history of the Charter, see the Charter Comparative Table.

PREAMBLE

We, the people of the City of Norman, in order to secure the benefits of home rule, to encourage efficient and business-like methods in the transaction of municipal affairs, to promote civic advancement and general welfare and to protect the human rights and personal dignity of all persons do ordain and establish this Charter for the City of Norman.

ARTICLE I ORGANIZATION AND POWERS

1 Organization
2 Boundaries
3 General Grant Of Powers
4 Bequests, Gifts And Donations
5 General Grant Of Powers Not Limited
6 Former Government In Force

1 Organization

The inhabitants within the boundaries hereinafter defined, and their successors, are hereby created and organized a Municipal Corporation and body politic with perpetual succession under the name "The City of Norman," and shall succeed to own and possess all the property, rights, privileges, franchises, powers and immunities now belonging to the present corporation known as the City of Norman, and shall be liable for all debts and obligations for which said present corporation is now liable, and shall have the power to adopt a common seal and alter the same at pleasure, to sue and be sued in all courts, to make contracts, to take and acquire property by purchase, condemnation or otherwise, and to hold, lease, mortgage, convey or otherwise dispose of any of its property within or without the limits of said city, and it shall have such other powers, rights, privileges, franchises and immunities as are granted and conferred by any other parts of this Charter or by the Constitution and the laws of the State of Oklahoma.

2 Boundaries

The boundaries of said City, and the respective wards thereof, shall until altered as provided by law be the same as at the time of the adoption of this Charter.

3 General Grant Of Powers

Said City shall also have all other powers that may hereafter be given it by the Constitution and the laws of this State, and where any provisions of this Charter shall be in conflict with any law or laws relating to cities, the provisions of this Charter

shall prevail, and said City shall have the power to enact and enforce all ordinances necessary to protect health, life and property, and to define, prevent, and summarily abate and remove nuisances; and to preserve and enforce good government and order, to protect the lives, health, and the property of the inhabitants thereof.

4 Bequests, Gifts And Donations

Said City may receive bequests, gifts and donations of all kinds of property in fee simple or in trust for charitable or public purposes and perform all acts necessary to carry out the purposes of such bequests, gifts, donations or trusts, with power to manage, sell, lease or otherwise dispose of same in accordance with the terms of the bequest, gift, donation, or trust.

5 General Grant Of Powers Not Limited

The legislative, executive and judicial powers of the City shall extend to all matters of local and municipal government, it being the intent hereof that the specification of particular powers by any other provision of this Charter shall never be construed as limiting or impairing the effect of the general grant of powers hereby made.

6 Former Government In Force

All existing ordinances of the City not inconsistent with this Charter or inapplicable under the municipal government provided by this Charter shall be and continue in full force and effect until amended or repealed or until they expire by their own limitations, and no existing right, action (civil or penal), suit, proceeding, or contract, shall be affected by the change in the form of government of the City; but all shall continue as though no such change had taken place; and all debts, penalties and forfeitures which have accrued, or which may hereafter accrue by virtue of anything heretofore done or existing, shall inure to the benefit of the City of Norman and may be sued for and recovered by the said City as though this Charter had not been adopted. Nothing herein, however, shall legalize or make legal any invalid indebtedness of the City heretofore contracted or incurred or impair any defense against the payment of the same, nor shall the adoption of this Charter in any wise interfere with any proceedings heretofore instituted relating to the levy and collection of taxes, special assessments, or levies of any nature, or with any proceedings to enforce the payment of the same, and all contracts heretofore entered into by the City shall remain in full force and effect and be completed under the ordinances existing at the time of the adoption of this Charter.

ARTICLE II CITY OFFICERS; ELECTIONS

1 Elected Officers: Powers And Duties; Stipend
2 Term Of Office
3 Official Oath, Bond
4 Elections
5 Municipal Elections
6 Municipal Runoff Elections
7 Qualifications Of Voters
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20 Measures On Ballot; Arrangement
21 General Election Laws To Apply
22 Vacancies In Office

1 Elected Officers: Powers And Duties; Stipend

The elective officers of the City of Norman shall be a Mayor and eight (8) Councilmembers. All legislative powers except the initiative and referendum shall be vested in a Council, consisting of a Mayor, elected at-large, and eight (8) Councilmembers elected from and by the registered voters of the respective wards of the City.

All references in this Charter to "Councilmembers" or "City Councilmembers" shall be construed to mean the Mayor as well as those persons elected to Council positions.

Five (5) members of the Council shall constitute a quorum, and the affirmative vote of at least five (5) members shall be necessary to adopt any motion, resolution or ordinance or pass any measure, unless a greater number is required by a

specific provision of the Charter.

The Mayor shall preside at all meetings of the Council and shall perform in addition to his legislative duties such ceremonial duties as are necessary in the conduct of the City's business. The Mayor shall be recognized as the official head of the City by the courts for the serving of civil processes, and by the Governor for military purposes. In time of public danger or emergency he may, with the consent of the Council, take command of the police and maintain order and enforce the laws.

The Mayor and each of the Councilmembers shall receive, a stipend for their services, fifty dollars per month, plus ten dollars for each regular or special meeting attended, provided, however, that no Councilmember shall receive more than one hundred dollars total stipend for any given calendar month.

(Ord. No. O-1516-25, § 9)

Editor's note—Ord. No. O-1516-25, § 9, adopted Dec. 8, 2015, changed the title of § 1 from "Elected Officers: Powers and duties; compensation" to read as herein set out.

2 Term Of Office

The term of Councilmembers shall be for a period of two years The terms of Councilmembers chosen to represent Council wards two (2), four (4), six (6), and eight (8) shall expire on the first Tuesday of July of the next even numbered year after their election.

The term of Councilmembers chosen to represent Council wards one (1), three (3), five (5), and seven (7) shall expire on the first Tuesday of July of the next odd numbered year after their election.

Each elected officer shall continue to hold and to perform the duties of his office until his successor is elected and qualified, unless he is removed or forfeits his office under other provisions of this Charter.

The term of office of the Mayor elected at regular elections, shall be three (3) years. The term of the Mayor shall expire on the first Tuesday of July and each three (3) years thereafter.

For purposes of filing and election to the positions of City Council, only persons who have been duly registered to vote in accordance with state law within the City of Norman for the six months prior to the date of the municipal election and reside in the ward from which they seek election, on the date of their filing, shall be eligible to seek election to the City Council.

For the purpose of filing and election to the position of Mayor, only persons who have been duly registered to vote in accordance with state law within the City of Norman for the six months prior to the date of the municipal election, shall be eligible to seek election as Mayor.

(Ord. No. O-0203-11; Ord. No. O-1011-31, § 7; Ord. No. O-1718-3, § 4)

3 Official Oath, Bond

The Mayor, Councilmembers, and all officers of the City, upon entering the duties of their offices, shall take the oath of office prescribed by the Constitution of Oklahoma. The City shall purchase any bonds required of the Mayor and/or Councilmembers.

4 Elections

All elections for municipal officers in the City of Norman shall be conducted as herein provided.

5 Municipal Elections

By resolution duly adopted each year, the City Council shall designate a date in the following year, which is approved under then-current state law, for the holding of Norman's municipal election, at which time there will be election contests conducted by the Cleveland County Election Board for each of the following positions for which two (2) or more qualified (as described above) registered voters have filed for office: wards two (2), four (4), six (6), and eight (8) in even-numbered years; wards one (1), three (3), five (5), and seven (7) in odd-numbered years; and Mayor in 2007 and each third year thereafter. If allowed by then-current state law, the date for municipal elections shall be in February. In each such municipal election, a person receiving a majority of votes cast shall be deemed to be the winner. If no person receives a majority of votes in the municipal election, the two candidates receiving the most votes shall proceed in the municipal runoff election, described below. If two or more persons tie for second place in the municipal election, and the person receiving the most votes did not receive a majority of votes cast, then the second-place nominee shall be determined from among those tying, fairly by lot, by the Cleveland County Election Board. If three or more persons tie for first place in the municipal election, then the two municipal runoff election nominees shall be determined from among those tying, fairly by lot, by the Cleveland County Election Board.

(Ord. No. O-0203-11; Ord. No. O-0405-32, § 7; Ord. No. O-1112-07, § 1; Ord. No. O-1718-3, § 4)

6 Municipal Runoff Elections

By resolution duly adopted each year, the City Council shall designate a date in the following year that is subsequent to the date chosen for Norman's municipal election described in Section 5 herein, which is approved under then-current state law, for the holding of Norman's municipal runoff election, at which time there will be runoff election contests, if necessary, conducted by the Cleveland County Election Board for each of the following positions for which two (2) or more qualified (as described above) registered voters have filed for office: wards two (2), four (4), six (6), and eight (8) in even-numbered years; wards one (1), three (3), five (5), and seven (7) in odd-numbered years; and Mayor in 2007 and each third year thereafter. If allowed by then-current state law, the date for municipal runoff elections shall be in April.

(Ord. No. O-0203-11; Ord. No. O-0405-32, § 8; Ord. No. O-1112-07, § 1; Ord. No. O-1718-3, § 4)

7 Qualifications Of Voters

In either municipal or municipal runoff elections, for the election of ward Councilmembers provided for herein, only such persons as are registered voters of the City of Norman and of the ward in which they propose to vote shall be eligible to vote.

In either municipal or municipal runoff elections of the Mayor provided for herein, only such persons as are registered voters of the City of Norman shall be eligible to vote.

Registered voters shall be qualified and registered under the law of the State of Oklahoma.

(Ord. No. O-0405-32, § 9)

8 Voting Places

All elections within the City of Norman shall be held at the polling places designated under the general election laws.

9 City Council To Order Special Elections

The City Council of the City shall, by ordinance, order the holding of all special elections, except as otherwise provided in this Charter, or by the Constitution of this State. Such ordinances shall specify the object of and the time for holding such elections. Such election ordinances shall be printed in a newspaper of general circulation printed in the City of Norman at least ten (10) days prior to the time appointed for holding such election.

10 Candidates

(a) *Filing of candidates*. Any person who is a registered voter of the City, as provided in Article II, Section 2 of this Charter, may become a candidate for office in the proper municipal election by filing with the Secretary of the County Election Board, a sworn written notice containing the following information: the candidate's name, street address, designation of the office sought, with ward number, and the date of the municipal election. A person can be a candidate for only one office at a time.

(b) *Filing of candidates by petition*. The name of a candidate may also be placed upon the ballot at the municipal election upon the filing of a petition for that purpose in the manner set forth herein. Any registered voter of the City may file with the Secretary of the County Election Board, within the time provided in Section 10(D) of this Article, a petition bearing the signatures of registered voters eligible to vote for the office for which they seek to make a nomination. In the case of candidates for the office of the Mayor, the number of valid signatures required shall total one hundred (100). In the case of candidates for a Council position, the number of valid signatures required shall total fifty (50). Said petition shall contain the information required in subsection (A) of this section as well as the name of the person sought to be nominated. Further, the person sought to be so nominated must file, within three (3) days of the filing of said petition and before the close of filing, a written notice of willingness to become such a candidate.

(c) *Filing fee*. The Council shall have the power to provide by ordinance a filing fee for candidates, to establish and charge the amount thereof and to provide for refund of same under certain circumstances.

(d) *Time of filing*. By resolution duly adopted each year, the City Council shall designate a period for filing for elective office, which is approved under then-current state law.

(Ord. No. O-0405-32, § 10; Ord. No. O-1718-3, § 4)

11 Partisan Designation Forbidden

No nominating notice nor acceptance thereof shall have upon it any party emblem, sign or designation, and there shall be nothing thereon to indicate the affiliation of the nominee or of any signer with any political party or any organization.

12 Withdrawal Of Candidates

Any candidate may withdraw no later than 5:00 p.m. on the Friday following the close of the filing period by filing a written notice with the Secretary of the County Election Board. The Secretary of the County Election Board, after the expiration of said time, shall cause the ballots to be printed as provided herein. In all elections in which there is a contest for any office, there shall be printed and bound a number of ballots for each precinct which, in the discretion of the Secretary of the County Election Board will be sufficient to conduct said election.

(Ord. No. O-0405-32, § 11)

13 Arrangement Of Ballot

The County Election Board shall arrange the names of the candidates for each office. The County Election Board shall cause ballots to be printed, arranged as provided herein, and distributed among the various voting precincts of the City.

14 Form Of Ballot

In odd numbered years, the names of the candidates for City Council for each Council ward numbered one (1), three (3), five (5) and seven (7) shall appear upon the ballot in the appropriate ward of the City and placed under the words: "For Councilmember in Ward No. _____", followed by the instruction in each case: "Vote for One".

In even numbered years, the names of the candidates for City Council for each Council ward numbered two (2), four (4), six (6) and eight (8) shall appear upon the ballot in the appropriate ward of the City and placed under the words: "For Councilmember in Ward No. _____", followed by the instruction in each case: "Vote for One".

In the years in which the Mayor's term expires, the names of candidates for Mayor shall be placed upon the ballot under the words: "For Mayor", followed by the instruction: "Vote for One".

(Ord. No. O-0405-32, § 12)

15 Sample Ballot

At every election, sample ballots shall be posted at each polling place.

16 Counting The Ballot; Certificate Of Nomination

The Precinct Board of each precinct shall, immediately upon the closing of the polls, count the voted ballots and ascertain the number of votes cast in such precinct for each candidate and make due return thereof to the County Election Board. Following the municipal election, the County Election Board shall canvas the returns received from all precincts and absentee ballots and shall certify the results to the City Clerk.

(Ord. No. O-0405-32, § 13

17 Municipal Election; Candidates Nominated Or Elected

After the filing period and any withdrawal and protest period have expired, if there remains only one qualified candidate for an office, such candidate shall be deemed duly elected and there shall be no need for that candidate or that office to appear on any ballot.

(Ord. No. O-0405-32, § 14)

18 Ballots For City Elections

The Secretary of the County Election Board shall prepare all ballots for all City elections.

(Ord. No. O-0405-32, § 15)

19 Election Of Mayor Pro Tem; Duties Of Mayor Pro Tem

On the first Tuesday in July of each year, by a majority vote of all Councilmembers, the Council shall elect one of the Councilmembers to be mayor pro tem of the City of Norman to serve for a term of one year and until his successor is likewise elected. The mayor pro tem shall act as mayor in the absence of the mayor. In case of the absence of both the mayor and the mayor pro tem, the remaining Councilmembers shall elect one of their number to act as mayor until the return of the mayor or mayor pro tem.

(Ord. No. O-0203-11)

20 Measures On Ballot; Arrangement

Whenever one or more measures or questions are submitted to the people and are to be voted upon at the same time as any officer or officers are to be elected, such measures and questions shall be submitted upon a ballot separate from that bearing the names of candidates for office. All petitions and election ballots shall be non-partisan in form and without any party designation of any kind, or any sign, mark, symbol or device of a partisan character.

21 General Election Laws To Apply

The general election laws of the State applicable to cities are hereby in force except as modified herein. Provisions of State law setting out absentee or provisional ballot voting procedures in state elections are hereby made applicable in city elections.

(Ord. No. O-0405-32, § 16)

22 Vacancies In Office

A vacancy in the office of a member of the Council shall exist whenever the holder thereof:

(a) Ceases to possess some qualification for the office, prescribed by this Charter or by applicable law;

(b) dies,

(c) resigns,

(d) is removed from office by proceedings by a Court of competent jurisdiction; or

(e) is declared legally incompetent by a Court of competent jurisdiction; or

(f) ceases to reside in the ward which elected except that no vacancy shall occur where a Councilmember is rendered a non-registered voter of the ward that member represents by reason of reapportionment carried out by the City Council.

Any vacancy occurring on the City Council shall be filled by a majority vote of the remaining members of the City Council, for the balance of the unexpired term; provided, however, if the City Council does not fill the vacancy by appointment within sixty (60) days after the same occurs, it shall be mandatory on the part of the City Council to call and schedule a special election to fill the vacancy for the unexpired term, which election shall be held for the election of a City Councilmember, only, and said election shall be conducted in the same manner as a regular municipal election.

(Ord. No. O-0405-32, § 17)

HISTORY
Amended by Ord. O-2122-45 on 5/24/2022

ARTICLE III CITY MANAGER

1 Council To Appoint City Manager
2 General Powers And Duties Of The City Manager
3 Oath And Qualifications
4 Special Powers And Duties Of The City Manager
5 Purchasing Agent
6 Council Not To Interfere In Appointments, Removals Or Administration
7 Political Activity Prohibited

1 Council To Appoint City Manager

Council shall by an affirmative vote of five (5) members appoint a City Manager, who shall serve at the pleasure of the City Council as an at-will employee. He shall be chosen by the Council solely upon the basis of his executive and administrative qualification, without regard to age, race, color, religion, ancestry, national origin, sex or place of birth, and need not, when appointed, be a resident of the City or State. No member of the Council shall, during the time for which he is elected, be chosen City Manager, nor for two years after he ceases to be a member. In case of absence or disability of the City Manager, the Council may designate some qualified person to perform the duties of the office during such absence or disability. The City Manager may be removed or suspended at any time, upon an affirmative vote of five (5) members of the Council. Should at least four (4) Councilmembers desire that a majority of Council discuss removal or suspension of the City Manager, then a notice of such a request shall be filed with the City Clerk, who shall then place an item for Executive Session for that purpose on the Agenda of the next regularly scheduled Council meeting or at a special meeting of the Council called for that purpose. In the event Council should desire to suspend or remove the City Manager following the Executive Session, an additional item shall be included on the same Agenda of the meeting in which the Executive Session is to be held to consider immediate suspension or removal of the City Manager. If the Council suspends or removes the City Manager from office, the Council may provide for the temporary performance of the City Manager's duties. The action of the

Council in suspending or removing the City Manager shall be final, it being the intention of this Charter to vest all authority and fix all responsibility for such suspension or removal in the Council.

(Ord. No. O-1516-25, § 10)

2 General Powers And Duties Of The City Manager

The City Manager shall be the administrative head of the municipal government responsible only to the Council. The City Manager shall not, during the term of office, be an employee or perform any duties for any person, firm, corporation or institution other than the City of Norman, and shall not be interested in the profits or emoluments of any contract, job, work, or service of the City.

3 Oath And Qualifications

Before entering upon the duties of his office he shall take the official oath and shall execute a bond in favor of the City for the faithful performance of his duties in such sum as shall be fixed by the Council, to be approved by the Council.

4 Special Powers And Duties Of The City Manager

The City Manager shall have the special powers and duties herein enumerated, and shall be directly responsible to the Council for the proper administration thereof, to wit:

(a) To see that all laws and ordinances governing the City are enforced.

(b) To appoint and remove all directors or heads of departments and all subordinate officers and employees in such departments. Further, such appointments and removals shall be made upon the basis of merit and fitness alone, including training and experience in the work to be performed, and without regard to age, race, color, religion, ancestry, national origin, sex, or place of birth.

(c) To exercise actual management, control and supervision over all departments of the City Government, and to exercise all other administrative functions, except as otherwise in this Charter provided.

(d) To supervise and manage all public work of the City, and the repair and maintenance thereof; to manage and control the public utilities of the City, and have general charge of maintaining and improving the streets, sidewalks, bridges, public grounds, and public buildings within the City, except as otherwise herein provided.

(e) To make a monthly report to the Council, and to attend all meetings of the Council with the right to take part in the discussion, but having no vote.

(f) To recommend to the Council for adoption such measures as he may deem necessary or expedient.

(g) To keep the Council fully advised as to the financial conditions of the City.

(h) To see that all franchise rights and provisions are justly enforced.

(i) To prepare and submit to the Council an annual budget as by this Charter required.

(j) To submit to the Council at each meeting thereof an order of business covering his recommendations.

(k) To create such departments for the more efficient and economical administration of the affairs of the City as to him shall seem necessary and expedient.

(l) Respond to requests of Councilmembers for policy reviews and charges.

5 Purchasing Agent

The City Manager, subject to such regulations as the Council may prescribe from time to time, shall contract for, purchase, or issue purchase authorizations for, all supplies, materials, services and equipment (including rental thereof when appropriate) for offices, departments and agencies of the City government. Every such contract or purchase exceeding an amount to be established by ordinance and which amount may thereafter be changed by ordinance from time to time, shall require the prior approval of the Council. The City Manager may also transfer to or between offices, departments and agencies, or sell, surplus or obsolete supplies, material and equipment, subject to such regulations as the Council may from time to time establish by ordinance. Before the purchase of, or the making of a contract for, any supplies, services, materials or equipment, or the sale of any surplus or obsolete supplies, materials or equipment, ample opportunity for competitive bidding under such regulations and with such exceptions as the Council may from time to time prescribe by ordinance, shall be given; but the Council shall not except a particular contract, purchase or sale from the requirement of competitive bidding.

The Council by ordinance may transfer some or all of the powers granted to the City Manager under this section to an officer or employee appointed by and subordinate to the City Manager, and may in its discretion by ordinance revoke any such transfer of powers previously authorized, or vest the same in some different officer or employee of the City likewise appointed by and subordinate to the City Manager.

6 Council Not To Interfere In Appointments, Removals Or Administration

Neither the Council nor any of its committees or members shall direct or request the appointment of any person to, or his removal from office by the City Manager or any of his subordinates, or in any manner take part in the appointment or removal of officers and employees in the administrative services of the City, except that the Council may direct the City Manager, by resolution, to investigate charges of misconduct or incompetence against any City employee and to report the result thereof. Provided, the Council may, by resolution, inquire into the conduct of any office, department or agency of the City, investigate municipal affairs, and direct the City Manager to investigate such affairs, or if necessary, authorize and provide for such inquiries through an outside agency. The City Councilmembers shall deal with the administrative services solely through the City Manager, and neither the Councilmembers nor any of them thereof shall give orders to any subordinate of the City Manager either publicly or privately. Violation of any of the provisions of this section by the Councilmembers or any of them shall constitute grounds for removal.

(Ord. No. O-1516-25, § 10)

7 Political Activity Prohibited

Any employee of the City may actively engage in political activities. Provided, the political activity in which the employee participates shall be exercised only during off-duty hours and while not in uniform. Any employee seeking elected office may be required to take a leave of absence as prescribed by the Norman Code of Ordinances and/or the City Personnel Manual. Such requirements shall be consistent with applicable state and federal laws. Any federal statutes restricting political activities of City employees shall supersede the provisions of this section as to such employees. The City does hereby reserve the right to establish employment requirements requiring City employees to refrain from filing as a candidate for City office while employed by the City.

Further, it shall be unlawful for the City Council, or any member thereof or any candidate for election to the City Council, or any employee of the City to directly or indirectly coerce or attempt to coerce any City employee to participate or to refrain from participation in municipal political activities or public meetings.

(Ord. No. O-1516-25, § 10)

ARTICLE IV DIRECTOR OF FINANCE

1 Powers And Duties
2 City Depository

1 Powers And Duties

There shall be a Director of Finance, who shall be custodian of the monies of the City, and who, unless another is so appointed, shall be ex-officio City Treasurer. The Director of Finance shall be appointed by the City Manager and be the head of the Finance Department of the City. The Director of Finance shall pay money from the City Treasury only as provided by law and signed by the Mayor. The Director of Finance shall, under the direction of the Council, invest the funds of the City only in such securities as are provided for by the Constitution and laws of the State of Oklahoma. All uninvested funds shall be deposited in the depository or depositories of the City. In addition to those powers and duties otherwise enumerated herein, the Director of Finance shall:

(a) Countersign all warrants for the payment of monies drawn on the City Treasury.

(b) Be the chief accounting officer of the City and shall prepare such financial statements and reports of the financial condition of the City as may be required.

(c) Collect all fees or monies from officers or employees and give receipts therefor, said receipts to show on their face the purpose for which said monies were collected.

(d) Deposit daily all monies collected by the Director of Finance, from whatever source derived, taking a receipt therefor.

(e) Give bond for the faithful performance of the duties of this office as shall be provided for by ordinance.

2 City Depository

The City depository shall secure the City for all deposits by giving good and sufficient collateral as is required by the laws of the State of Oklahoma.

ARTICLE V CITY AUDITOR

1 Office Created - City Auditor
2 Appointment And Removal Of City Auditor
3 Duties Of The City Auditor

1 Office Created - City Auditor

The office of City Auditor is hereby created.

HISTORY
Adopted by Ord. O-2122-45 on 5/24/2022

2 Appointment And Removal Of City Auditor

Council shall by an affirmative vote of five (5) members appoint a City Auditor. who shall serve at the pleasure of the City Council as a full-time at-will employee. He or she shall be chosen by the Council solely upon the basis of his or her qualifications. including graduation from an accredited college or university with a bachelor's degree in accounting, finance or a related field. Certified Public Accountant (CPA) and with a minimum of five (5) years of professional level experience in auditing, and without regard to age. race. color, religion. ancestry, national origin. sex or place of birth, and need not, when appointed. be a resident of the City or State. No member of the Council shall, during the time for which he is elected, be chosen City Auditor. nor for two years after he or she ceases to be a member. In case of absence or disability of the City Auditor, the Council may designate some qualified person to perform the duties of the office during such absence or disability. The City Auditor may be removed or suspended at any time, upon an affirmative vote of five (5) members of the Council. Should at least four (4) Councilmembers desire that a majority of Council discuss removal or suspension of the City Auditor, then a notice of such a request shall be filed with the City Clerk, who shall then place an item for Executive Session for that purpose on the Agenda of the next regularly scheduled Council meeting or at a special meeting of the Council called for that purpose. In the event Council should desire to suspend or remove the City Auditor following the Executive Session, an additional item shall be included on the same Agenda of the meeting in which the Executive Session is to be held to consider immediate suspension or removal of the City Auditor. If the Council suspends or removes the City Auditor from office, the Council may provide for the temporary performance of the City Auditor's duties. The action of the Council in suspending or removing the City Auditor shall be final, it being the intention of this Charter to vest all authority and fix all responsibility for such suspension or removal in the Council.

HISTORY
Adopted by Ord. O-2122-45 on 5/24/2022

3 Duties Of The City Auditor

It shall be the City Auditor's duty to advise the Council and each member thereof, and the City Manager, of operational and financial audits relating to the efficient and economical operation of Norman City government, and other related matters as may be required by the Council or the City Manager. The foregoing provisions shall not be deemed to prevent the City Manager, with the approval of a majority of the City Council, from employing private auditors as it is deemed necessary.

HISTORY
Adopted by Ord. O-2122-45 on 5/24/2022

ARTICLE VI CITY CLERK

1 Duties Of The City Clerk
2 Additional Duties Of The City Clerk

1 Duties Of The City Clerk

The City Clerk shall be appointed by the City Manager and shall have all the powers and duties now provided by law or ordinance except as in this Charter provided. The City Clerk shall:

(a) Be clerk to the Council.

(b) Have the custody of and be responsible for all books, papers, maps, and records, belonging to the City not in actual use by other officers or by special provisions committed to their custody or otherwise provided for.

(c) Attend all meetings of the Council and keep a record of the proceedings of the same, and shall sign and attest all ordinances, resolutions or other acts of the Council.

(d) Keep all books properly indexed and open to the public for inspection when not in actual use.

(e) Keep separate books in which all ordinances, resolutions, and other proceedings of the Council shall be recorded.

(f) Certify to the correctness of all reports made public by the Council and shall be custodian of the seal of the City.

2 Additional Duties Of The City Clerk

The City Clerk shall have other powers and perform such other duties as may be required by the City Manager, by ordinance, resolution, or motion of the Council, or as provided in this Charter.

ARTICLE VII MUNICIPAL COURT

1 Appointment, Removal And Compensation Of Municipal Judge

1 Appointment, Removal And Compensation Of Municipal Judge

The Municipal Court of the City of Norman as provided by the Constitution and laws of the State of Oklahoma is hereby continued except as herein provided. The Mayor, with the consent and approval of the Council, shall appoint a registered voter of the City of Norman, who shall be a licensed attorney, and whose other qualifications may be set by ordinance, as judge of said court with the official title of Municipal Judge, who may be removed from his position if five City Councilmembers approve a motion to remove: provided, that such action be undertaken at a regular meeting of the City Council. Said Municipal Judge shall be entitled to such compensation as may be prescribed by ordinance.

ARTICLE VIII CITY ATTORNEY

1 Office Created
2 Appointment And Removal Of City Attorney
3 Duties Of The City Attorney
4 Exclusive Employment

HISTORY
Adopted by Ord. O-2122-45 City Attorney on 5/24/2022

1 Office Created

The office of City Attorney is hereby created.

2 Appointment And Removal Of City Attorney

Council shall by an affirmative vote of five (5) members appoint a City Attorney, who shall serve at the pleasure of the City Council as an at-will employee. He or she shall be chosen by the Council solely upon the basis of his or her qualifications, without regard to age, race, color, religion, ancestry, national origin, sex or place of birth, and need not, when appointed, be a resident of the City or State. No member of the Council shall, during the time for which he is elected, be chosen City Attorney, nor for two years after he ceases to be a member. In case of absence or disability of the City Attorney, the Council may designate some qualified person to perform the duties of the office during such absence or disability. The City Attorney may be removed or suspended at any time, upon an affirmative vote of five (5) members of the Council. Should at least four (4) Councilmembers desire that a majority of Council discuss removal or suspension of the City Attorney, then a notice of such a request shall be filed with the City Clerk, who shall then place an item for Executive Session for that purpose on the Agenda of the next regularly scheduled Council meeting or at a special meeting of the Council called for that purpose. In the event Council should desire to suspend or remove the City Attorney from office, the Council may provide for the temporary performance of the City Attorney's duties. The action of the Council in suspending or removing the City Attorney shall be final, it being the intention of this Charter to vest all authority and fix all responsibility for such suspension or removal in the Council.

HISTORY
Adopted by Ord. O-2122-45 City Attorney removal on 5/24/2022

3 Duties Of The City Attorney

The City Attorney shall have such qualifications, powers and duties as are hereby prescribed by law. It shall be the City Attorney's duty to advise the Council and each member thereof, and the City Manager, upon all legal questions and the City Attorney shall give opinions in writing when requested, and shall represent the City as Counsel in all litigation, in all courts and shall perform such other legal service in behalf of the City, its officers or employees, as may be required by the Council. The foregoing provisions shall not be deemed to prevent the City Manager, with the approval of a majority of the City Council, from employing private Counsel as it is deemed necessary.

HISTORY
Adopted by Ord. O-2122-45 City Attorney Qualifications on 5/24/2022

4 Exclusive Employment

The City Attorney and all attorneys in the office of the Legal Department are to confine their practice of law to the business of the City of Norman and shall not practice law for other clients while employed with the City of Norman.

ARTICLE VIII CITY PARKS

1 Board Of Park Commissioners
2 Park Land

1 Board Of Park Commissioners

The Mayor, with the approval of the Council, shall appoint a Board of Park Commissioners consisting of nine registered voters, who shall serve without compensation, and shall have such powers and duties as are now provided by law or may hereafter be conferred by ordinance. The City Manager, or his designate, shall be ex-officio member of the Board of Park Commissioners, but shall have no vote. His advice and services shall be at the disposal of the Board of Park Commissioners in the planning and execution of its work.

2 Park Land

In addition to and in supplementation of proper planning and zoning, and in addition to the power of the City to regulate the use and subdivision of land, the City shall have the full power to promote the health, safety, and general welfare of its citizens by the enactment of ordinances, to be uniformly enforced, requiring all final plats of residential subdivisions containing a dwelling unit density of greater than one unit per acre which is to be submitted for approval, to provide adequate and suitable land area for park and/or open space purposes to serve the subdivision. The amount of park and/or open space required in the subdivision shall be reasonably related to the need for park and/or open space created by the subdivision and shall not exceed 2.5 acres for each one thousand persons of the total population density projected when the plat is fully developed. Population density projections shall be based on the then current official statistics of the United States Census for the Norman area for the particular type of dwelling units to be constructed within the subject land. When the total projected population density for the plat is less than 2,500 persons, the City of Norman may, at its sole option and in lieu of the provision for mandatory dedication of land for park and/or open space purposes, require the developer or subdivider of the subdivision to pay to the City a sufficient fee to provide for the purchase and/or development of suitable land for park and/or open space within the general area in which the subdivision is located. In the absence of suitable park land sites, the City of Norman may use the fee and/or fees accumulated in the nearest community and/or neighborhood park. Such fee shall be reasonably related to the cost of the park and/or open space which is required to be provided. All such fees must be maintained separate from other funds of the City of Norman and may be expended only for the purchase and/or development of land for park and/or open space. The exercise of such power within the City shall be in pursuance of this grant of authority and not under State Statutes of law. Provided further, that this amendment allowing the use of park land fees paid in lieu of mandatory dedication of land for the purchase and/or development of parks and open space shall apply to funds hereinafter accumulated. In addition to the above, the council may, by ordinance, establish a fee to be collected at the time of issuance of new residential building permits for the purpose of improving neighborhood parks and community parks.

(Ord. No. O-9394-42; Ord. No. O-1011-31, § 8)

ARTICLE IX HOSPITAL

1 Appointment Of Board
2 Duties Of Board, Appointment Of Administrator
3 Use By Medical Staff
4 Financial Report And Budget
5 (Reserved)
6 Recognition Of Bargaining Unit

1 Appointment Of Board

The Mayor, with the approval of the City Councilmembers, shall appoint a Board of Norman Regional Hospital Authority consisting of eleven registered voters who shall serve for a term of three years. At least nine of the board members shall be Norman residents. A maximum of two members may be appointed from other communities in which the Norman Regional Hospital Authority operates at least one facility. In case of a vacancy in the Board, an appointment to fill the unexpired term shall be made in the same manner as the original appointments. The City Manager shall be an ex-officio member of the Board of Norman Regional Hospital Authority but he shall have no vote. His advice and services shall be given to the Board in the planning and execution of its work.

(Ord. No. O-1011-31, § 9)

HISTORY
Amended by Ord. O-2122-45 Increase Board Members on 5/24/2022

2 Duties Of Board, Appointment Of Administrator

The Board of Norman Regional Hospital Authority shall exercise general control over the Norman Regional Health System, establish general hospital policies and provide a plan for the proper accounting of all funds received for hospital services and for all funds disbursed for the purpose of operating the Hospital. The Board shall appoint an Administrator of the Norman Regional Health System who shall be selected solely on the basis of his experience and qualifications. The Administrator of the Norman Regional Health System shall be directly in charge of the operation of the Hospital.

(Ord. No. O-1011-31, § 9)

3 Use By Medical Staff

Subject to the approval of the Board of the Norman Regional Hospital Authority, the Administrator of the Norman Regional Health System shall make all necessary arrangements with medical staff for the effective use of all facilities of the hospital.

(Ord. No. O-1011-31, § 9)

Editor's note—Section 9 of Ord. No. O-1011-31, adopted Dec. 28, 2010, and approved by voters in a special election held March 1, 2011, repealed § 3 which pertained to duties of the administrator. Said ordinance amended and renumbered former §§ 4 and 5 as §§ 3 and 4.

4 Financial Report And Budget

The Board of Norman Regional Hospital Authority as current operator of the Norman Regional Health System shall keep a record of its meetings and official transactions, and shall make financial reports to the City Councilmembers in such form as may be required by the Councilmembers at such times as may be prescribed, and the Board shall file a copy of its adopted budget for the ensuing fiscal year with the City Clerk for presentation to the City Council no later than the next regularly scheduled City Council meeting following its adoption. Such adopted budget shall, in addition to any other information required by the Councilmembers, show an estimate of anticipated income, and estimated expenditures.

(Ord. No. O-1011-31, § 9)

5 (Reserved)

Editor's note—At the request of the city, this section has been reserved.

6 Recognition Of Bargaining Unit

The Board of Hospital Management through the Administrator of the Municipal Hospital, shall recognize, subject to the provisions of this Charter and ordinances enacted pursuant thereto, any bona fide and appropriate bargaining unit of Norman Municipal Hospital Employees for the purpose of bargaining collectively with the Board of Hospital Management through the Administrator with respect to wages, salaries, hours, rates of pay, grievances, working conditions, and other terms and conditions of employment.

ARTICLE X REMOVAL

1 Method Of Removal

1 Method Of Removal

Any member of an appointive board or commission created by this Charter or any amendment to this Charter, or any such board or commission created by municipal ordinance, may be removed from his position if five City Councilmembers approve a motion to remove; provided, that such action shall be undertaken at a regular meeting of the City Councilmembers.

ARTICLE XI LEGISLATIVE DEPARTMENT

1 Ordinances, How Adopted
2 Meetings
3 Removal Of Mayor And Councilmembers

1 Ordinances, How Adopted

Five (5) members of the Council shall constitute a quorum, and the affirmative vote of five (5) members shall be necessary to adopt any motion, resolution or ordinance, or pass any measure. Upon every vote the ayes and nays shall be called and recorded, and every motion, resolution or ordinance shall be reduced to writing and read before the final vote is taken thereon. The Mayor shall have no power to veto any measure, and he shall have a vote on all questions. Every resolution or ordinance passed by the Council must be signed by the Mayor or by the Mayor Pro Tem, acting in that capacity, and be recorded and published before the same shall be in force, except as otherwise hereinafter provided.

2 Meetings

The regular meetings of the Council shall be held on the second and fourth Tuesdays of each month unless said regular meeting dates are otherwise fixed by ordinance; provided that regular meetings must be held at least semi-monthly. The Council may be called in special session by the Mayor or by five (5) of the Councilmembers. All meetings, regular, special, or adjourned, of the City Council and all Boards, Commissions, Authorities, and Committees of the City, whether the members thereof be appointed or elected, shall be open to the public under such regulations as may be fixed by ordinance; provided that the City Council, or a Board, Commission, Authority, or Committee of the City, may hold an executive session in compliance with State law.

3 Removal Of Mayor And Councilmembers

The Mayor or any Councilmember shall be subject to removal from office in the manner and for the same cause or causes as provided by the Laws of the State of Oklahoma for the removal of county officers, it being intended hereby to provide cumulative procedure and cause for removal. In the event of a vacancy in the office of Mayor, the Mayor Pro Tem shall serve as Mayor with all the powers and duties vested in the Mayor until such vacancy is filled as provided for by appointment or election as provided herein.

ARTICLE XII ORDINANCES

1 Caption
2 Contents; Repealed Ordinances Not Revived By References To Title Only
3 When Effective
4 When To Be Adopted
5 Emergency Ordinances
6 Adoption By Reference
7 Ordinances: Codification
8 Printed Ordinances Admitted In Evidence

1 Caption

The style of all ordinances shall be, "BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN," but such caption may be omitted when said ordinances are revised and compiled under the order of the Council, or when they are published in book form.

2 Contents; Repealed Ordinances Not Revived By References To Title Only

Every ordinance adopted by the Council shall embrace but one subject, which shall be clearly expressed in its title. No repealed ordinance shall be revived, amended, or the provisions thereof extended or confirmed by reference to its title only; but so much thereof as is revised, amended, extended or confirmed shall be reenacted and published at length; provided, that if any subject be embraced in any ordinance contrary to the provisions of this section, such ordinance shall be void only as to so much of the ordinance as may not be expressed in the title thereof.

3 When Effective

All ordinances passed by the Council; except emergency ordinances, shall take effect and become valid at the end of thirty days from the date of passage of such ordinance. All ordinances shall be published in full or by title in a newspaper meeting the requirements of the statutes of the State of Oklahoma in respect to legal publications, published and of general circulation within the City of Norman, such publication to be within ten days from the passage of the ordinance.

4 When To Be Adopted

No ordinance shall be adopted on the day of its introduction before the Council; but all ordinances, after being introduced, shall lay over for at least one week before being finally voted on and adopted, but this provision shall not apply to emergency ordinances.

5 Emergency Ordinances

An emergency ordinance is an ordinance, which in the judgment of the Council, is necessary for the immediate preservation of peace, health, or safety, and which should become effective prior to the time an ordinary ordinance would become effective. Every such ordinance shall contain, as a part of its title, the words, "and declaring an emergency" and in a separate section, herein called the emergency section, shall declare the emergency. The Council shall vote on the emergency section separately, and must adopt the section by a vote of at least two-thirds of the membership of the Council, which vote shall be by yeas and nays, and shall be entered in the journal. An emergency ordinance shall take effect upon passage unless it specifies at a later time.

6 Adoption By Reference

The Council by ordinance may adopt by reference codes, ordinances, standards and regulations relating to buildings, plumbing, electrical installations, streets, subdivisions, and other matters which it has power to regulate otherwise. Such code, ordinance, standard or regulations so adopted need not be enrolled in the book of ordinances, but a copy shall be filed and kept in the office of the City Clerk. The City Clerk shall keep copies of all such codes, ordinances, standards and regulations in force for distribution or sale at their approximate cost.

7 Ordinances: Codification

The ordinances of the City shall be codified and published in book or pamphlet form at least every ten years unless the Council, by use of a loose-leaf system and process of amendment, keeps the code up to date. Titles, enacting clauses, and emergency sections may be omitted from the code, and temporary and special ordinances and parts of ordinances may be omitted. Permanent general ordinances and parts of ordinances which are to be repealed by the code shall be omitted from

the code. The ordinances and parts of ordinances included in the code may be revised, rearranged and reorganized; and the code may contain new matter, provisions of the State Constitution and law relating to the City and provisions of this Charter. A copy of the published code shall be filed in the office of the City Clerk after adoption by the Council, but the code need not be enrolled in the book of ordinances.

8 Printed Ordinances Admitted In Evidence

All printed ordinances or codes of ordinances published by authority of the Council, shall, in all judicial proceedings, in all courts, be admitted in evidence with the same force and effect as would original ordinances, and in such proceedings it shall not be necessary to plead the entire ordinances or section, but only such parts thereof as are offered in evidence.

ARTICLE XIII RECALL OF ELECTIVE OFFICERS

1 Time Of Commencing Proceedings
2 Filing Of Petition; Validation Of Signatures
3 Notice And Publication
4 Calling Election; Votes Required For Recall
5 Election To Fill Vacancy Created By Recall
6 Reappointment Prohibited After Removal

1 Time Of Commencing Proceedings

The holder of any elective office, either by election or appointment to fill a vacancy, may be removed at any time during the time period beginning six months from the date of his accession to said office and ending six months prior to the expiration of the current term of the elected official so subject to recall, by the registered voters qualified to vote for a successor to such incumbent, in the following manner:

HISTORY
Amended by Ord. O-2122-45 Period for recall on 5/24/2022

2 Filing Of Petition; Validation Of Signatures

A petition bearing the signatures, names and addresses of twenty-five per cent (25%) of the registered voters qualified to vote for the officer whose recall is sought, shall be necessary to initiate recall proceedings. The City Clerk shall maintain on file and for public use proper petition forms that are in substantial conformance with the form provided in State law for referendum petitions to initiate such proceedings.

At the top of each page of said petition(s) there shall be a simple statement of the gist of the recall proposition: "If successful, this petition will allow the voters to decide whether to recall [insert elected officer] prior to the expiration of his/her term, or allow him/her to continue to serve in office."

The petition must be returned to the City Clerk within thirty (30) days of its initiation in order to be valid. Failure to return the petition(s) within the proper time limits shall render them null and void.

Upon receipt of the petition(s), the City Clerk shall inspect said petition(s) to see that all the signatures are valid and that they are those of registered voters eligible to vote for the office from which the officer's removal is sought. Such inspection by the City Clerk shall be completed in a reasonable amount of time, not to exceed thirty (30) days for one petition to recall a ward representative, sixty (60) days for a petition to recall the Mayor, and ninety (90) days if multiple petitions are undergoing inspection concurrently.

HISTORY
Amended by Ord. O-2122-45 Timeframe for Review on 5/24/2022

3 Notice And Publication

The City Clerk shall cause to be published upon the filing of the said petition with the City Clerk's office, in some newspaper of general circulation in the City of Norman a notice to the voters, stating the name of the officer(s) whose recall is sought and the time limit within which said petition(s) must be signed. Further, the City Clerk shall cause to be mailed to the officer(s) whose recall is sought an official notice that the petition has been commenced and the time limit in which it must be completed. Such notice shall be by certified mail, return receipt requested, and the refusal of the officer(s) to accept delivery shall in no way affect the validity of the notice. Failure of the City Clerk to keep the City Clerk's office open during regular office hours, which failure prevents the proper filing of said petition(s), shall be adjudged a misdemeanor and upon conviction thereof the Clerk shall be punished by a fine of not less than ten dollars and not more than fifty dollars, and each day said City Clerk violates the provisions hereof shall constitute a separate and distinct offense. In the event such a failure on the part of the City Clerk occurs, petitioners may file the petition(s) with the City Manager.

In addition to publishing notice upon receipt of a petition, the City Clerk shall also publish notice in advance of any recall election in accordance with Title 34, Section 17, of the Oklahoma Statutes.

HISTORY
Amended by Ord. O-2122-45 Publication Requirements on 5/24/2022

4 Calling Election; Votes Required For Recall

Upon determination by the City Clerk that the petition(s) bear the signatures of the requisite number of registered voters, said petition(s) shall be presented by the City Clerk to the City Council which body shall, in accordance with state election laws, call a recall election.

The recall shall be adopted when the total number of votes in favor of the recall is a majority of all the votes cast on the issue and that majority equals a majority of all the votes cast in the most recent previous election for the particular office in question. Should more than four Councilmembers be recalled in the same recall election, then an affirmative vote of the majority of the remaining seated Councilmembers shall be sufficient to take any action until the vacancies resulting from the recall are filled as set forth herein.

HISTORY
Amended by Ord. O-2122-45 Council Quorum on 5/24/2022

5 Election To Fill Vacancy Created By Recall

In the event the recall is adopted, a vacancy shall be declared and and election shall be called for the next available election date in accordance with state election laws. Qualification to be a candidate shall be as for a regular election as set out in Article II. Election shall be by a plurality of the votes cast and shall be certified in the regular manner.

HISTORY
Amended by Ord. O-2122-45 Replacement Election on 5/24/2022

6 Reappointment Prohibited After Removal

Any person who has been removed from an office by recall, or who has resigned from such office while recall proceedings were pending against him, shall be appointed to no office under the City government within one year after such removal by recall or resignation.

ARTICLE XIV REVENUE

1 Systems For Revenue Collection
2 Submission Of Budget
3 Council Certification To Excise Board

1 Systems For Revenue Collection

Except as otherwise provided by the general revenue laws of the State and this Charter, the Council shall by ordinance provide for the collection, custody and disbursement of all public moneys, from whatever sources derived, and establish as near as may be a uniform system of municipal accounting.

2 Submission Of Budget

On or before the first Tuesday in June of each year, or at such other time as the Council may by ordinance require, the City Manager shall submit in writing to the Council an annual budget for the ensuing fiscal year giving detailed estimates of the needs and requirements of the several departments and other divisions of the City government, according to a classification as nearly uniform as possible, and the amount required for the proper conduct of the various departments and divisions of the City government for the ensuing fiscal year; said budget shall present the following information:

(a) An itemized statement of the appropriations recommended by the City Manager for current expenses and for permanent improvements for each department and each division thereof for the ensuing fiscal year, with comparative statements in parallel columns of the appropriations and expenditures for the current year, and the increases or decreases in the appropriations recommended;

(b) An itemized statement of the taxes required, and of the estimated revenues of the City from all other sources, for the ensuing fiscal year, with a comparative statement in parallel columns of the taxes and other revenues for the current year, and of the increases or decreases estimated or proposed;

(c) A statement of the amount of revenue needed to create a sinking fund to be used: 1st, for the payment of interest coupons as they fall due; 2nd, for the payment of bonds as they fall due; 3rd, for the payment of such parts of judgments as the City may, by law, be required to pay;

(d) A statement of the financial condition of the City;

(e) Such other information as may be required by the Council.

3 Council Certification To Excise Board

The Council after determining the amount necessary to maintain the City government for the ensuing fiscal year, shall at such time and in the manner provided by law certify to the County Excise Board a FINANCIAL STATEMENT AND an ESTIMATE OF NEEDS showing the amounts necessary to he raised by taxation as required or authorized by law.

ARTICLE XV PUBLIC SERVICE CORPORATIONS

1 Reservation Of Control Over Public Highways; Charges Regulated; Exclusive Franchises Prohibited
2 Council Shall Frame Law
3 Power Of Taxation Over Public Service Corporation
4 Purchase Price

1 Reservation Of Control Over Public Highways; Charges Regulated; Exclusive Franchises Prohibited

No grant, extension or renewal of any franchise or other use of the streets, alleys or other public grounds of this municipality, shall divest the City of its control and regulation of such use and enjoyment. Nor shall the power to regulate the charges for public services be surrendered and no exclusive franchise shall ever be granted.

2 Council Shall Frame Law

The Council shall be vested with the power of adopting all laws and ordinances not inconsistent with the constitution and laws of this State for the taxation, regulation, and control of all public service and public utility corporations now or hereafter existing or operating in whole or in part within the City.

3 Power Of Taxation Over Public Service Corporation

All grants and renewals of franchises and privileges shall reserve to the City the right to terminate the same and to purchase all the property of the utility in the streets, avenues, alleys and public places in the City and elsewhere as may be provided in the franchise making the grant or renewal, used in or useful for the operation of the utility, at such prices as may be agreed upon between the owner and the City and in the event of disagreement the same may at the option of the City be submitted to arbitration under the arbitration laws of the State of Oklahoma; or in the event no arbitration agreement can be reached, then the City may obtain such property by condemnation under the eminent domain laws of the State of Oklahoma.

4 Purchase Price

No franchise making such grant or renewal shall be valid unless it shall expressly provide therein that the price to be paid by the City for the property that may be acquired by it from such utility, by purchase, condemnation or otherwise shall exclude all value of such grant or renewal.

ARTICLE XVI MUNICIPALLY OWNED UTILITIES

1 Acquisition Of Property: Public Utilities
2 Utility Rates

1 Acquisition Of Property: Public Utilities

Said City shall have power, within and without its territorial limits, to construct, condemn, purchase, acquire, lease, improve, add to, maintain and conduct and operate in whole or in part, waterworks, light plants, telephone systems, power plants, transportation systems, heating plants, incinerating plants, sanitary sewers, storm sewers and drain, and any other public utility or works or ways, and everything required therefor. And any such systems, plants, works or ways, or any contracts in relation or connection therewith that may exist and which said City may desire to purchase in whole or in part may be purchased or acquired, in whole or in part, by said City, which may enforce such purchase by proceeding at law or in equity or by right of eminent domain, and said City shall have the power to issue bonds upon the vote of the tax paying registered voters at any special or general election in any amount necessary to carry out any of said powers or purposes, said amount being alone limited by the Constitution and the laws of the State of Oklahoma.

2 Utility Rates

Precedent to an increase in utility rates within the control of the City of Norman, such increase proposal must be submitted to the legal voters of the City for their approval or rejection at the next regular general election, or at a special election which might be called for said purpose. This section is self-executing and shall supersede all provisions in conflict therewith; legislation may be enacted to facilitate its operations but no ordinance shall limit or restrict the provisions thereof.

ARTICLE XVII MISCELLANEOUS PROVISIONS

1 Compensation Of Officers
2 Extra Compensation Prohibited
3 No Appointment For Definite Time
4 Officer Or Employees To Have No Interest In Any City Contract

5 Bribery Prohibited
6 Nepotism Prohibited
7 Councilmembers Cannot Accept Newly Created Office
8 Officers May Administer Oaths
9 Periodic Charter Review
10 Individual Liability Of Officers
11 Auditing Of Accounts And Publication Of Same
12 Amendment And Repeal
13 Saving Clause

1 Compensation Of Officers

The Council shall by ordinance fix the compensation of the City Manager. The City Manager shall fix the number, and salaries or compensation of all other officers and employees, with the approval of the Council. The salaries or compensation so fixed shall be uniform for like service in each grade of the service as same shall be graded or classified by the City Manager.

2 Extra Compensation Prohibited

No employee shall receive any compensation from the City other than as specified in the salary, benefits and compensation package attached to his/her position. No full-time employee shall be permitted under any circumstances to draw more than one salary from the City for any and all purposes.

(Ord. No. O-1516-25, § 11)

3 No Appointment For Definite Time

No appointment to an office or position in the City shall be made for any definite time.

4 Officer Or Employees To Have No Interest In Any City Contract

No officer or employee of the City, elective or appointive, shall be interested, directly or indirectly, in any contract or job for work or for material, or supplies, or the profits thereof, or any purchase made for or sales made by, to or with the City, or own stock in any corporation, having any contract or subcontract, for doing any contract, job or work, and all such contracts with such City officers or employees shall be void, and the violation of this clause shall be deemed a sufficient cause for the removal from office or employment, of such officer or employee. For purposes of this section, the phrase "interested, directly or indirectly" shall also apply to a spouse, and shall embrace any ownership interest greater than five per cent (5%).

5 Bribery Prohibited

It shall be unlawful for any candidate for office or for any officer or employee of the City, directly or indirectly, to give or promise to give to any person or persons, any office, position, employment, or anything of value, for the purpose of influencing or obtaining support, political or otherwise, aid, or influence of any person or persons; the doing of any of which things shall be grounds for removal from office of such officer, employee or candidate, if elected.

6 Nepotism Prohibited

No person who is a relative by blood or marriage within the third degree of any of the Councilmembers or the City Manager shall be appointed to any City office or employment. The provisions of this section shall not prohibit an officer or employee already in the service of the municipality from continuing in such service or from promotion therein.

7 Councilmembers Cannot Accept Newly Created Office

No councilmember shall be appointed to any office created by the Council during that member's term until the expiration of two years after that member's service on the Council shall have ended.

8 Officers May Administer Oaths

The Mayor, Municipal Judge, and the City Clerk shall have the power to administer oaths.

9 Periodic Charter Review

At least once every ten years beginning no later than 2024 and occurring no more than every 10 years thereafter, City Council shall consider whether a Charter Review Committee shall be appointed for the purpose of reviewing the Charter.

(Ord. No. O-1516-25, § 13)

10 Individual Liability Of Officers

Every officer who shall approve, allow or pay any demand on the treasury of the City, not authorized by law, ordinance or this Charter, shall be liable to the City individually and on his official bond for the amount of the demand so illegally approved, allowed or paid.

11 Auditing Of Accounts And Publication Of Same

At the end of each fiscal year, and at such other time as it may deem necessary, the Council shall cause a full and complete examination of all the books and accounts of the City, including the accounts of municipally owned utilities, to be made by a competent, Certified Public Accountant.

12 Amendment And Repeal

This Charter may be amended at any time by initiative petition as provided by the Constitution and laws of the State of Oklahoma, at an election at which the proposed amendment is submitted to the registered voters of the City and approved by a majority vote of those voting at such election on such proposed amendment.

The Council may propose and submit any amendments to this Charter to a vote of the registered voters of the City provided such amendments are filed with the City Clerk for submission not less than sixty days before the election at which they are to be voted upon. Amendments, whether by initiative petition or by Council referral, may be submitted at any general or special election as the Council may prescribe. At such elections, the general election laws of the State shall govern.

13 Saving Clause

If any section or a part of a section of this Charter is determined by a court of competent jurisdiction to be invalid, it shall not invalidate or impair the force or effect of any other section or part of a section of this Charter, except insofar as such other section or part of a section is dependent for its operation upon the section so held to be invalid.

ARTICLE XVIII LABOR RELATIONS

1 Right To Organize And Bargain Collectively
2 Recognition Of Bargaining Unit
3 Municipal Powers Reserved
4 Strikes Prohibited

1 Right To Organize And Bargain Collectively

In order to protect the health, safety, and general welfare of the citizenry by promoting good labor relations, the City of Norman hereby extends the right to organize and bargain collectively to all non-supervisory full-time City employees. All such rights granted by this Article are expressly subject to the provisions of this Charter and ordinances enacted thereunder, and where not in conflict therewith, procedures and activities used in the implementation of these rights shall be governed by the laws of the State of Oklahoma. The City Council shall enact ordinances to effectuate the intent and express provisions of this Article.

2 Recognition Of Bargaining Unit

The City Council shall recognize, subject to the provisions of this Charter and ordinances enacted pursuant thereto, any bona fide and appropriate bargaining unit of City employees for the purpose of bargaining collectively with the City of Norman with respect to wages, salaries, hours, rates of pay, grievances, working conditions, and other terms and conditions of employment.

3 Municipal Powers Reserved

Nothing herein contained shall be construed or interpreted so as to infringe upon or remove the prerogatives of the City to operate and manage affairs in all respects in accordance with its responsibilities and powers of authority, nor shall the right to collective bargaining extend to such matters.

4 Strikes Prohibited

In order to protect the health, safety, morals, and general welfare of the citizenry, the right to strike or to engage in any work stoppage or slowdown is hereby expressly prohibited. Any employee who, individually or by concerted action with others and without the approval of his superior, willfully absents himself from his position or abstains in whole or in part from the full, faithful, and proper performance of his duties for the purpose of inducing, influencing, or coercing a change in conditions or compensation, or the rights, privileges, or obligations of employment, shall be deemed to be on strike. Any employee who participates in a strike as herein defined may be discharged by the City Manager, immediately and without further cause. In

no event shall anyone participating in a strike be allowed to acquire any benefits gained by collective bargaining. Strikes and the status of participants therein shall never be a matter of collective bargaining.

ARTICLE XIX PLANNING; ZONING AND SUBDIVISION REGULATIONS

1 General Grant Of Power
2 Planning Commission; Membership; Duties
3 Amendment, Change Or Repeal Of Regulations
4 Present Ordinances And Regulations Continued

1 General Grant Of Power

The City of Norman shall have full power to promote the public health, safety, morals, and general welfare by regulating the use of property and by controlling and directing the development of the City, through the exercise of the complete powers necessary and proper to carry and maintain these and all powers into full effect, within the City limits, to the fullest extent permissible under the Constitution of the United States and the Constitution of this State. The exercise of the powers of planning, zoning and subdivision regulation within the City always shall be in pursuance of this grant of authority and not under state statutes or law, except with respect to those matters of general state concern as to which state law controls under the State Constitution. The City also may exercise powers of planning, zoning, and subdivision regulation granted by the State in respect to matters of general state concern, as aforesaid, and also in respect to property situated outside the City limits.

2 Planning Commission; Membership; Duties

In order to avail itself of the powers conferred by this Article, the City Council shall appoint the Norman Planning Commission. Such Commission shall consist of not less than nine citizens, all of whom shall reside in the City of Norman and who shall be nominated by the Mayor, and confirmed by the City Council, each for a term of three years; provided, however, that in the first instance, one-third shall be for three years, one-third for two years, and one-third for one year. Appointments to fill vacancies shall be for the unexpired term only. Such Commission shall serve without pay, and it shall be the duty of such Commission to exercise all powers granted by this Article or ordinances enacted pursuant thereto. The Commission shall have the power and authority to employ personnel for the purpose of carrying out its functions, subject to approval of the appropriations of funds by the City Council.

3 Amendment, Change Or Repeal Of Regulations

Zoning regulations, restrictions, and boundaries may from time to time be amended, supplemented, changed, modified, or repealed by the vote of a majority of the membership of the City Council; provided, however, the City Council is expressly authorized to enact ordinance(s) which will require approval by more than a simple majority of City Councilmembers to amend, supplement, change, modify, or repeal zoning regulations in situations specifically described in any such ordinance(s).

4 Present Ordinances And Regulations Continued

All ordinances and regulations of this City in respect to planning, zoning, and subdivision regulations which are in operation at the effective date of this Charter provision, hereby are adopted and continued in force, under and by force of the authority conferred by Section 1 of this Article, until altered or repealed by the City Council.

ARTICLE XX REAPPORTIONMENT

1 Reapportionment Ad Hoc Committee
2 Appointment And Meetings Of The Reapportionment Ad Hoc Committee
3 Criteria For Ward Boundaries
4 Public Hearing On Proposed Boundaries; Votes Required For Passage
5 Council Shall Have Final Authority
6 Annexed Territory; Reapportionment Between Census Report

1 Reapportionment Ad Hoc Committee

There shall be a Reapportionment Ad Hoc Committee, which shall consist of nine voting members appointed by the Council on nomination by the Mayor. All members of the Reapportionment Ad Hoc Committee shall be registered voters of the City and shall hold no other office or position of employment in the City government.

(Ord. No. O-1516-25, § 12)

Editor's note—Ord. No. O-1516-25, § 12, adopted Dec. 8, 2015, changed the title of § 1 from "Reapportionment Commission" to read as herein set out.

2 Appointment And Meetings Of The Reapportionment Ad Hoc Committee

The Reapportionment Ad Hoc Committee shall meet to review and make recommendations on ward boundaries as follows:

(a) When the City proposes to annex or de-annex property; or

(b) After the release of new precinct information by the Election Board pursuant to the release of the final Federal Decennial Census; or

(c) Upon the unanimous recommendation of City Council.

In the case of proposed annexation or de-annexation, members of the Reapportionment Ad Hoc Committee shall be appointed within ninety (90) days of adoption of any such proposal. For purposes of reviewing the Federal Decennial Census, members of the Reapportionment Committee shall be appointed within thirty (30) days of the release of new precinct information for Norman by the Election Board. The Reapportionment Ad Hoc Committee's members shall be residents and registered voters of the City's wards, (one at-large and one from each ward).

(Ord. No. O-1516-25, § 12)

Editor's note—Ord. No. O-1516-25, § 12, adopted Dec. 8, 2015, changed the title of § 2 from "Composition of the Reapportionment Committee" to read as herein set out.

HISTORY
Amended by Ord. O-2122-45 Timeline for review on 5/24/2022

3 Criteria For Ward Boundaries

No later than one hundred and eighty (180) days after the appointment of the Reapportionment Ad Hoc Committee pursuant to Section 2(a) or 2(c) herein, or after the release by the Election Board of new precinct information for Norman when the Committee is appointed pursuant to Section 2(b) herein, the Committee shall pass and refer to the City Council a resolution to retain or readjust the wards and their boundaries to comply with the standards set out herein. Wards should be formed so as to equalize, as nearly as practicable, the population of the several wards. In addition, each ward should be formed of compact, contiguous territory with boundaries drawn to reflect and respond to communities of common interest, ethnic background, and physical boundaries, to the extent reasonably possible. Ward lines shall not create artificial corridors which in effect separates voters from the ward to which they most naturally belong.

(Ord. No. O-1516-25, § 12)

HISTORY
Amended by Ord. O-2122-45 Criteria on 5/24/2022

4 Public Hearing On Proposed Boundaries; Votes Required For Passage

Prior to voting on the resolution, the Reapportionment Ad Hoc Committee shall hold a public hearing thereon. At least five (5) votes shall be required for passage of the resolution, and the vote on passage shall be by roll call and shall be entered in the minutes of the Committee. A map showing the wards and their boundaries shall be appended to the resolution.

(Ord. No. O-1516-25, § 12)

HISTORY
Amended by Ord. O-2122-45 Time for public hearing on 5/24/2022

5 Council Shall Have Final Authority

The resolution shall then be referred to the City Council which shall, within thirty (30) days, conduct a public hearing on the proposed resolution and adopt the resolution without modification, reject the resolution, or send the resolution back to the Reapportionment Ad Hoc Committee for further consideration. If any changes in ward boundaries are adopted by City Council, such changes shall also be adopted by ordinance and codified in the Code of the City of Norman.

Thereupon, the new wards and boundaries shall supersede the previous wards and boundaries for purposes of the next primary and general election set by the City Council, and for all other purposes on the day on which the terms of the Councilmembers elected that year begin.

(Ord. No. O-1516-25, § 12)

HISTORY
Amended by Ord. O-2122-45 Council Authority on 5/24/2022

6 Annexed Territory; Reapportionment Between Census Report

When territory is annexed to the City, the Reapportionment Ad Hoc Committee, by resolution in the manner provided hereinabove, shall incorporate it into the adjacent ward or wards or shall readjust the wards and boundaries in the manner provided hereinabove, as it deems appropriate.

(Ord. No. O-1516-25, § 12)

CHARTER AND OTHER LAWS

The City of Norman is a "charter" city, meaning that the voters have approved a "charter" to govern the form of government for the City. A charter is similar to a constitution, in that it is voter approved and establishes some general rules that govern the operation of the City. The Norman Charter is similar to the statutory "council-manager" form of government but is not identical.

Even though Norman is a charter city, the charter itself regulates very few of the issues the city faces on a day-to-day basis. Similar to state and federal law, ordinances enacted by the City should not be in contravention to the Charter. In general, the regulations that affect City operations will be in the form of one of the following:

A. United States Constitution – all activities of the City are subject to the restrictions imposed by the Constitution.

B. Federal laws and regulation – many time Congress will pass a law that requires action by a local government or that will preclude the City against taking action.

C. Oklahoma Constitution – Oklahoma's Constitution contains many provisions that affect the operations of the City, especially in the area of financial transactions.

D. Oklahoma Statutes – the legislature regularly enacts new laws that affect the operations of the City, and we are generally required to follow those laws unless in matters of purely local concern or in areas where the state has not "occupied the field" of law.

E. City Ordinances – the City, by ordinance, can enact criminal laws with limited punishment and can establish rules and regulations in a wide range of areas. Ordinances are intended to be permanent enactments, but are subject to revision by the governing body. Ordinances require a First Reading, where notice by title is provided, a Second Reading at least 7 days later, and a Final Reading (final reading occurs at the same meeting as second reading). With a separate vote and declaration of emergency, Council can combine the readings and/or ensure the ordinance goes into effect immediately. Without a declaration of emergency, ordinances will go into effect 30 days after adoption.

F. City Resolutions – a resolution approved by the City is typically reserved for policy statements, and not enforceable regulations.

CHARTER

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ARTICLE XXI REAPPORTIONMENT

Editor's note—Printed herein is the Charter for the City of Norman, as amended through March 15, 1994. All subsequent amendments thereto are reflected by history notes following each amended section. For a legislative history of the Charter, see the Charter Comparative Table.

PREAMBLE

We, the people of the City of Norman, in order to secure the benefits of home rule, to encourage efficient and business-like methods in the transaction of municipal affairs, to promote civic advancement and general welfare and to protect the human rights and personal dignity of all persons do ordain and establish this Charter for the City of Norman.

ARTICLE I ORGANIZATION AND POWERS

1 Organization
2 Boundaries
3 General Grant Of Powers
4 Bequests, Gifts And Donations
5 General Grant Of Powers Not Limited
6 Former Government In Force

1 Organization

The inhabitants within the boundaries hereinafter defined, and their successors, are hereby created and organized a Municipal Corporation and body politic with perpetual succession under the name "The City of Norman," and shall succeed to own and possess all the property, rights, privileges, franchises, powers and immunities now belonging to the present corporation known as the City of Norman, and shall be liable for all debts and obligations for which said present corporation is now liable, and shall have the power to adopt a common seal and alter the same at pleasure, to sue and be sued in all courts, to make contracts, to take and acquire property by purchase, condemnation or otherwise, and to hold, lease, mortgage, convey or otherwise dispose of any of its property within or without the limits of

said city, and it shall have such other powers, rights, privileges, franchises and immunities as are granted and conferred by any other parts of this Charter or by the Constitution and the laws of the State of Oklahoma.

2 Boundaries

The boundaries of said City, and the respective wards thereof, shall until altered as provided by law be the same as at the time of the adoption of this Charter.

3 General Grant Of Powers

Said City shall also have all other powers that may hereafter be given it by the Constitution and the laws of this State, and where any provisions of this Charter shall be in conflict with any law or laws relating to cities, the provisions of this Charter shall prevail, and said City shall have the power to enact and enforce all ordinances necessary to protect health, life and property, and to define, prevent, and summarily abate and remove nuisances; and to preserve and enforce good government and order, to protect the lives, health, and the property of the inhabitants thereof.

4 Bequests, Gifts And Donations

Said City may receive bequests, gifts and donations of all kinds of property in fee simple or in trust for charitable or public purposes and perform all acts necessary to carry out the purposes of such bequests, gifts, donations or trusts, with power to manage, sell, lease or otherwise dispose of same in accordance with the terms of the bequest, gift, donation, or trust.

5 General Grant Of Powers Not Limited

The legislative, executive and judicial powers of the City shall extend to all matters of local and municipal government, it being the intent hereof that the specification of particular powers by any other provision of this Charter shall never be construed as limiting or impairing the effect of the general grant of powers hereby made.

6 Former Government In Force

All existing ordinances of the City not inconsistent with this Charter or inapplicable under the municipal government provided by this Charter shall be and continue in full force and effect until amended or repealed or until they expire by their own limitations, and no existing right, action (civil or penal), suit, proceeding, or contract, shall be affected by the change in the form of government of the City; but all shall continue as though no such change had taken place; and all debts, penalties and forfeitures which have accrued, or which may hereafter accrue by virtue of anything heretofore done or existing, shall inure to the benefit of the City of Norman and may be sued for and recovered by the said City as though this Charter had not been adopted. Nothing herein, however, shall legalize or make legal any invalid indebtedness of the City heretofore contracted or incurred or impair any defense against the payment of the same, nor shall the adoption of this Charter in any wise interfere with any proceedings heretofore instituted relating to the levy and collection of taxes, special assessments, or levies of any nature, or with any proceedings to enforce the payment of the same, and all contracts heretofore entered into by the City shall remain in full force and effect and be completed under the ordinances existing at the time of the adoption of this Charter.

ARTICLE II CITY OFFICERS; ELECTIONS

1 Elected Officers: Powers And Duties; Stipend
2 Term Of Office
3 Official Oath, Bond
4 Elections
5 Municipal Elections

6 Municipal Runoff Elections
7 Qualifications Of Voters
8 Voting Places
9 City Council To Order Special Elections
10 Candidates
11 Partisan Designation Forbidden
12 Withdrawal Of Candidates
13 Arrangement Of Ballot
14 Form Of Ballot
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19 Election Of Mayor Pro Tem; Duties Of Mayor Pro Tem
20 Measures On Ballot; Arrangement
21 General Election Laws To Apply
22 Vacancies In Office

1 Elected Officers: Powers And Duties; Stipend

The elective officers of the City of Norman shall be a Mayor and eight (8) Councilmembers. All legislative powers except the initiative and referendum shall be vested in a Council, consisting of a Mayor, elected at-large, and eight (8) Councilmembers elected from and by the registered voters of the respective wards of the City.

All references in this Charter to "Councilmembers" or "City Councilmembers" shall be construed to mean the Mayor as well as those persons elected to Council positions.

Five (5) members of the Council shall constitute a quorum, and the affirmative vote of at least five (5) members shall be necessary to adopt any motion, resolution or ordinance or pass any measure, unless a greater number is required by a specific provision of the Charter.

The Mayor shall preside at all meetings of the Council and shall perform in addition to his legislative duties such ceremonial duties as are necessary in the conduct of the City's business. The Mayor shall be recognized as the official head of the City by the courts for the serving of civil processes, and by the Governor for military purposes. In time of public danger or emergency he may, with the consent of the Council, take command of the police and maintain order and enforce the laws.

The Mayor and each of the Councilmembers shall receive, a stipend for their services, fifty dollars per month, plus ten dollars for each regular or special meeting attended, provided, however, that no Councilmember shall receive more than one hundred dollars total stipend for any given calendar month.

(Ord. No. O-1516-25, § 9)

Editor's note—Ord. No. O-1516-25, § 9, adopted Dec. 8, 2015, changed the title of § 1 from "Elected Officers: Powers and duties; compensation" to read as herein set out.

2 Term Of Office

The term of Councilmembers shall be for a period of two years. The terms of Councilmembers chosen to represent Council wards two (2), four (4), six (6), and eight (8) shall begin on the first Tuesday of July of the next even numbered year after their election through July 2026. Beginning in 2028, the terms of Councilmembers chosen to represent even-numbered wards shall begin at six-thirty in the evening (6:30pm) on the first Tuesday following the date of the scheduled run-off election for such offices.

The term of Councilmembers chosen to represent Council wards one (1), three (3), five (5), and seven (7) shall begin on the first Tuesday of July of the next odd numbered year after their election through July 2027. Beginning in July 2029, the terms of Councilmembers chosen to represent odd-numbered wards shall begin at six-thirty in the evening (6:30pm) on the first Tuesday following the date of the scheduled run-off election for such offices.

Each elected officer shall continue to hold and to perform the duties of his office until his successor is elected and qualified, unless he is removed or forfeits his office under other provisions of this Charter.

Elections for Mayor shall occur every three (3) years. The term of the Mayor shall begin on the first Tuesday of July and each three (3) years thereafter through July 2028. Beginning with the 2031 election, and every third year thereafter, the term of the Mayor shall begin at six-thirty in the evening (6:30pm) on the first Tuesday following the date of the scheduled run-off election for such offices.

For purposes of filing and election to the positions of City Council, only persons who have been duly registered to vote in accordance with state law within the City of Norman for the six months prior to the date of the municipal election and reside in the ward from which they seek election, on the date of their filing, shall be eligible to seek election to the City Council.

For the purpose of filing and election to the position of Mayor, only persons who have been duly registered to vote in accordance with state law within the City of Norman for the six months prior to the date of the municipal election, shall be eligible to seek election as Mayor.

(Ord. No. O-0203-11; Ord. No. O-1011-31, § 7; Ord. No. O-1718-3, § 4)

HISTORY
Amended by Ord. O-2526-34 on 4/7/2026

3 Official Oath, Bond

The Mayor, Councilmembers, and all officers of the City, upon entering the duties of their offices, shall take the oath of office prescribed by the Constitution of Oklahoma. The City shall purchase any bonds required of the Mayor and/or Councilmembers.

4 Elections

All elections for municipal officers in the City of Norman shall be conducted as herein provided.

5 Municipal Elections

By resolution duly adopted each year, the City Council shall designate a date in the following year, which is approved under then-current state law, for the holding of Norman's municipal election, at which time there will be election contests conducted by the Cleveland County Election Board for each of the following positions for which two (2) or more qualified (as described above) registered voters have filed for office: wards two (2), four (4), six (6), and eight (8) in even-numbered years; wards one (1), three (3), five (5), and seven (7) in odd-numbered years; and Mayor in 2007 and each third year thereafter. If allowed by then-current state law, the date for municipal elections shall be in February. In each such municipal election, a person receiving a majority of votes cast shall be deemed to be the winner. If no person receives a majority of votes in the municipal election, the two candidates receiving the most votes shall proceed in the municipal runoff election, described below. If two or more persons tie for second place in the municipal election, and the person receiving the most votes did not receive a majority of votes cast, then the second-place nominee shall be determined from among those tying, fairly by lot, by the Cleveland County Election Board. If three or more persons tie for first place in the municipal election, then the two municipal runoff election nominees shall be determined from among those tying, fairly by lot, by the Cleveland County Election Board.

(Ord. No. O-0203-11; Ord. No. O-0405-32, § 7; Ord. No. O-1112-07, § 1; Ord. No. O-1718-3, § 4)

6 Municipal Runoff Elections

By resolution duly adopted each year, the City Council shall designate a date in the following year that is subsequent to the date chosen for Norman's municipal election described in Section 5 herein, which is approved under then-current state law, for the holding of Norman's municipal runoff election, at which time there will be runoff election contests, if necessary, conducted by the Cleveland County Election Board for each of the following positions for which two (2) or more qualified (as described above) registered voters have filed for office: wards two (2), four (4), six (6), and eight (8) in even-numbered years; wards one (1), three (3), five (5), and seven (7) in odd-numbered years; and Mayor in 2007 and each third year thereafter. If allowed by then-current state law, the date for municipal runoff elections shall be in April.

(Ord. No. O-0203-11; Ord. No. O-0405-32, § 8; Ord. No. O-1112-07, § 1; Ord. No. O-1718-3, § 4)

7 Qualifications Of Voters

In either municipal or municipal runoff elections, for the election of ward Councilmembers provided for herein, only such persons as are registered voters of the City of Norman and of the ward in which they propose to vote shall be eligible to vote.

In either municipal or municipal runoff elections of the Mayor provided for herein, only such persons as are registered voters of the City of Norman shall be eligible to vote.

Registered voters shall be qualified and registered under the law of the State of Oklahoma.

(Ord. No. O-0405-32, § 9)

8 Voting Places

All elections within the City of Norman shall be held at the polling places designated under the general election laws.

9 City Council To Order Special Elections

The City Council of the City shall, by ordinance, order the holding of all special elections, except as otherwise provided in this Charter, or by the Constitution of this State. Such ordinances shall specify the object of and the time for holding such elections. Such election ordinances shall be printed in a newspaper of general circulation printed in the City of Norman at least ten (10) days prior to the time appointed for holding such election.

10 Candidates

(a) *Filing of candidates*. Any person who is a registered voter of the City, as provided in Article II, Section 2 of this Charter, may become a candidate for office in the proper municipal election by filing with the Secretary of the County Election Board, a sworn written notice containing the following information: the candidate's name, street address, designation of the office sought, with ward number, and the date of the municipal election. A person can be a candidate for only one office at a time.

(b) *Filing of candidates by petition*. The name of a candidate may also be placed upon the ballot at the municipal election upon the filing of a petition for that purpose in the manner set forth herein. Any registered voter of the City may file with the Secretary of the County Election Board, within the time provided in Section 10(D) of this Article, a petition bearing the signatures of registered voters eligible to vote for the office for which they seek to make a nomination. In the case of

candidates for the office of the Mayor, the number of valid signatures required shall total one hundred (100). In the case of candidates for a Council position, the number of valid signatures required shall total fifty (50). Said petition shall contain the information required in subsection (a) of this section as well as the name of the person sought to be nominated. Further, the person sought to be so nominated must file, within three (3) days of the filing of said petition and before the close of filing, a written notice of willingness to become such a candidate.

(c) *Filing fee*. The Council shall have the power to provide by ordinance a filing fee for candidates, to establish and charge the amount thereof and to provide for refund of same under certain circumstances.

(d) *Time of filing*. By resolution duly adopted each year, the City Council shall designate a period for filing for elective office, which is approved under then-current state law.

(Ord. No. O-0405-32, § 10; Ord. No. O-1718-3, § 4)

11 Partisan Designation Forbidden

No nominating notice nor acceptance thereof shall have upon it any party emblem, sign or designation, and there shall be nothing thereon to indicate the affiliation of the nominee or of any signer with any political party or any organization.

12 Withdrawal Of Candidates

Any candidate may withdraw no later than 5:00 p.m. on the Friday following the close of the filing period by filing a written notice with the Secretary of the County Election Board. The Secretary of the County Election Board, after the expiration of said time, shall cause the ballots to be printed as provided herein. In all elections in which there is a contest for any office, there shall be printed and bound a number of ballots for each precinct which, in the discretion of the Secretary of the County Election Board will be sufficient to conduct said election.

(Ord. No. O-0405-32, § 11)

13 Arrangement Of Ballot

The County Election Board shall arrange the names of the candidates for each office. The County Election Board shall cause ballots to be printed, arranged as provided herein, and distributed among the various voting precincts of the City.

14 Form Of Ballot

In odd numbered years, the names of the candidates for City Council for each Council ward numbered one (1), three (3), five (5) and seven (7) shall appear upon the ballot in the appropriate ward of the City and placed under the words: "For Councilmember in Ward No. _____", followed by the instruction in each case: "Vote for One".

In even numbered years, the names of the candidates for City Council for each Council ward numbered two (2), four (4), six (6) and eight (8) shall appear upon the ballot in the appropriate ward of the City and placed under the words: "For Councilmember in Ward No. _____", followed by the instruction in each case: "Vote for One".

In the years in which the Mayor's term expires, the names of candidates for Mayor shall be placed upon the ballot under the words: "For Mayor", followed by the instruction: "Vote for One".

(Ord. No. O-0405-32, § 12)

15 Sample Ballot

At every election, sample ballots shall be posted at each polling place.

16 Counting The Ballot; Certificate Of Nomination

The Precinct Board of each precinct shall, immediately upon the closing of the polls, count the voted ballots and ascertain the number of votes cast in such precinct for each candidate and make due return thereof to the County Election Board. Following the municipal election, the County Election Board shall canvas the returns received from all precincts and absentee ballots and shall certify the results to the City Clerk.

(Ord. No. O-0405-32, § 13

17 Municipal Election; Candidates Nominated Or Elected

After the filing period and any withdrawal and protest period have expired, if there remains only one qualified candidate for an office, such candidate shall be deemed duly elected and there shall be no need for that candidate or that office to appear on any ballot.

(Ord. No. O-0405-32, § 14)

18 Ballots For City Elections

The Secretary of the County Election Board shall prepare all ballots for all City elections.

(Ord. No. O-0405-32, § 15)

19 Election Of Mayor Pro Tem; Duties Of Mayor Pro Tem

On the first Tuesday in July of each year, by a majority vote of all Councilmembers, the Council shall elect one of the Councilmembers to be mayor pro tem of the City of Norman to serve for a term of one year and until his successor is likewise elected. The mayor pro tem shall act as mayor in the absence of the mayor. In case of the absence of both the mayor and the mayor pro tem, the remaining Councilmembers shall elect one of their number to act as mayor until the return of the mayor or mayor pro tem.

(Ord. No. O-0203-11)

20 Measures On Ballot; Arrangement

Whenever one or more measures or questions are submitted to the people and are to be voted upon at the same time as any officer or officers are to be elected, such measures and questions shall be submitted upon a ballot separate from that bearing the names of candidates for office. All petitions and election ballots shall be non-partisan in form and without any party designation of any kind, or any sign, mark, symbol or device of a partisan character.

21 General Election Laws To Apply

The general election laws of the State applicable to cities are hereby in force except as modified herein. Provisions of State law setting out absentee or provisional ballot voting procedures in state elections are hereby made applicable in city elections.

(Ord. No. O-0405-32, § 16)

22 Vacancies In Office

A vacancy in the office of a member of the Council shall exist whenever the holder thereof:

(a) Ceases to possess some qualification for the office, prescribed by this Charter or by applicable law;

(b) dies,

(c) resigns,

(d) is removed from office by proceedings by a Court of competent jurisdiction; or

(e) is declared legally incompetent by a Court of competent jurisdiction; or

(f) ceases to reside in the ward which elected except that no vacancy shall occur where a Councilmember is rendered a non-registered voter of the ward that member represents by reason of reapportionment carried out by the City Council.

Any vacancy occurring on the City Council shall be filled by a majority vote of the remaining members of the City Council, for the balance of the unexpired term; provided, however, if the City Council does not fill the vacancy by appointment within sixty (60) days after the same occurs, it shall be mandatory on the part of the City Council to call and schedule a special election to fill the vacancy for the unexpired term, which election shall be held for the election of a City Councilmember, only, and said election shall be conducted in the same manner as a regular municipal election.

(Ord. No. O-0405-32, § 17)

HISTORY
Amended by Ord. O-2122-45 on 8/23/2022

ARTICLE III CITY MANAGER

1 Council To Appoint City Manager
2 General Powers And Duties Of The City Manager
3 Oath And Qualifications
4 Special Powers And Duties Of The City Manager
5 Purchasing Agent
6 Council Not To Interfere In Appointments, Removals Or Administration
7 Political Activity Prohibited

1 Council To Appoint City Manager

Council shall by an affirmative vote of five (5) members appoint a City Manager, who shall serve at the pleasure of the City Council as an at-will employee. He shall be chosen by the Council solely upon the basis of his executive and administrative qualification, without regard to age, race, color, religion, ancestry, national origin, sex or place of birth, and need not, when appointed, be a resident of the City or State. No member of the Council shall, during the time for which he is elected, be chosen City Manager, nor for two years after he ceases to be a member. In case of absence or disability of the City Manager, the Council may designate some qualified person to perform the duties of the office during such absence or disability. The City Manager may be removed or suspended at any time, upon an affirmative vote of five (5) members of the Council. Should at least four (4) Councilmembers desire that a majority of Council discuss removal or suspension of the City Manager, then a notice of such a request shall be filed with the City Clerk, who shall then place an item for Executive Session for that purpose on the Agenda of the next regularly scheduled Council meeting or at a special meeting of the Council called for that purpose. In the event Council should desire to suspend or remove the City Manager following the Executive Session, an additional item shall be included on the same Agenda of the meeting in which the Executive Session is to be held to consider immediate suspension or removal of the City Manager. If the Council suspends or removes the City Manager from office, the Council may provide for the temporary performance of the City Manager's duties. The action of the Council in

suspending or removing the City Manager shall be final, it being the intention of this Charter to vest all authority and fix all responsibility for such suspension or removal in the Council.

(Ord. No. O-1516-25, § 10)

2 General Powers And Duties Of The City Manager

The City Manager shall be the administrative head of the municipal government responsible only to the Council. The City Manager shall not, during the term of office, be an employee or perform any duties for any person, firm, corporation or institution other than the City of Norman, and shall not be interested in the profits or emoluments of any contract, job, work, or service of the City.

3 Oath And Qualifications

Before entering upon the duties of his office he shall take the official oath and shall execute a bond in favor of the City for the faithful performance of his duties in such sum as shall be fixed by the Council, to be approved by the Council.

4 Special Powers And Duties Of The City Manager

The City Manager shall have the special powers and duties herein enumerated, and shall be directly responsible to the Council for the proper administration thereof, to wit:

(a) To see that all laws and ordinances governing the City are enforced.

(b) To appoint and remove all directors or heads of departments and all subordinate officers and employees in such departments. Further, such appointments and removals shall be made upon the basis of merit and fitness alone, including training and experience in the work to be performed, and without regard to age, race, color, religion, ancestry, national origin, sex, or place of birth.

(c) To exercise actual management, control and supervision over all departments of the City Government, and to exercise all other administrative functions, except as otherwise in this Charter provided.

(d) To supervise and manage all public work of the City, and the repair and maintenance thereof; to manage and control the public utilities of the City, and have general charge of maintaining and improving the streets, sidewalks, bridges, public grounds, and public buildings within the City, except as otherwise herein provided.

(e) To make a monthly report to the Council, and to attend all meetings of the Council with the right to take part in the discussion, but having no vote.

(f) To recommend to the Council for adoption such measures as he may deem necessary or expedient.

(g) To keep the Council fully advised as to the financial conditions of the City.

(h) To see that all franchise rights and provisions are justly enforced.

(i) To prepare and submit to the Council an annual budget as by this Charter required.

(j) To submit to the Council at each meeting thereof an order of business covering his recommendations.

(k) To create such departments for the more efficient and economical administration of the affairs of the City as to him shall seem necessary and expedient.

(l) Respond to requests of Councilmembers for policy reviews and charges.

5 Purchasing Agent

The City Manager, subject to such regulations as the Council may prescribe from time to time, shall contract for, purchase, or issue purchase authorizations for, all supplies, materials, services and equipment (including rental thereof when appropriate) for offices, departments and agencies of the City government. Every such contract or purchase exceeding an amount to be established by ordinance and which amount may thereafter be changed by ordinance from time to time, shall require the prior approval of the Council. The City Manager may also transfer to or between offices, departments and agencies, or sell, surplus or obsolete supplies, material and equipment, subject to such regulations as the Council may from time to time establish by ordinance. Before the purchase of, or the making of a contract for, any supplies, services, materials or equipment, or the sale of any surplus or obsolete supplies, materials or equipment, ample opportunity for competitive bidding under such regulations and with such exceptions as the Council may from time to time prescribe by ordinance, shall be given; but the Council shall not except a particular contract, purchase or sale from the requirement of competitive bidding.

The Council by ordinance may transfer some or all of the powers granted to the City Manager under this section to an officer or employee appointed by and subordinate to the City Manager, and may in its discretion by ordinance revoke any such transfer of powers previously authorized, or vest the same in some different officer or employee of the City likewise appointed by and subordinate to the City Manager.

6 Council Not To Interfere In Appointments, Removals Or Administration

Neither the Council nor any of its committees or members shall direct or request the appointment of any person to, or his removal from office by the City Manager or any of his subordinates, or in any manner take part in the appointment or removal of officers and employees in the administrative services of the City, except that the Council may direct the City Manager, by resolution, to investigate charges of misconduct or incompetence against any City employee and to report the result thereof. Provided, the Council may, by resolution, inquire into the conduct of any office, department or agency of the City, investigate municipal affairs, and direct the City Manager to investigate such affairs, or if necessary, authorize and provide for such inquiries through an outside agency. The City Councilmembers shall deal with the administrative services solely through the City Manager, and neither the Councilmembers nor any of them thereof shall give orders to any subordinate of the City Manager either publicly or privately. Violation of any of the provisions of this section by the Councilmembers or any of them shall constitute grounds for removal.

(Ord. No. O-1516-25, § 10)

7 Political Activity Prohibited

Any employee of the City may actively engage in political activities. Provided, the political activity in which the employee participates shall be exercised only during off-duty hours and while not in uniform. Any employee seeking elected office may be required to take a leave of absence as prescribed by the Norman Code of Ordinances and/or the City Personnel Manual. Such requirements shall be consistent with applicable state and federal laws. Any federal statutes restricting political activities of City employees shall supersede the provisions of this section as to such employees. The City does hereby reserve the right to establish employment requirements requiring City employees to refrain from filing as a candidate for City office while employed by the City.

Further, it shall be unlawful for the City Council, or any member thereof or any candidate for election to the City Council, or any employee of the City to directly or indirectly coerce or attempt to coerce any City employee to participate or to refrain from participation in municipal political activities or public meetings.

(Ord. No. O-1516-25, § 10)

ARTICLE IV DIRECTOR OF FINANCE

1 Powers And Duties
2 City Depository

1 Powers And Duties

There shall be a Director of Finance, who shall be custodian of the monies of the City, and who, unless another is so appointed, shall be ex-officio City Treasurer. The Director of Finance shall be appointed by the City Manager and be the head of the Finance Department of the City. The Director of Finance shall pay money from the City Treasury only as provided by law and signed by the Mayor. The Director of Finance shall, under the direction of the Council, invest the funds of the City only in such securities as are provided for by the Constitution and laws of the State of Oklahoma. All uninvested funds shall be deposited in the depository or depositories of the City. In addition to those powers and duties otherwise enumerated herein, the Director of Finance shall:

(a) Countersign all warrants for the payment of monies drawn on the City Treasury.

(b) Be the chief accounting officer of the City and shall prepare such financial statements and reports of the financial condition of the City as may be required.

(c) Collect all fees or monies from officers or employees and give receipts therefor, said receipts to show on their face the purpose for which said monies were collected.

(d) Deposit daily all monies collected by the Director of Finance, from whatever source derived, taking a receipt therefor.

(e) Give bond for the faithful performance of the duties of this office as shall be provided for by ordinance.

2 City Depository

The City depository shall secure the City for all deposits by giving good and sufficient collateral as is required by the laws of the State of Oklahoma.

ARTICLE V CITY AUDITOR

1 Office Created - City Auditor
2 Appointment And Removal Of City Auditor
3 Duties Of The City Auditor

1 Office Created - City Auditor

The office of City Auditor is hereby created.

HISTORY
Adopted by Ord. O-2122-45 on 8/23/2022

2 Appointment And Removal Of City Auditor

Council shall by an affirmative vote of five (5) members appoint a City Auditor who shall serve at the pleasure of the City Council as a full-time at-will employee. He or she shall be chosen by the Council solely upon the basis of his or her qualifications including graduation from an accredited college or university with a bachelor's degree in accounting, finance or a related field, proof of having obtained one the following professional certifications: Certified Public Accountant (CPA), Certified Internal Auditor (CIA), Certified Fraud Examiner (CFE), or other equivalent professional certification, and with a minimum of five (5) years of professional level experience in auditing without regard to age, race, color,

religion, ancestry, national origin, sex or place of birth, and need not, when appointed be a resident of the City or State. No member of the Council shall, during the time for which he is elected, be chosen City Auditor nor for two years after he or she ceases to be a member. In case of absence or disability of the City Auditor, the Council may designate some qualified person to perform the duties of the office during such absence or disability. The City Auditor may be removed or suspended at any time, upon an affirmative vote of five (5) members of the Council. Should at least four (4) Councilmembers desire that a majority of Council discuss removal or suspension of the City Auditor, then a notice of such a request shall be filed with the City Clerk, who shall then place an item for Executive Session for that purpose on the Agenda of the next regularly scheduled Council meeting or at a special meeting of the Council called for that purpose. In the event Council should desire to suspend or remove the City Auditor following the Executive Session, an additional item shall be included on the same Agenda of the meeting in which the Executive Session is to be held to consider immediate suspension or removal of the City Auditor. If the Council suspends or removes the City Auditor from office, the Council may provide for the temporary performance of the City Auditor's duties. The action of the Council in suspending or removing the City Auditor shall be final, it being the intention of this Charter to vest all authority and fix all responsibility for such suspension or removal in the Council.

HISTORY
Adopted by Ord. O-2122-45 on 8/23/2022
Amended by Ord. O-2526-34 on 4/7/2026

3 Duties Of The City Auditor

It shall be the City Auditor's duty to advise the Council and each member thereof, and the City Manager, of operational and financial audits relating to the efficient and economical operation of Norman City government, and other related matters as may be required by the Council or the City Manager. The foregoing provisions shall not be deemed to prevent the City Manager, with the approval of a majority of the City Council, from employing private auditors as it is deemed necessary.

HISTORY
Adopted by Ord. O-2122-45 on 8/23/2022

ARTICLE VI CITY CLERK

1 Duties Of The City Clerk
2 Additional Duties Of The City Clerk

1 Duties Of The City Clerk

The City Clerk shall be appointed by the City Manager and shall have all the powers and duties now provided by law or ordinance except as in this Charter provided. The City Clerk shall:

(a) Be clerk to the Council.

(b) Have the custody of and be responsible for all books, papers, maps, and records, belonging to the City not in actual use by other officers or by special provisions committed to their custody or otherwise provided for.

(c) Attend all meetings of the Council and keep a record of the proceedings of the same, and shall sign and attest all ordinances, resolutions or other acts of the Council.

(d) Keep all books properly indexed and open to the public for inspection when not in actual use.

(e) Keep separate books in which all ordinances, resolutions, and other proceedings of the Council shall be recorded.

(f) Certify to the correctness of all reports made public by the Council and shall be custodian of the seal of the City.

2 Additional Duties Of The City Clerk

The City Clerk shall have other powers and perform such other duties as may be required by the City Manager, by ordinance, resolution, or motion of the Council, or as provided in this Charter.

ARTICLE VII MUNICIPAL COURT

1 Appointment, Removal And Compensation Of Municipal Judge

1 Appointment, Removal And Compensation Of Municipal Judge

The Municipal Court of the City of Norman as provided by the Constitution and laws of the State of Oklahoma is hereby continued except as herein provided. The Mayor, with the consent and approval of the Council, shall appoint a registered voter of the City of Norman, who shall be a licensed attorney, and whose other qualifications may be set by ordinance, as judge of said court with the official title of Municipal Judge, who may be removed from his position if five City Councilmembers approve a motion to remove: provided, that such action be undertaken at a regular meeting of the City Council. Said Municipal Judge shall be entitled to such compensation as may be prescribed by ordinance.

ARTICLE VIII CITY ATTORNEY

1 Office Created
2 Appointment And Removal Of City Attorney
3 Duties Of The City Attorney
4 Exclusive Employment

HISTORY
Adopted by Ord. O-2122-45 City Attorney on 8/23/2022

1 Office Created

The office of City Attorney is hereby created.

2 Appointment And Removal Of City Attorney

Council shall by an affirmative vote of five (5) members appoint a City Attorney, who shall serve at the pleasure of the City Council as an at-will employee. He or she shall be chosen by the Council solely upon the basis of his or her qualifications, without regard to age, race, color, religion, ancestry, national origin, sex or place of birth, and need not, when appointed, be a resident of the City or State. No member of the Council shall, during the time for which he is elected, be chosen City Attorney, nor for two years after he ceases to be a member. In case of absence or disability of the City Attorney, the Council may designate some qualified person to perform the duties of the office during such absence or disability. The City Attorney may be removed or suspended at any time, upon an affirmative vote of five (5) members of the Council. Should at least four (4) Councilmembers desire that a majority of Council discuss removal or suspension of the City Attorney, then a notice of such a request shall be filed with the City Clerk, who shall then place an item for Executive Session for that purpose on the Agenda of the next regularly scheduled Council meeting or at a special meeting of the Council called for that purpose. In the event Council should desire to suspend or remove the City Attorney from office, the Council may provide for the temporary performance of the City Attorney's duties. The action of the Council in suspending or removing the City Attorney shall be final, it being the intention of this Charter to vest all authority and fix all responsibility for such suspension or removal in the Council.

HISTORY
Adopted by Ord. O-2122-45 City Attorney removal on 8/23/2022

3 Duties Of The City Attorney

The City Attorney shall have such qualifications, powers and duties as are hereby prescribed by law. It shall be the City Attorney's duty to advise the Council and each member thereof, and the City Manager, upon all legal questions and the City Attorney shall give opinions in writing when requested, and shall represent the City as Counsel in all litigation, in all courts and shall perform such other legal service in behalf of the City, its officers or employees, as may be required by the Council. The foregoing provisions shall not be deemed to prevent the City Manager, with the approval of a majority of the City Council, from employing private Counsel as it is deemed necessary.

HISTORY
Adopted by Ord. O-2122-45 City Attorney Qualifications on 8/23/2022

4 Exclusive Employment

The City Attorney and all attorneys in the office of the Legal Department are to confine their practice of law to the business of the City of Norman and shall not practice law for other clients while employed with the City of Norman.

ARTICLE IX CITY PARKS

1 Board Of Park Commissioners
2 Park Land

1 Board Of Park Commissioners

The Mayor, with the approval of the Council, shall appoint a Board of Park Commissioners consisting of nine registered voters, who shall serve without compensation, and shall have such powers and duties as are now provided by law or may hereafter be conferred by ordinance. The City Manager, or his designate, shall be ex-officio member of the Board of Park Commissioners, but shall have no vote. His advice and services shall be at the disposal of the Board of Park Commissioners in the planning and execution of its work.

2 Park Land

In addition to and in supplementation of proper planning and zoning, and in addition to the power of the City to regulate the use and subdivision of land, the City shall have the full power to promote the health, safety, and general welfare of its citizens by the enactment of ordinances, to be uniformly enforced, requiring all final plats of residential subdivisions containing a dwelling unit density of greater than one unit per acre which is to be submitted for approval, to provide adequate and suitable land area for park and/or open space purposes to serve the subdivision. The amount of park and/or open space required in the subdivision shall be reasonably related to the need for park and/or open space created by the subdivision and shall not exceed 2.5 acres for each one thousand persons of the total population density projected when the plat is fully developed. Population density projections shall be based on the then current official statistics of the United States Census for the Norman area for the particular type of dwelling units to be constructed within the subject land. When the total projected population density for the plat is less than 2,500 persons, the City of Norman may, at its sole option and in lieu of the provision for mandatory dedication of land for park and/or open space purposes, require the developer or subdivider of the subdivision to pay to the City a sufficient fee to provide for the purchase and/or development of suitable land for park and/or open space within the general area in which the subdivision is located. In the absence of suitable park land sites, the City of Norman may use the fee and/or fees accumulated in the nearest community and/or neighborhood park. Such fee shall be reasonably related to the cost of the park and/or open space which is required to be provided. All such fees must be maintained separate from other funds of the City of Norman and may be expended only for the purchase and/or development of land for park and/or open space. The exercise of such power within the City shall be in pursuance of this grant of authority and not under State Statutes of law. Provided further, that this amendment allowing the use of park land fees paid in lieu of mandatory dedication of land for the purchase and/or development of parks and open space shall apply to funds

hereinafter accumulated. In addition to the above, the council may, by ordinance, establish a fee to be collected at the time of issuance of new residential building permits for the purpose of improving neighborhood parks and community parks.

(Ord. No. O-9394-42; Ord. No. O-1011-31, § 8)

ARTICLE X HOSPITAL

1 Appointment Of Board
2 Duties Of Board, Appointment Of Administrator
3 Use By Medical Staff
4 Financial Report And Budget
5 (Reserved)
6 Recognition Of Bargaining Unit

1 Appointment Of Board

The Mayor, with the approval of the City Councilmembers, shall appoint a Board of Norman Regional Hospital Authority consisting of eleven registered voters who shall serve for a term of three years. At least nine of the board members shall be Norman residents. A maximum of two members may be appointed from other communities in which the Norman Regional Hospital Authority operates at least one facility. In case of a vacancy in the Board, an appointment to fill the unexpired term shall be made in the same manner as the original appointments. The City Manager shall be an ex-officio member of the Board of Norman Regional Hospital Authority but he shall have no vote. His advice and services shall be given to the Board in the planning and execution of its work.

(Ord. No. O-1011-31, § 9)

HISTORY
Amended by Ord. O-2122-45 Increase Board Members on 8/23/2022

2 Duties Of Board, Appointment Of Administrator

The Board of Norman Regional Hospital Authority shall exercise general control over the Norman Regional Health System, establish general hospital policies and provide a plan for the proper accounting of all funds received for hospital services and for all funds disbursed for the purpose of operating the Hospital. The Board shall appoint an Administrator of the Norman Regional Health System who shall be selected solely on the basis of his experience and qualifications. The Administrator of the Norman Regional Health System shall be directly in charge of the operation of the Hospital.

(Ord. No. O-1011-31, § 9)

3 Use By Medical Staff

Subject to the approval of the Board of the Norman Regional Hospital Authority, the Administrator of the Norman Regional Health System shall make all necessary arrangements with medical staff for the effective use of all facilities of the hospital.

(Ord. No. O-1011-31, § 9)

Editor's note—Section 9 of Ord. No. O-1011-31, adopted Dec. 28, 2010, and approved by voters in a special election held March 1, 2011, repealed § 3 which pertained to duties of the administrator. Said ordinance amended and renumbered former §§ 4 and 5 as §§ 3 and 4.

4 Financial Report And Budget

The Board of Norman Regional Hospital Authority as current operator of the Norman Regional Health System shall keep a record of its meetings and official transactions, and shall make financial reports to the City Councilmembers in such form as may be required by the Councilmembers at such times as may be prescribed, and the Board shall file a copy of its adopted budget for the ensuing fiscal year with the City Clerk for presentation to the City Council no later than the next regularly scheduled City Council meeting following its adoption. Such adopted budget shall, in addition to any other information required by the Councilmembers, show an estimate of anticipated income, and estimated expenditures.

(Ord. No. O-1011-31, § 9)

5 (Reserved)

Editor's note—At the request of the city, this section has been reserved.

6 Recognition Of Bargaining Unit

The Board of Hospital Management through the Administrator of the Municipal Hospital, shall recognize, subject to the provisions of this Charter and ordinances enacted pursuant thereto, any bona fide and appropriate bargaining unit of Norman Municipal Hospital Employees for the purpose of bargaining collectively with the Board of Hospital Management through the Administrator with respect to wages, salaries, hours, rates of pay, grievances, working conditions, and other terms and conditions of employment.

ARTICLE XI REMOVAL

1 Method Of Removal

1 Method Of Removal

Any member of an appointive board or commission created by this Charter or any amendment to this Charter, or any such board or commission created by municipal ordinance, may be removed from his position if five City Councilmembers approve a motion to remove; provided, that such action shall be undertaken at a regular meeting of the City Councilmembers.

ARTICLE XII LEGISLATIVE DEPARTMENT

1 Ordinances, How Adopted
2 Meetings
3 Removal Of Mayor And Councilmembers

1 Ordinances, How Adopted

Five (5) members of the Council shall constitute a quorum, and the affirmative vote of five (5) members shall be necessary to adopt any motion, resolution or ordinance, or pass any measure. Upon every vote the ayes and nays shall be called and recorded, and every motion, resolution or ordinance shall be reduced to writing and read before the final vote is taken thereon. The Mayor shall have no power to veto any measure, and he shall have a vote on all questions. Every resolution or ordinance passed by the Council must be signed by the Mayor or by the Mayor Pro Tem, acting in that capacity, and be recorded and published before the same shall be in force, except as otherwise hereinafter provided.

2 Meetings

The regular meetings of the Council shall be held on the second and fourth Tuesdays of each month unless said regular meeting dates are otherwise fixed by ordinance; provided that regular meetings must be held at least semi-monthly. The Council may be called in special session by the Mayor or by five (5) of the Councilmembers. All meetings, regular, special, or adjourned, of the City Council and all Boards, Commissions, Authorities, and Committees of the City, whether the members thereof be

appointed or elected, shall be open to the public under such regulations as may be fixed by ordinance; provided that the City Council, or a Board, Commission, Authority, or Committee of the City, may hold an executive session in compliance with State law.

3 Removal Of Mayor And Councilmembers

The Mayor or any Councilmember shall be subject to removal from office in the manner and for the same cause or causes as provided by the Laws of the State of Oklahoma for the removal of county officers, it being intended hereby to provide cumulative procedure and cause for removal. In the event of a vacancy in the office of Mayor, the Mayor Pro Tem shall serve as Mayor with all the powers and duties vested in the Mayor until such vacancy is filled as provided for by appointment or election as provided herein.

ARTICLE XIII ORDINANCES

1 Caption
2 Contents; Repealed Ordinances Not Revived By References To Title Only
3 When Effective
4 When To Be Adopted
5 Emergency Ordinances
6 Adoption By Reference
7 Ordinances: Codification
8 Printed Ordinances Admitted In Evidence

1 Caption

The style of all ordinances shall be, "BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN," but such caption may be omitted when said ordinances are revised and compiled under the order of the Council, or when they are published in book form.

2 Contents; Repealed Ordinances Not Revived By References To Title Only

Every ordinance adopted by the Council shall embrace but one subject, which shall be clearly expressed in its title. No repealed ordinance shall be revived, amended, or the provisions thereof extended or confirmed by reference to its title only; but so much thereof as is revised, amended, extended or confirmed shall be reenacted and published at length; provided, that if any subject be embraced in any ordinance contrary to the provisions of this section, such ordinance shall be void only as to so much of the ordinance as may not be expressed in the title thereof.

3 When Effective

All ordinances passed by the Council; except emergency ordinances, shall take effect and become valid at the end of thirty days from the date of passage of such ordinance. All ordinances shall be published in full or by title in a newspaper meeting the requirements of the statutes of the State of Oklahoma in respect to legal publications, published and of general circulation within the City of Norman, such publication to be within ten days from the passage of the ordinance.

4 When To Be Adopted

No ordinance shall be adopted on the day of its introduction before the Council; but all ordinances, after being introduced, shall lay over for at least one week before being finally voted on and adopted, but this provision shall not apply to emergency ordinances.

5 Emergency Ordinances

An emergency ordinance is an ordinance, which in the judgment of the Council, is necessary for the immediate preservation of peace, health, or safety, and which should become effective prior to the time an ordinary ordinance would become effective. Every such ordinance shall contain, as a part of its title, the words, "and declaring an emergency" and in a separate section, herein called the emergency section, shall declare the emergency. The Council shall vote on the emergency section separately, and must adopt the section by a vote of at least two-thirds of the membership of the Council, which vote shall be by yeas and nays, and shall be entered in the journal. An emergency ordinance shall take effect upon passage unless it specifies at a later time.

6 Adoption By Reference

The Council by ordinance may adopt by reference codes, ordinances, standards and regulations relating to buildings, plumbing, electrical installations, streets, subdivisions, and other matters which it has power to regulate otherwise. Such code, ordinance, standard or regulations so adopted need not be enrolled in the book of ordinances, but a copy shall be filed and kept in the office of the City Clerk. The City Clerk shall keep copies of all such codes, ordinances, standards and regulations in force for distribution or sale at their approximate cost.

7 Ordinances: Codification

The ordinances of the City shall be codified and published in book or pamphlet form at least every ten years unless the Council, by use of a loose-leaf system and process of amendment, keeps the code up to date. Titles, enacting clauses, and emergency sections may be omitted from the code, and temporary and special ordinances and parts of ordinances may be omitted. Permanent general ordinances and parts of ordinances which are to be repealed by the code shall be omitted from the code. The ordinances and parts of ordinances included in the code may be revised, rearranged and reorganized; and the code may contain new matter, provisions of the State Constitution and law relating to the City and provisions of this Charter. A copy of the published code shall be filed in the office of the City Clerk after adoption by the Council, but the code need not be enrolled in the book of ordinances.

8 Printed Ordinances Admitted In Evidence

All printed ordinances or codes of ordinances published by authority of the Council, shall, in all judicial proceedings, in all courts, be admitted in evidence with the same force and effect as would original ordinances, and in such proceedings it shall not be necessary to plead the entire ordinances or section, but only such parts thereof as are offered in evidence.

ARTICLE XIV RECALL OF ELECTIVE OFFICERS

1 Time Of Commencing Proceedings
2 Filing Of Petition; Validation Of Signatures
3 Notice And Publication
4 Calling Election; Votes Required For Recall
5 Election To Fill Vacancy Created By Recall
6 Reappointment Prohibited After Removal

1 Time Of Commencing Proceedings

The holder of any elective office, either by election or appointment to fill a vacancy, may be removed at any time during the time period beginning six months from the date of his accession to said office and ending six months prior to the expiration of the current term of the elected official so subject to recall, by the registered voters qualified to vote for a successor to such incumbent, in the following manner:

HISTORY
Amended by Ord. O-2122-45 Period for recall on 8/23/2022

2 Filing Of Petition; Validation Of Signatures

A petition bearing the signatures, names and addresses of twenty-five per cent (25%) of the registered voters qualified to vote for the officer whose recall is sought, shall be necessary to initiate recall proceedings. The City Clerk shall maintain on file and for public use proper petition forms that are in substantial conformance with the form provided in State law for referendum petitions to initiate such proceedings.

At the top of each page of said petition(s) there shall be a simple statement of the gist of the recall proposition: "If successful, this petition will allow the voters to decide whether to recall [insert elected officer] prior to the expiration of his/her term, or allow him/her to continue to serve in office."

The petition must be returned to the City Clerk within thirty (30) days of its initiation in order to be valid. Failure to return the petition(s) within the proper time limits shall render them null and void.

Upon receipt of the petition(s), the City Clerk shall inspect said petition(s) to see that all the signatures are valid and that they are those of registered voters eligible to vote for the office from which the officer's removal is sought. Such inspection by the City Clerk shall be completed in a reasonable amount of time, not to exceed thirty (30) days for one petition to recall a ward representative, sixty (60) days for a petition to recall the Mayor, and ninety (90) days if multiple petitions are undergoing inspection concurrently.

HISTORY
Amended by Ord. O-2122-45 Timeframe for Review on 8/23/2022

3 Notice And Publication

The City Clerk shall cause to be published upon the filing of the said petition with the City Clerk's office, in some newspaper of general circulation in the City of Norman a notice to the voters, stating the name of the officer(s) whose recall is sought and the time limit within which said petition(s) must be signed. Further, the City Clerk shall cause to be mailed to the officer(s) whose recall is sought an official notice that the petition has been commenced and the time limit in which it must be completed. Such notice shall be by certified mail, return receipt requested, and the refusal of the officer(s) to accept delivery shall in no way affect the validity of the notice. Failure of the City Clerk to keep the City Clerk's office open during regular office hours, which failure prevents the proper filing of said petition(s), shall be adjudged a misdemeanor and upon conviction thereof the Clerk shall be punished by a fine of not less than ten dollars and not more than fifty dollars, and each day said City Clerk violates the provisions hereof shall constitute a separate and distinct offense. In the event such a failure on the part of the City Clerk occurs, petitioners may file the petition(s) with the City Manager.

In addition to publishing notice upon receipt of a petition, the City Clerk shall also publish notice in advance of any recall election in accordance with Title 34, Section 17, of the Oklahoma Statutes.

HISTORY
Amended by Ord. O-2122-45 Publication Requirements on 8/23/2022

4 Calling Election; Votes Required For Recall

Upon determination by the City Clerk that the petition(s) bear the signatures of the requisite number of registered voters, said petition(s) shall be presented by the City Clerk to the City Council which body shall, in accordance with state election laws, call a recall election.

The recall shall be adopted when the total number of votes in favor of the recall is a majority of all the votes cast on the issue and that majority equals a majority of all the votes cast in the most recent previous election for the particular office in question. Should more than four Councilmembers be recalled in the same recall election, then an affirmative vote of the majority of the remaining seated Councilmembers shall be sufficient to take any action until the vacancies resulting from the recall are filled as set forth herein.

HISTORY
Amended by Ord. O-2122-45 Council Quorum on 8/23/2022

5 Election To Fill Vacancy Created By Recall

In the event the recall is adopted, a vacancy shall be declared and and election shall be called for the next available election date in accordance with state election laws. Qualification to be a candidate shall be as for a regular election as set out in Article II. Election shall be by a plurality of the votes cast and shall be certified in the regular manner.

HISTORY
Amended by Ord. O-2122-45 Replacement Election on 8/23/2022

6 Reappointment Prohibited After Removal

Any person who has been removed from an office by recall, or who has resigned from such office while recall proceedings were pending against him, shall be appointed to no office under the City government within one year after such removal by recall or resignation.

ARTICLE XV REVENUE

1 Systems For Revenue Collection
2 Submission Of Budget
3 Council Certification To Excise Board

1 Systems For Revenue Collection

Except as otherwise provided by the general revenue laws of the State and this Charter, the Council shall by ordinance provide for the collection, custody and disbursement of all public moneys, from whatever sources derived, and establish as near as may be a uniform system of municipal accounting.

2 Submission Of Budget

On or before the first Tuesday in June of each year, or at such other time as the Council may by ordinance require, the City Manager shall submit in writing to the Council an annual budget for the ensuing fiscal year giving detailed estimates of the needs and requirements of the several departments and other divisions of the City government, according to a classification as nearly uniform as possible, and the amount required for the proper conduct of the various departments and divisions of the City government for the ensuing fiscal year; said budget shall present the following information:

(a) An itemized statement of the appropriations recommended by the City Manager for current expenses and for permanent improvements for each department and each division thereof for the ensuing fiscal year, with comparative statements in parallel columns of the appropriations and expenditures for the current year, and the increases or decreases in the appropriations recommended;

(b) An itemized statement of the taxes required, and of the estimated revenues of the City from all other sources, for the ensuing fiscal year, with a comparative statement in parallel columns of the taxes and other revenues for the current year, and of the increases or decreases estimated or proposed;

(c) A statement of the amount of revenue needed to create a sinking fund to be used: 1st, for the payment of interest coupons as they fall due; 2nd, for the payment of bonds as they fall due; 3rd, for the payment of such parts of judgments as the City may, by law, be required to pay;

(d) A statement of the financial condition of the City;

(e) Such other information as may be required by the Council.

3 Council Certification To Excise Board

The Council after determining the amount necessary to maintain the City government for the ensuing fiscal year, shall at such time and in the manner provided by law certify to the County Excise Board a FINANCIAL STATEMENT AND an ESTIMATE OF NEEDS showing the amounts necessary to he raised by taxation as required or authorized by law.

ARTICLE XVI PUBLIC SERVICE CORPORATIONS

1 Reservation Of Control Over Public Highways; Charges Regulated; Exclusive Franchises Prohibited
2 Council Shall Frame Law
3 Power Of Taxation Over Public Service Corporation
4 Purchase Price

1 Reservation Of Control Over Public Highways; Charges Regulated; Exclusive Franchises Prohibited

No grant, extension or renewal of any franchise or other use of the streets, alleys or other public grounds of this municipality, shall divest the City of its control and regulation of such use and enjoyment. Nor shall the power to regulate the charges for public services be surrendered and no exclusive franchise shall ever be granted.

2 Council Shall Frame Law

The Council shall be vested with the power of adopting all laws and ordinances not inconsistent with the constitution and laws of this State for the taxation, regulation, and control of all public service and public utility corporations now or hereafter existing or operating in whole or in part within the City.

3 Power Of Taxation Over Public Service Corporation

All grants and renewals of franchises and privileges shall reserve to the City the right to terminate the same and to purchase all the property of the utility in the streets, avenues, alleys and public places in the City and elsewhere as may be provided in the franchise making the grant or renewal, used in or useful for the operation of the utility, at such prices as may be agreed upon between the owner and the City and in the event of disagreement the same may at the option of the City be submitted to arbitration under the arbitration laws of the State of Oklahoma; or in the event no arbitration agreement can be reached, then the City may obtain such property by condemnation under the eminent domain laws of the State of Oklahoma.

4 Purchase Price

No franchise making such grant or renewal shall be valid unless it shall expressly provide therein that the price to be paid by the City for the property that may be acquired by it from such utility, by purchase, condemnation or otherwise shall exclude all value of such grant or renewal.

ARTICLE XVII MUNICIPALLY OWNED UTILITIES

1 Acquisition Of Property: Public Utilities
2 Utility Rates

1 Acquisition Of Property: Public Utilities

Said City shall have power, within and without its territorial limits, to construct, condemn, purchase, acquire, lease, improve, add to, maintain and conduct and operate in whole or in part, waterworks, light plants, telephone systems, power plants, transportation systems, heating plants, incinerating plants, sanitary sewers, storm sewers and drain, and any other public utility or works or ways, and everything required therefor. And any such systems, plants, works or ways, or any contracts in relation or

connection therewith that may exist and which said City may desire to purchase in whole or in part may be purchased or acquired, in whole or in part, by said City, which may enforce such purchase by proceeding at law or in equity or by right of eminent domain, and said City shall have the power to issue bonds upon the vote of the tax paying registered voters at any special or general election in any amount necessary to carry out any of said powers or purposes, said amount being alone limited by the Constitution and the laws of the State of Oklahoma.

2 Utility Rates

Precedent to an increase in utility rates within the control of the City of Norman, such increase proposal must be submitted to the legal voters of the City for their approval or rejection at the next regular general election, or at a special election which might be called for said purpose. This section is self-executing and shall supersede all provisions in conflict therewith; legislation may be enacted to facilitate its operations but no ordinance shall limit or restrict the provisions thereof.

ARTICLE XVIII MISCELLANEOUS PROVISIONS

1 Compensation Of Officers
2 Extra Compensation Prohibited
3 No Appointment For Definite Time
4 Officer Or Employees To Have No Interest In Any City Contract
5 Bribery Prohibited
6 Nepotism Prohibited
7 Councilmembers Cannot Accept Newly Created Office
8 Officers May Administer Oaths
9 Periodic Charter Review
10 Individual Liability Of Officers
11 Auditing Of Accounts And Publication Of Same
12 Amendment And Repeal
13 Saving Clause

1 Compensation Of Officers

The Council shall by ordinance fix the compensation of the City Manager. The City Manager shall fix the number, and salaries or compensation of all other officers and employees, with the approval of the Council. The salaries or compensation so fixed shall be uniform for like service in each grade of the service as same shall be graded or classified by the City Manager.

2 Extra Compensation Prohibited

No employee shall receive any compensation from the City other than as specified in the salary, benefits and compensation package attached to his/her position. No full-time employee shall be permitted under any circumstances to draw more than one salary from the City for any and all purposes.

(Ord. No. O-1516-25, § 11)

3 No Appointment For Definite Time

No appointment to an office or position in the City shall be made for any definite time.

4 Officer Or Employees To Have No Interest In Any City Contract

No officer or employee of the City, elective or appointive, shall be interested, directly or indirectly, in any contract or job for work or for material, or supplies, or the profits thereof, or any purchase made for or sales made by, to or with the City, or own stock in any corporation, having any contract or subcontract,

for doing any contract, job or work, and all such contracts with such City officers or employees shall be void, and the violation of this clause shall be deemed a sufficient cause for the removal from office or employment, of such officer or employee. For purposes of this section, the phrase "interested, directly or indirectly" shall also apply to a spouse, and shall embrace any ownership interest greater than five per cent (5%).

5 Bribery Prohibited

It shall be unlawful for any candidate for office or for any officer or employee of the City, directly or indirectly, to give or promise to give to any person or persons, any office, position, employment, or anything of value, for the purpose of influencing or obtaining support, political or otherwise, aid, or influence of any person or persons; the doing of any of which things shall be grounds for removal from office of such officer, employee or candidate, if elected.

6 Nepotism Prohibited

No person who is a relative by blood or marriage within the third degree of any of the Councilmembers or the City Manager shall be appointed to any City office or employment. The provisions of this section shall not prohibit an officer or employee already in the service of the municipality from continuing in such service or from promotion therein.

7 Councilmembers Cannot Accept Newly Created Office

No councilmember shall be appointed to any office created by the Council during that member's term until the expiration of two years after that member's service on the Council shall have ended.

8 Officers May Administer Oaths

The Mayor, Municipal Judge, and the City Clerk shall have the power to administer oaths.

9 Periodic Charter Review

At least once every ten years beginning no later than 2024 and occurring no more than every 10 years thereafter, City Council shall consider whether a Charter Review Committee shall be appointed for the purpose of reviewing the Charter.

(Ord. No. O-1516-25, § 13)

10 Individual Liability Of Officers

Every officer who shall approve, allow or pay any demand on the treasury of the City, not authorized by law, ordinance or this Charter, shall be liable to the City individually and on his official bond for the amount of the demand so illegally approved, allowed or paid.

11 Auditing Of Accounts And Publication Of Same

At the end of each fiscal year, and at such other time as it may deem necessary, the Council shall cause a full and complete examination of all the books and accounts of the City, including the accounts of municipally owned utilities, to be made by a competent, Certified Public Accountant.

12 Amendment And Repeal

This Charter may be amended at any time by initiative petition as provided by the Constitution and laws of the State of Oklahoma, at an election at which the proposed amendment is submitted to the registered voters of the City and approved by a majority vote of those voting at such election on such proposed amendment.

The Council may propose and submit any amendments to this Charter to a vote of the registered voters of the City provided such amendments are filed with the City Clerk for submission not less than sixty days before the election at which they are to be voted upon. Amendments, whether by initiative petition or by Council referral, may be submitted at any general or special election as the Council may prescribe. At such elections, the general election laws of the State shall govern.

13 Saving Clause

If any section or a part of a section of this Charter is determined by a court of competent jurisdiction to be invalid, it shall not invalidate or impair the force or effect of any other section or part of a section of this Charter, except insofar as such other section or part of a section is dependent for its operation upon the section so held to be invalid.

ARTICLE XIX LABOR RELATIONS

1 Right To Organize And Bargain Collectively
2 Recognition Of Bargaining Unit
3 Municipal Powers Reserved
4 Strikes Prohibited

1 Right To Organize And Bargain Collectively

In order to protect the health, safety, and general welfare of the citizenry by promoting good labor relations, the City of Norman hereby extends the right to organize and bargain collectively to all non-supervisory full-time City employees. All such rights granted by this Article are expressly subject to the provisions of this Charter and ordinances enacted thereunder, and where not in conflict therewith, procedures and activities used in the implementation of these rights shall be governed by the laws of the State of Oklahoma. The City Council shall enact ordinances to effectuate the intent and express provisions of this Article.

2 Recognition Of Bargaining Unit

The City Council shall recognize, subject to the provisions of this Charter and ordinances enacted pursuant thereto, any bona fide and appropriate bargaining unit of City employees for the purpose of bargaining collectively with the City of Norman with respect to wages, salaries, hours, rates of pay, grievances, working conditions, and other terms and conditions of employment.

3 Municipal Powers Reserved

Nothing herein contained shall be construed or interpreted so as to infringe upon or remove the prerogatives of the City to operate and manage affairs in all respects in accordance with its responsibilities and powers of authority, nor shall the right to collective bargaining extend to such matters.

4 Strikes Prohibited

In order to protect the health, safety, morals, and general welfare of the citizenry, the right to strike or to engage in any work stoppage or slowdown is hereby expressly prohibited. Any employee who, individually or by concerted action with others and without the approval of his superior, willfully absents himself from his position or abstains in whole or in part from the full, faithful, and proper performance of his duties for the purpose of inducing, influencing, or coercing a change in conditions or compensation, or the rights, privileges, or obligations of employment, shall be deemed to be on strike. Any employee who participates in a strike as herein defined may be discharged by the City Manager, immediately and without further cause. In no event shall anyone participating in a strike be allowed to acquire any

benefits gained by collective bargaining. Strikes and the status of participants therein shall never be a matter of collective bargaining.

ARTICLE XX PLANNING; ZONING AND SUBDIVISION REGULATIONS

1 General Grant Of Power
2 Planning Commission; Membership; Duties
3 Amendment, Change Or Repeal Of Regulations
4 Present Ordinances And Regulations Continued

1 General Grant Of Power

The City of Norman shall have full power to promote the public health, safety, morals, and general welfare by regulating the use of property and by controlling and directing the development of the City, through the exercise of the complete powers necessary and proper to carry and maintain these and all powers into full effect, within the City limits, to the fullest extent permissible under the Constitution of the United States and the Constitution of this State. The exercise of the powers of planning, zoning and subdivision regulation within the City always shall be in pursuance of this grant of authority and not under state statutes or law, except with respect to those matters of general state concern as to which state law controls under the State Constitution. The City also may exercise powers of planning, zoning, and subdivision regulation granted by the State in respect to matters of general state concern, as aforesaid, and also in respect to property situated outside the City limits.

2 Planning Commission; Membership; Duties

In order to avail itself of the powers conferred by this Article, the City Council shall appoint the Norman Planning Commission. Such Commission shall consist of not less than nine citizens, all of whom shall reside in the City of Norman and who shall be nominated by the Mayor, and confirmed by the City Council, each for a term of three years; provided, however, that in the first instance, one-third shall be for three years, one-third for two years, and one-third for one year. Appointments to fill vacancies shall be for the unexpired term only. Such Commission shall serve without pay, and it shall be the duty of such Commission to exercise all powers granted by this Article or ordinances enacted pursuant thereto. The Commission shall have the power and authority to employ personnel for the purpose of carrying out its functions, subject to approval of the appropriations of funds by the City Council.

3 Amendment, Change Or Repeal Of Regulations

Zoning regulations, restrictions, and boundaries may from time to time be amended, supplemented, changed, modified, or repealed by the vote of a majority of the membership of the City Council; provided, however, the City Council is expressly authorized to enact ordinance(s) which will require approval by more than a simple majority of City Councilmembers to amend, supplement, change, modify, or repeal zoning regulations in situations specifically described in any such ordinance(s).

4 Present Ordinances And Regulations Continued

All ordinances and regulations of this City in respect to planning, zoning, and subdivision regulations which are in operation at the effective date of this Charter provision, hereby are adopted and continued in force, under and by force of the authority conferred by Section 1 of this Article, until altered or repealed by the City Council.

ARTICLE XXI REAPPORTIONMENT

1 Reapportionment Ad Hoc Committee
2 Appointment And Meetings Of The Reapportionment Ad Hoc Committee
3 Criteria For Ward Boundaries
4 Public Hearing On Proposed Boundaries; Votes Required For Passage
5 Council Shall Have Final Authority

6 Annexed Territory; Reapportionment Between Census Report

1 Reapportionment Ad Hoc Committee

There shall be a Reapportionment Ad Hoc Committee, which shall consist of nine voting members appointed by the Council on nomination by the Mayor. All members of the Reapportionment Ad Hoc Committee shall be registered voters of the City and shall hold no other office or position of employment in the City government.

(Ord. No. O-1516-25, § 12)

Editor's note—Ord. No. O-1516-25, § 12, adopted Dec. 8, 2015, changed the title of § 1 from "Reapportionment Commission" to read as herein set out.

2 Appointment And Meetings Of The Reapportionment Ad Hoc Committee

The Reapportionment Ad Hoc Committee shall meet to review and make recommendations on ward boundaries as follows:

(a) When the City proposes to annex or de-annex property; or

(b) After the release of new precinct information by the Election Board pursuant to the release of the final Federal Decennial Census; or

(c) Upon the unanimous recommendation of City Council.

In the case of proposed annexation or de-annexation, members of the Reapportionment Ad Hoc Committee shall be appointed within ninety (90) days of adoption of any such proposal. For purposes of reviewing the Federal Decennial Census, members of the Reapportionment Committee shall be appointed within thirty (30) days of the release of new precinct information for Norman by the Election Board. The Reapportionment Ad Hoc Committee's members shall be residents and registered voters of the City's wards, (one at-large and one from each ward).

(Ord. No. O-1516-25, § 12)

Editor's note—Ord. No. O-1516-25, § 12, adopted Dec. 8, 2015, changed the title of § 2 from "Composition of the Reapportionment Committee" to read as herein set out.

HISTORY
Amended by Ord. O-2122-45 Timeline for review on 8/23/2022

3 Criteria For Ward Boundaries

No later than one hundred and eighty (180) days after the appointment of the Reapportionment Ad Hoc Committee pursuant to Section 2(a) or 2(c) herein, or after the release by the Election Board of new precinct information for Norman when the Committee is appointed pursuant to Section 2(b) herein, the Committee shall pass and refer to the City Council a resolution to retain or readjust the wards and their boundaries to comply with the standards set out herein. Wards should be formed so as to equalize, as nearly as practicable, the population of the several wards. In addition, each ward should be formed of compact, contiguous territory with boundaries drawn to reflect and respond to communities of common interest, ethnic background, and physical boundaries, to the extent reasonably possible. Ward lines shall not create artificial corridors which in effect separates voters from the ward to which they most naturally belong.

(Ord. No. O-1516-25, § 12)

HISTORY
Amended by Ord. O-2122-45 Criteria on 8/23/2022

4 Public Hearing On Proposed Boundaries; Votes Required For Passage

Prior to voting on the resolution, the Reapportionment Ad Hoc Committee shall hold a public hearing thereon. At least five (5) votes shall be required for passage of the resolution, and the vote on passage shall be by roll call and shall be entered in the minutes of the Committee. A map showing the wards and their boundaries shall be appended to the resolution.

(Ord. No. O-1516-25, § 12)

HISTORY
Amended by Ord. O-2122-45 Time for public hearing on 8/23/2022

5 Council Shall Have Final Authority

The resolution shall then be referred to the City Council which shall, within thirty (30) days, conduct a public hearing on the proposed resolution and adopt the resolution without modification, reject the resolution, or send the resolution back to the Reapportionment Ad Hoc Committee for further consideration. If any changes in ward boundaries are adopted by City Council, such changes shall also be adopted by ordinance and codified in the Code of the City of Norman.

Thereupon, the new wards and boundaries shall supersede the previous wards and boundaries for purposes of the next primary and general election set by the City Council, and for all other purposes on the day on which the terms of the Councilmembers elected that year begin.

(Ord. No. O-1516-25, § 12)

HISTORY
Amended by Ord. O-2122-45 Council Authority on 8/23/2022

6 Annexed Territory; Reapportionment Between Census Report

When territory is annexed to the City, the Reapportionment Ad Hoc Committee, by resolution in the manner provided hereinabove, shall incorporate it into the adjacent ward or wards or shall readjust the wards and boundaries in the manner provided hereinabove, as it deems appropriate.

(Ord. No. O-1516-25, § 12)

FORM OF GOVERNMENT AND ROLE OF ELECTED OFFICIALS

Summary

Applicable Charter Provisions

Applicable Code Provisions

Meeting Process and Decorum

Appearing Before Subordinate Bodies

Applicable Resolutions and Other Forms

FORMS OF GOVERNMENT & ROLE OF ELECTED OFFICIALS

ORGANIZATION & PERSONNEL

All elected officials must understand their municipality's form of government to understand their role.

- What are the powers of the elected officials?
- Who is in charge of what aspects of city government?
- What areas of operations are none of their business?
- What are the limits of their authority with personnel and why?

When someone is elected to serve as a Councilmember, the public has entrusted you with governing authority to exercise discretion over the public treasury and create laws and policies that will impact their day-to-day lives more than any other level of government. The public official, once elected or appointed, is in a superior position to that of the individual citizen due to specialized governmental knowledge and the ability to advise, deliberate, and participate in the representative process. And finally, the public trusts that the public official will act in the public's best interest. Fiduciaries are under rigorous obligations that ensure compliance with their role responsibilities. Those obligations are:

1. **The Duty of Obedience**

The duty of obedience requires that an elected official ensures compliance with applicable laws and regulations, acts in accordance with its own policies, and carries out its mission to serve its constituents appropriately. Public officials should ensure they carry out their intended purpose and do not engage in unauthorized activities.

2. **The Duty of Loyalty**

Public officials have an absolute obligation to put the public's interest before their own direct or indirect personal interests. The public official breaches this obligation when he or she benefits at the public expense. Prohibited benefits can be financial (such as engaging in pay to play politics or participating in decisions that favorably impact an official's business, property, or investments), career related (such as using public office and/or public resources to obtain future employment or political position), or personal (such as benefits to family members or close associates). Note that when general ethical duties to family or friends conflict with duty to the public, the public duty must prevail. The City's Ethics Ordinance is included for reference.

3. **The Duty of Care**

The duty care requires that the public official competently and faithfully execute the duties of the office. Under the duty of care falls such obligations as the duty to manage assets competently and be good stewards of the public treasury, to use due diligence in the selection and supervision of staff for which you are responsible, to follow the rules, and to uphold the constitution and laws of the jurisdiction. Examples of breach of this duty include failure to attend meetings, failure

to investigate, failure to engage in the deliberative process, and failure to vote.

COUNCIL MANAGER FORM OF GOVERNMENT

Understanding the role of the city council with city employees begins with understanding the governmental role of the parties. By Charter, Norman operates as a Council Manager form of government. The city council serves as the legislative arm of the city, while the city manager is the executive responsible for day-to-day operations. Under this form of government, the council is responsible for appointment of the city manager. With the charter changes effective in 2023, the council is now also responsible for the appointment of the City Attorney and the City Auditor. The city manager, and not the council, is responsible for all other employees of the city.

The question of involvement of the city council in personnel matters remains one of the most difficult issues to deal with in many cities. Sometimes, Councilmembers run for office because of their dissatisfaction with some staff members. For statutory Council Manager forms of government, state statute specifically and clearly deals with this issue by providing that council members may not:

A. direct or request the city manager to appoint or remove officers or employees;

B. participate in any manner in the appointment or removal of officers and employees of the city, except as provided by law;

C. give orders on ordinary administrative matters to any subordinate of the city manager either publicly or privately.

The above statutory requirements are consistent with the Charter of the City of Norman, which provides that council members, its committees, or its members shall not:

A. Direct or request that the City Manager, or any of his subordinates, appoint any person to a particular office of the City.

B. Direct or request that the City Manager, or any of his subordinates, remove any person from a particular office of the City.

C. Take part in the appointment or removal of officers and employees in the administrative services of the City in any manner.

There are many examples in which direction given to employees by a council member can result in difficulties and a violation of the Charter by the city council member. The following specific examples are examples of conduct that should be avoided:

A. Council members should not appear at, call or email city hall or other departments of the city and direct office personnel to perform any duties at the direction of the council

member; if anything is needed from city employees, that request should be directed to the city manager who can then communicate that request to the appropriate employee;

B. Council members should not appear at emergency scenes and expect to have any input into the handling of the situation any different than any other citizen;

C. Council members should not appear at public work sites and offer suggestions as to how the work can be better performed; any direction of that type should be directed to the city manager who can then communicate that direction, if appropriate, to the employees involved.

Again, the best rule of thumb is to keep in mind that Council should consider themselves no more than ordinary citizens when it comes to City employees and public facilities. In this form of government, the council serves as a policymaking, legislative body and does not manage day-to-day operations. Understanding the role of Council as it relates to staff is critical because Norman's Charter states that violation of this particular section of the Charter is grounds for removal from office.

Also, Council should be aware that certain groups within the City are represented by state and Charter sanctioned unions. As most of you are probably aware, the various unions representing City employees at different times may attempt to place pressure on Council members to side with them in their pending negotiations. Council's role in union negotiations is to appropriate funds if needed. Negotiations can only occur between the City Manager or his/her designee and the selected negotiators for the union, typically the union officers. Circumventing this process can result in an unfair labor practice under state law. There is a memo included in this Section with more details related to bargaining units in Norman.

While the Charter restricts much of Council's activity as it relates to staff members, Charter amendments over the years have created a process where Council can direct the City Manager by resolution to investigate charges of misconduct or incompetence against a City employee. The Council may also, by resolution, inquire into the conduct of any office, department or agency of the City, investigate municipal affairs, and direct the City Manager to investigate such affairs, or if necessary, authorize and provide for such inquiries through an outside agency. Because adoption of a resolution is required, if Council desires to use this provision, it must be agendized for a public meeting/vote and would require 5 affirmative votes to pass.

COUNCIL'S ROLE RELATED TO CITY APPOINTED COMMITTEES, BOARDS AND COMMISSIONS

The City has more than 30 committees that exist to work on specific issues, advise Council and/or make recommendations to Council. Section 2-109 of the City Code empowers the Mayor to appoint individuals to all appointive boards and commissions as vacancies occur, subject to the final approval by Council, which requires 5 affirmative votes.

City committees, boards and commissions have long been required by City code to operate under the Open Meetings Act, regardless of whether State law would otherwise require it. This means the meetings are open to the public and Councilmembers can attend and listen. Councilmembers should refrain from participating in Committee meetings, unless serving on the Committee as a formal Council appointment, so that the work of the Committee can be done efficiently. This also ensures Committee recommendations are made without the influence of any particular Councilmember. More information about the City's Boards and Commissions can be found in Section 4 of the Handbook. See also the attached memo titled "Appearing before Subordinate Bodies".

Applicable Charter Provisions

Article II, Section 1: Elected Officers: Powers and Duties; Stipend

Article III, Section 1: Council to Appoint City Manager

Article III, Section 2: General Powers and Duties of the City Manager

Article III, Section 4: Special Powers and Duties of the City Manager

Article III. Section 5: Purchasing Agent

Article III, Section 6: Council Not to Interfere in Appointments, Removals, or Administration

Article V, Section 2: Appointment and Removal of City Auditor

Article V, Section 3: Duties of the City Auditor

Article VIII, Section 2: Appointment and Removal of City Attorney

Article VIII, Section 3: Duties of the City Attorney

Article XIX, Section 1: Right to Organize and Bargain Collectively

Article XIX, Section 2: Recognition of Bargaining Unit

Article XIX, Section 3: Municipal Powers Reserved

* Note: The Charter is provided in full in Section 2 of the Council Handbook.

Applicable Code Provisions

Article 2-I: Administration, City Council

- Section 2-101: Council Agenda
- Section 2-105: Council Meetings – Order of Business
- Section 2-106: Council Meetings – Presiding Officer
- Section 2-107: Council Meetings – Presiding Officer's Duties and Powers
- Section 2-108: Council Meetings – Rules of Debate
- Section 2-109: Duties of the Mayor
- Section 2-111: Powers of the Mayor – Civil Emergency

Chapter 18: Labor Relations

ARTICLE 2-I ADMINISTRATION, CITY COUNCIL

2-101 Council Agenda
2-102 Council Conferences
2-103 Council Ethics
2-104 Council Meetings--Classifications, Place, Time, Continuances
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2-101 Council Agenda

(a) The City Manager shall prepare an agenda specifying the order of business for each regular meeting of the City Council.

(b) Once prepared, a copy of such agenda and support material shall be furnished, without cost, as far in advance of the applicable scheduled meeting as practicable to:

(1) Each member of the City Council;

(2) Any City employee as the City Manager deems appropriate;

(3) The Pioneer Multi-County Library;

(4) Any public media requesting a copy.

(c) Furthermore, a copy of the specific item agenda and the support material therefor shall be furnished without cost to that person, applicant, his agent or attorney who has:

(1) That item appearing on that particular agenda;

(2) Paid to the City his applicable fee for such; and

(3) Specifically requested in writing that he be supplied with that item and the support material therefor.

(d) Except for matters specifically exempted by the City Manager, all other requests, reports, communications, ordinances, resolutions, contract documents, or other matters proposed for the City Council's consideration shall be submitted to the City Manager no later than 5:00 p.m. at least ten days preceding the City Council meeting in which it is to be considered, though this time limit may be administratively lengthened by the City Manager.

(e) The City Manager shall be required to place policy and budget items on the agenda of the City Council meetings when three Councilmembers request it.

(Code 1976, § 2-101; Ord. No. O-7475-35; Ord. No. O-1112-6, § 1)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

2-102 Council Conferences

Conference sessions may be held by the Council under the following circumstances:

(a) Prior to each regular meeting, at such time and place as the majority of the Council may determine.

(b) At any other time deemed necessary by call of the Mayor or the City Manager.

(c) Any such session shall be devoted exclusively to matters regarding which the interchange of information preliminary to public discussion is deemed to be essential.

(d) Each session shall be informal, and no formal votes shall be taken on any matter, whether under discussion or not.

(e) Each session shall be open to those members of the public desiring to attend.

(Code 1976, § 2-102; Ord. No. O-7475-35)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

2-103 Council Ethics

(a) *Prohibited*. Members of the Council shall refrain from:

(1) Making use of special knowledge or information obtained from their position before that knowledge or information is made available to the general public;

(2) Making decisions in which a Councilmember has a pecuniary interest or actual conflict as defined herein;

(3) Using their influence as Councilmembers in attempts to secure contracts, zoning, or other favorable municipal action for a person or entity with whom a Councilmember has a pecuniary interest or actual conflict as defined herein;

(4) Actions benefiting special interest groups at the expense of the City;

(5) Appointments of persons with whom a Councilmember has a pecuniary interest or actual conflict, as defined herein, to appointive boards and commissions;

(6) Willful violations of this section;

(7) Conflict of interest.

a. In order to ensure independence and impartiality on behalf of the common good, no elected City Official shall use his official position to influence government decisions in which he has a pecuniary interest or in which he has an organizational responsibility that may give the appearance of a conflict of interest.

b. Violations of the conflict of interest provisions set forth herein shall be handled in a manner consistent with the City Charter and applicable State law.

(b) *Duties*. Members of the Council shall:

(1) Conduct themselves so as to bring credit upon the City, setting an example of good, ethical conduct for all citizens of the community;

(2) Comply with all lawful actions, directives and orders of duly constituted municipal officers as such may be issued in the normal and lawful discharge of their duties; and

(3) Ensuring within their power, the equal and impartial enforcement of all laws, without respect to race, creed, color, sex, or the economic or social position of individual citizens.

(c) *Definitions*. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Actual conflict means a set of circumstances wherein an elected City Official would be required to take an action or make a decision regarding a cause, proceeding, application or any other matter where he holds a direct benefit, detriment, or employment consequence.

Benefit, detriment, or employment consequence means a benefit, detriment, or employment consequence to:

(1) The public official;

(2) A member of his immediate family; or

(3) A business or organization in which the official has a pecuniary interest or actual conflict as defined herein.

Confidential information means privileged statements or communications, whether expressed or implied, oral or written, between an elected City Official, City of Norman employees, and the City Attorney; work product of the City Attorney's office; and City of Norman records, documents, and other information not subject to public disclosure and dissemination by law.

De minimis means a pecuniary benefit that does not exceed the value of $100.00 incidental to personal, professional, or business contacts and involving no substantial risk or undermining official impartiality.

Elected City official means the Mayor and any member of City Council.

Gift means the transfer of anything of economic value, regardless of the form, without adequate and lawful consideration. The term "gift" does not include the solicitation, acceptance, receipt or regulation of political campaign contributions regulated in accordance with the laws of the State.

Pecuniary interest means the expectation of a financial benefit, detriment or employment consequence. This also includes any pecuniary interest of a member of the official's immediate family. A person has a pecuniary interest in an organization in which that person has a five percent ownership interest or greater or valued over $20,000.00. A person has a pecuniary interest in a decision if a financial interest of that person will vary with the outcome of the decision. This includes officials with real property interests abutting a subject property.

Potential conflict means a set of circumstances wherein an elected City Official would be required to take an action or make a decision regarding a cause, proceeding, application or any other matter where he may have an indirect benefit, detriment, or employment consequence; this type of situation calls into question the official's objectivity or independence, but the effect of this type of conflict is not certain.

(d) *Conflict of interest*.

(1) *Pecuniary interest or actual conflict*. An elected City Official shall not participate in any official action if he has a pecuniary interest or an actual conflict. Prior to the beginning of discussion on the issue, the elected City Official shall disclose his pecuniary interest or actual conflict. Then, the elected City Official shall not participate in either the vote or the discussion relating to the issue. Any Councilmember barred from voting must leave his Council chair and shall not participate during the debate of such item.

(2) *Potential conflict*. If the elected City Official has a potential conflict, that elected City Official may engage in both the vote and discussion, but the potential conflict must be disclosed prior to participation.

(3) *Exceptions*.

a. If the elected City Official's financial interests are included within a whole class of citizens, such as property taxpayers, an exception is made to allow the official to vote. This only applies in case of votes or decisions in which the elected City Official has a personal interest or pecuniary interest no greater than that of other persons generally affected by the decision, such as adopting a bylaw or setting a tax rate.

b. If an elected City Official discloses an actual conflict on the record, that elected City Official shall disqualify himself from participating in any decision or vote relating thereto, unless following such a disclosure, a majority of the remaining members of Council, determine by official action at a public meeting, that such conflict of interest is de minimis.

(4) *Discovery of conflict*. The existence of an ethical issue often does not arise until a meeting is underway. Rather than risk an inadvertent violation, the safest course of action is simply to declare that a conflict of interest may exist that prevents an elected City Official from participating. As soon as an elected City Official realizes that a conflict of interest exists on a given matter, he must disclose the conflict of interest on the record for the minutes.

(e) *Duty to report*. Elected City officials have a duty to report in accordance with State law. Moreover, elected City officials should never attempt to use their authority or influence for the purposes of intimidating, threatening, coercing, commanding, or influencing any person with the intent of interfering with that person's duty to disclose such improper activity. If an elected City Official believes that another elected City Official or citizen may have violated this policy, he may consult with the City Attorney's office.

(f) *Gifts*. Gifts must be refused or returned with a friendly but firm message that elected City officials are not allowed to receive gifts.

(1) State law, in 21 O.S. § 382, makes it a crime for any municipal officer or any employee of a political subdivision to corruptly accept or request a gift or gratuity, or a promise to make a gift, or a promise to do an act beneficial to such officer. If this happens, the officer or employee shall forfeit his office, be forever disqualified to hold any public office, trust, or appointment under the laws of the State, and be guilty of a felony punishable by imprisonment not exceeding ten years or by a fine, as provided in the City fine schedule and imprisonment for not more than one year.

(2) In addition, article XVII, section 5 of the Charter of the City, makes it unlawful for any officer of the City to directly or indirectly give, or promise to give, any person any office, position, employment, or anything of value for the purpose of influencing or obtaining

support, political or otherwise, aid, or influence of any person. Engaging in any of these activities is grounds for removal from office.

(3) A de minimis personal gift, lunch, or entertainment under $100.00 is permissible if given without the intent to influence. The ethical principle is that officials obtain no personal gain from performance of their duties except official compensation and the satisfaction of a job well done.

(g) *Use or disclosure of confidential information*. Elected City officials are prohibited from disclosing or offering to disclose confidential information to any party not entitled to receive such information nor shall he use such information for his personal gain or benefit. Councilmembers shall not use special knowledge or information obtained from their position before that knowledge or information is made available to the public.

(h) *Role of the City Attorney*.

(1) Questions about the City Council ethics contained herein, a conflict of interest, or other ethical problems related to the business of the City, should be presented to the City Attorney's office. If time permits, requests should be in writing to the City Attorney directly. The City Attorney may consult with outside legal counsel to adequately and timely research specific requests for legal advice on particular issues. Reliance on opinions of private attorneys for matters related to the business of the City may not preserve immunity protections afforded City Councilmembers by State law.

(2) For ethical or otherwise personal issues not related to the business of the City, any elected City Official may, at any time, seek the counsel, at their expense, of a private attorney or attorneys in regard to those personal legal or ethical issues that may arise.

(Code 1976, § 2-103; Ord. No. O-7475-35; Ord. No. O-1112-05, § 1; Ord. No. O-1718-54, § 1)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

2-104 Council Meetings--Classifications, Place, Time, Continuances

(a) The City Council shall meet in regular session the second and fourth Tuesday of each month:

(1) At 6:30 p.m., unless otherwise announced or delegated by the Council;

(2) Except that when such Tuesday shall fall upon a day designated as a mandatory City holiday, or on the eve of such a holiday, the meeting shall be held at the same time on a day as designated by City Council Resolution.

(b) Except when otherwise designated by City Council resolution, all Council meetings shall be at the City municipal Building, located at 201 West Gray, Norman, Oklahoma.

(c) The Council shall meet in special session when so called by the Mayor or by five Councilmembers, provided:

(1) A notice in writing is served upon each Councilmember. Such notice:

a. States the date, hour, and location of the meeting, as well as the purpose thereof;

b. Is signed by the Mayor or five Councilmembers.

(2) No notice need be served when all Councilmembers are present at a special meeting and a waiver of notice of the meeting is signed by the Councilmembers, such waiver stating the date and hour of the meeting and the purposes for which it is called.

(d) Meetings may be continued from day to day, but no adjournment shall occur for a period longer than until the next regular meeting thereafter.

(Code 1976, § 2-104; Ord. No. O-7475-35; Ord. No. O-8687-26; Ord. No. O-8788-11; Ord. No. O-9192-30; Ord. No. O-9394-33; Ord. No. O-9697-59; Ord. No. O-0001-23; Ord. No. O-0001-48; Ord. No. O-0001-52)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

2-105 Council Meetings--Order Of Business

Regular and special Council meetings shall be conducted along the following order:

(a) The presiding officer shall take the chair at the hour appointed for the Council meeting and shall immediately call the members to order.

(b) The City Clerk shall call the roll and shall enter into the minutes of that meeting the names of those Councilmembers that are present.

(c) The minutes of prior Council meetings may be approved without a formal reading, provided:

(1) The Clerk has previously furnished each Councilmember a copy of those minutes; and

(2) There is no request by any Councilmember that said minutes be read.

(d) The remaining order of business shall be as shown on the agenda as prepared and submitted by the City Manager, unless such order is subsequently changed by a majority vote of the Council.

(Code 1976, § 2-105; Ord. No. O-7475-35)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

2-106 Council Meetings--Presiding Officer

(a) The presiding officer of Council meetings shall be one of the following individuals, based upon the following order of priority:

(1) The Mayor.

(2) The Mayor Pro Tem, who is a Councilmember yearly elected by his colleagues to serve in that position when the Mayor is not available to preside.

(3) The temporary Chairman, a Councilmember elected by his colleagues to serve in that position for that single meeting when the Mayor and Mayor Pro Tem are not available to preside.

(4) The City Clerk, who presides only for the purposes of calling the meeting together for an election of a temporary Chairman.

(b) Upon the subsequent arrival to a Council meeting of a higher priority individual, the lower priority presiding officer shall relinquish the chair upon the conclusion of that business then before the Council.

(Code 1976, § 2-106; Ord. No. O-7475-35)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

2-107 Council Meetings--Presiding Officer's Duties And Powers

(a) The presiding officer may move, second, debate, and vote from the chair, subject only to those limitations of debate as are imposed by the rules for all Councilmembers, and shall not be deprived of any of the rights and privileges of a Councilmember by reason of his acting as the presiding officer.

(b) The presiding officer shall preserve decorum at all meetings and shall call upon the Sergeant of Arms to enforce decorum and order.

(c) The presiding officer shall decide all questions of order subject to appeal to the Council.

(Code 1976, § 2-107; Ord. No. O-7475-35)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

2-108 Council Meetings--Rules Of Debate

(a) The Council shall conduct all meetings in accordance with the most recent edition of Robert's Rules of Order Newly Revised, by General Henry M. Robert (hereafter referred to as Robert's Rules), except as hereinafter specifically provided.

(b) Robert's Rules are altered such that:

(1) All business of the Council shall be transacted by at least five affirmative votes, except when this Code requires a greater number.

(2) A motion to adjourn is debatable only as to the time to which the meeting is adjourned.

(3) All questions put to the Council shall be voted either affirmatively or negatively and each Councilmember shall vote unless excused for stated reasons before the votes are called for.

(4) Any request by a Councilmember to be excused from voting shall be voted on without debate.

(5) Any Councilmember barred from voting by personal interest must leave his Council chair and shall not participate during the debate of such item.

(6) No Councilmember may leave a regular meeting session except with the permission of the presiding officer.

(c) The presiding officer shall answer questions concerning application and interpretation of Robert's Rules.

(Code 1976, § 2-108; Ord. No. O-7475-35; Ord. No. O-0001-48)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

2-109 Duties Of The Mayor

Subject to the final approval of the Council, the Mayor shall appoint individuals to all appointive boards and commissions as vacancies occur.

(Code 1976, § 2-109; Ord. No. O-7475-35)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

2-110 Employment Of Professional Services

(a) Professional services, such as those furnished by appraisers, accountants, architects, engineers, lawyers, etc., other than such services rendered by regular City employees, may be authorized by appropriate action of the Council, made from rosters maintained by the City Manager of those qualified individuals or firms interested in such employment by the City.

(b) Members of the Council may place individual or firm names on such roster, but all selections shall be made by vote of the Council after recommendation by the City Manager with respect to qualifications, fees, and previous experience.

(Code 1976, § 2-110; Ord. No. O-7475-35)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

2-111 Powers Of The Mayor--Civil Emergency

(a) When, in the judgment of the Mayor, there exists:

(1) A riot or unlawful assembly characterized by the use of actual force or violence or any threat to use force, if accompanied by immediate power to execute by three or more persons acting together without authority.

(2) A natural disaster or manmade calamity (including flood, fire, tornado or explosion), which results in the death or injury of persons or the destruction of property to such an extent that extraordinary measures must be taken to protect the public health, safety and welfare, then the Mayor shall issue a proclamation of civil emergency, and provide as much public notice of that proclamation as practical.

(b) In the proclamation of a civil emergency, the Mayor may impose a general curfew for those geographical areas of the City affected or potentially affected by the civil emergency during such hours of the day or night as the Mayor may deem necessary to preserve the public peace, safety, and welfare. In the interest of public safety and welfare, the Mayor may also restrict or prohibit:

(1) A designated number of persons from assembling or gathering on the streets, parks or other open areas of the City, whether public or private;

(2) The manufacture, transfer, use, possession or transportation of a Molotov cocktail or any other device, instrument or object designed to explode or produce uncontained combustion;

(3) The sale, distribution, dispensing, transportation or possession of liquid flammable or combustible products;

(4) The possession of firearms or any other deadly weapon by a person (other than a law enforcement officer) in a place other than that person's place of residence or business;

(5) The sale, purchase or dispensing of alcoholic beverages;

(6) The sale, purchase or dispensing of other commodities or goods as the Mayor reasonably believes should be prohibited to help preserve and maintain life, health, property or the public peace;

(7) The use of certain streets, highways or public ways by the public; and

(8) Such other activities as the Mayor reasonably believes should be prohibited to help preserve and maintain life, health, property or the public peace.

(c) Any person convicted of violating the provisions of the proclamation of a civil emergency as issued pursuant to this section, or of failing to act or comply with those provisions shall be punished by a monetary fine in an amount, as provided in the City fine schedule, or by imprisonment for a period not to exceed 60 days, or by both such fine and imprisonment.

(Code 1976, § 2-111; Ord. No. O-0506-10)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

2-112 Wards Described--Ward One

Ward One shall embrace and be limited to all of the area which is now embraced within the corporate City limits and bounded as follows:

Beginning at the intersection of Alameda Street and 12th Avenue N.E.; thence East on Alameda Street to 48th Avenue N.E.; thence South on 48th Avenue N.E. to Lindsey Street; thence West on Lindsey Street to 24th Avenue S.E.; thence South on 24th Avenue S.E. to State Highway 9; thence West on State Highway 9 to Classen Boulevard; thence Northwesterly on Classen Boulevard to 12th Avenue S.E.; thence North on 12th Avenue S.E. to Alameda Street.

(Code 1976, § 2-112; Ord. No. O-7576-62; Ord. No. O-8182-37; Ord. No. O-8384-56; Ord. No. O-9192-36; Ord. No. O-0102-17; Ord. No. O-0304-20; Ord. No. O-1112-10, § 2)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

2-113 Wards Described--Ward Two

Ward Two shall embrace and be limited to all of the area which is now embraced within the corporate City limits and bounded as follows:

Beginning at a point where Interstate Highway 35 intersects the Southern boundary of the City; thence North on Interstate Highway 35 to Robinson Street; thence East on Robinson Street to 24th Avenue N.W.; thence Southerly on 24th Avenue N.W. to Dakota Street; thence East on Dakota Street to Rosewood Drive; thence South on Rosewood Drive to Iowa Street; thence East on Iowa Street to Sherry Avenue; thence North on Sherry Avenue to Denison Drive; thence East on Denison Drive to Berry Road; thence South on Berry Road to Imhoff Road; thence East on Imhoff Road to Chautauqua Avenue; thence south on Chautauqua Avenue to the Southern City limits; thence Northwest along the Southern boundary of the City to that point which intersects Interstate Highway 35.

(Code 1976, § 2-113; Ord. No. O-7576-62; Ord. No. O-8182-37; Ord. No. O-8384-56; Ord. No. O-9192-36; Ord. No. O-0102-17; Ord. No. O-1112-10, § 3)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

2-114 Wards Described--Ward Three

Ward Three shall embrace and be limited to all of the area which is now embraced within the corporate City limits and bounded as follows:

That portion of the City West of a line beginning at a point where the South boundary of the City intersects with Interstate Highway 35; thence North on Interstate Highway 35 to Robinson Street; thence West on Robinson Street to 36th Avenue N.W.; thence North on 36th Avenue N.W. to Rock Creek Road; thence West on Rock Creek Road to 48th Avenue N.W.; thence North on 48th Avenue N.W. to the Northern City limits (Indian Hills Road).

(Code 1976, § 2-114; Ord. No. O-7576-62; Ord. No. O-8182-37; Ord. No. O-8384-56; Ord. No. O-9192-36; Ord. No. O-0102-17; Ord. No. O-1112-10, § 4)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

2-115 Wards Described--Ward Four

Ward Four shall embrace and be limited to all of the area which is now embraced within the corporate City limits and bounded as follows:

Beginning at the intersection of Imhoff Road and Berry Road; thence North on Berry Road to Acres Street; thence East on Acres Street to Flood Avenue; thence North on Flood Avenue to Robinson Street; thence East on Robinson Street to 12th Avenue N.E.; thence south on 12th Avenue N.E. to Lindsey Street; thence West on Lindsey Street to the BNSF railroad track; thence northwesterly along the BNSF railroad track to Brooks Street; thence West on Brooks Street to Elm Avenue; thence North on Elm Avenue to Boyd Street; thence West on Boyd Street to Chautauqua Avenue; thence South on Chautauqua Avenue to Imhoff Road; thence West on Imhoff Road to Berry Road.

(Code 1976, § 2-115; Ord. No. O-7576-62; Ord. No. O-8182-37; Ord. No. O-8384-56; Ord. No. O-9192-36; Ord. No. O-0102-17; Ord. No. O-0405-9, § 2; Ord. No. O-1112-10, § 5)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

2-116 Wards Described--Ward Five

Ward Five shall embrace and be limited to all of the area which is now embraced within the corporate City limits and bounded as follows:

That portion of the City East of a line beginning at a point where the South boundary of the City intersects with Classen Boulevard (Post Oak Road); thence Northwest along Classen Boulevard to State Highway 9; thence East on State Highway 9 to 24th Avenue S.E.; thence North on 24th Avenue S.E. to Lindsey Street; thence East on Lindsey Street to 48th Avenue S.E.; thence North on 48th Avenue S.E. to Alameda Street; thence West on Alameda Street to 36th Avenue N.E.; thence North on 36th Avenue N.E. to the intersection with the Northern boundary of the City (Indian Hills Road).

(Code 1976, § 2-116; Ord. No. O-7576-62; Ord. No. O-8182-37; Ord. No. O-8384-56; Ord. No. O-9192-36; Ord. No. O-0102-17; Ord. No. O-1112-10, § 6)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

2-117 Wards Described--Ward Six

Ward Six shall embrace and be limited to all of the area which is now embraced within the corporate City limits and bounded as follows:

Beginning at the intersection of Rock Creek Road and 12th Avenue N.W.; thence North on 12th Avenue N.W. to Indian Hills Road; thence East on Indian Hills Road to 36th Avenue N.E.; thence South on 36th

Avenue N.E. to Alameda Street; thence West on Alameda Street to 12th Avenue N.E.; thence North on 12th Avenue N.E. to Rock Creek Road; thence West on Rock Creek Road to 12th Avenue N.W.

(Code 1976, § 2-117; Ord. No. O-7576-62; Ord. No. O-8182-37; Ord. No. O-8384-56; Ord. No. O-9192-36; Ord. No. O-9596-15; Ord. No. O-0102-17; Ord. No. O-0304-20; Ord. No. O-0405-9, § 3; Ord. No. O-1112-10, § 7)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

2-118 Wards Described--Ward Seven

Ward Seven shall embrace and be limited to all of the area which is now embraced within the corporate City limits and bounded as follows:

Beginning at the intersection of Chautauqua Avenue and the Southern City limits; thence North on Chautauqua Avenue to Boyd Street; thence East on Boyd Street to Elm Avenue; thence South on Elm Avenue to Brooks Street; thence East on Brooks Street to the BNSF railroad tracks; thence Southeast along the BNSF railroad tracks to Lindsey Street; thence East on Lindsey Street to 12th Avenue S.E.; thence South along 12th Avenue S.E. to Classen Boulevard; thence Southeast along Classen Boulevard to the Southern City limits (Post Oak Road); thence West on Post Oak Road to the point of beginning.

(Code 1976, § 2-118; Ord. No. O-7576-62; Ord. No. O-8182-37; Ord. No. O-8384-56; Ord. No. O-9192-36; Ord. No. O-0102-17; Ord. No. O-1112-10, § 8)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

2-119 Wards Described--Ward Eight

Ward Eight shall embrace and be limited to all of the area which is now embraced within the corporate City limits and bounded as follows:

Beginning at the intersection of Robinson Street and 36th Avenue N.W.; thence North on 36th Avenue N.W. to Rock Creek Road; thence West on Rock Creek Road to 48th Avenue N.W.; thence North on 48th Avenue, N.W. to the Northern City limits, said point being one-half mile North of Indian Hills Road; thence East along the Northern City limits to 12th Avenue N.W.; thence South on 12th Avenue N.W. to Rock Creek Road; thence East on Rock Creek Road to 12th Avenue N.E.; thence South on 12th Avenue N.E. to Robinson Street; thence West on Robinson Street to Flood Avenue; thence South on Flood Avenue to Acres Street; thence West on Acres Street to Berry Road; thence North on Berry Road to Denison Drive; thence West on Denison Drive to Sherry Avenue; thence South on Sherry Avenue to Iowa Street; thence West on Iowa Street to Rosewood Drive; thence North on Rosewood Drive to Dakota Street; thence West on Dakota Street to 24th Avenue N.W.; thence Northerly on 24th Avenue N.W. to Robinson Street; thence West on Robinson Street to 36th Avenue N.W.

(Code 1976, § 2-119; Ord. No. O-7576-62; Ord. No. O-8182-37; Ord. No. O-8384-56; Ord. No. O-9192-36; Ord. No. O-9596-15; Ord. No. O-0102-17; Ord. No. O-1112-10, § 9)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

CHAPTER 18 LABOR RELATIONS

ARTICLE 18-I LABOR RELATIONS IN GENERAL
ARTICLE 18-II ADMINISTRATION
ARTICLE 18-III DISCUSSION OF CITY GOVERNMENTAL MATTERS BY EMPLOYEES AND OFFICERS

ARTICLE 18-I LABOR RELATIONS IN GENERAL

18-101 Definitions
18-102 Policy

18-101 Definitions

The following words and phrases when used in this chapter, shall for the purposes of this chapter, have the meanings respectively ascribed to them in this article, except where the context otherwise requires.

Confidential employee means all employees of the City Attorney's office, all employees of the Personnel Office, and one secretarial or clerical employee designated by each Department Head and the City Manager.

Day means a calendar day, except that when a limited time period specified in this chapter ends on a Saturday, Sunday, or recognized City holiday, the limited time period shall be extended to the next work day of the employer's administrative offices.

Direct economic issues means salaries, wages, rates of pay, or any other issues subject to collective bargaining which require the appropriation of monies by the City Council.

Employee means a full-time employee of the City, but does not include, for the purposes of exclusive recognition, a management official, a supervisor, a confidential employee, an employee engaged in the administration of this chapter, and a temporary or seasonal employee hired for a time certain of less than six months during a fiscal year.

Employer means the City Manager or his designee.

Labor organization means a lawful organization of any kind in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning compensation, hours, grievances, and other terms and conditions of employment, but does not include an organization which:

(a) Assists or participates in a strike against the City or imposes a duty or obligation to conduct, assist, or participate in such a strike;

(b) Advocates the overthrow of the constitutional form of government of the United States, or any political subdivision thereof;

(c) Discriminates with regard to the terms or conditions of membership because of race, color, creed, sex, age, or national origin; or

(d) Is not in conformance with NCC 18-208.

Management official means an employee having authority to make, or to influence effectively the making of, a policy necessary to the employer with respect to personnel, procedures, or programs. An employee influences effectively policy decision when his role extends beyond that of an expert or professional rendering resource information or recommendations with respect to the policy in question to the point of active participation in the ultimate determination as to what the policy in fact will be.

Strike means any work stoppage or slowdown or other behavior by an employee who, individually or by concerted action with others and without the approval his superior, willfully absents himself from his position or abstains in whole or in part from the full, faithful, and proper performance of his duties for the purpose of inducing, influencing or coercing a change in conditions or compensation, or the rights, privileges, or obligations of employment.

Supervisor means an employee having the authority, in the interest of the employer, to do one of the following: To hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline other employees, or responsibly to direct them, or to adjust their grievances, if in connection with the foregoing the exercise of authority is not of a mere routine or clerical nature, but requires the use of independent judgment. Examples of nonsupervisory positions from the Fiscal Year 1975 Authorized Positions Chart include the following: Fire Captain, Police Sergeant, Maintenance Foreman, Sanitation Foreman, Community Center Supervisor I, Code Compliance Inspector II, Programmer II, Planner I, Building Inspector II, Construction Inspector II, and Engineering Technician II.

(Code 1976, §§ 12-102--12-111; Ord. No. O-7576-1)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

18-102 Policy

(a) Each employee shall have the right, freely and without fear of penalty or reprisal, to form, join, and assist a labor organization or to refrain from any such activity, and each employee shall be protected in the exercise of this right.

(b) The right to assist a labor organization extends to participation in the management of the organization and acting for the organization in the capacity of an organization representative, including presentation of its views to management officials, elected officials of the City, or other appropriate authorities. This subsection does not authorize participation in the management of a labor organization or acting as a representative of such an organization by a supervisor, management official, confidential employee, or by any other employee when the participation or activity would result in a conflict or apparent conflict of interest or otherwise be inconsistent with law, this chapter, or with the official duties of the employee.

(c) The right of employees to assist a labor organization does not include the right to participate in a strike. Any employee who participates in a strike may be discharged by the City Manager immediately and without further cause. No one participating in a strike shall be allowed to acquire any benefits gained by collective bargaining. The status of participants in a strike shall never be a matter of collective bargaining.

(d) Membership in any labor organization shall be determined by each individual employee; provided, however, that in bargaining units where employees have selected a labor organization as exclusive representative, an agreement may be negotiated which provides that non-members of the labor organization shall pay to it a service charge for the negotiation and administration of a collective bargaining agreement in an amount not to exceed the regular periodic membership dues of the labor organization.

(e) The employer shall take the action required to ensure that employees are apprised of their rights under this chapter, and that no interference, restraint, coercion, or discrimination is practiced to encourage or discourage membership in a labor organization or other exercise by employees of their rights under this chapter.

(Code 1976, § 12-101; Ord. No. O-7576-1)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

ARTICLE 18-II ADMINISTRATION
18-201 Administration: Hearing Examiners
18-202 Exclusive Recognition
18-203 Municipal Powers And Employer Rights
18-204 Negotiation Of Agreements
18-205 Negotiation Impasses
18-206 Grievance And Arbitration Procedures
18-207 Unfair Labor Practices
18-208 Standards Of Conduct For Labor Organizations

18-201 Administration: Hearing Examiners

(a) The City Council shall appoint a Chief Hearing Examiner and at least two Associate Hearing Examiners. All persons so appointed shall be members of the labor panels of the American Arbitration Association, the Federal Mediation and Conciliation Service, or the National Mediation Board. The Chief Hearing Examiner, in case of his inability to serve, shall assign one of the Associate Hearing Examiners to hear and decide cases as they arise. The Hearing Examiner hearing a case shall be reimbursed for his services at a rate not to exceed $25.00 per hour for time served in hearing and deciding the case. The Chief Hearing Examiner shall prescribe regulations needed to administer the functions of Hearing Examiners under this chapter. All hearings shall be recorded on tape to provide a permanent record.

(b) The Hearing Examiner shall:

(1) Decide issues related to the appropriate unit submitted for his consideration;

(2) Decide questions pertaining to objections to elections and issues of challenged ballots, as provided in NCC 18-202(f);

(3) Decide unfair labor practice complaints which representatives of the parties have failed to resolve informally in meetings held during the 15-day period after the complaining party has notified the other party of its alleged unfair labor practice;

(4) Decide alleged violations of the standards of conduct of labor organizations; and

(5) Decide questions as to whether a grievance is subject to a negotiated grievance procedure, as provided in this section.

(c) The Hearing Examiner shall have the authority to:

(1) Grant requests for appearance of witnesses or production of documents;

(2) Rule upon offers of proof and receive relevant evidence;

(3) Take or cause a deposition to be taken whenever the ends of justice would be served thereby;

(4) Limit lines of questioning or testimony which are immaterial, irrelevant, or unduly repetitious;

(5) Regulate the course of the hearing and, if appropriate, exclude from the hearing persons who engage in misconduct and strike all related testimony of witnesses refusing to answer any questions ruled to be proper;

(6) Hold conferences for the settlement or simplification of the issues by consent of the parties or upon his own motion;

(7) Dispose of procedural requests, motions, or similar matters, which shall be made part of the record of the proceeding;

(8) Examine and cross-examine witnesses and to introduce into the record documentary or other evidence;

(9) Request the parties at any time during the hearing to state their respective positions concerning any issue in the case or theory in support thereof;

(10) Continue the hearing from day-to-day, or adjourn it to a later day, by announcement thereof at the hearing or by appropriate notice; and

(11) Prepare, issue, and serve his decision to the parties.

(d) A complaint alleging a violation of NCC 18-207(b)(4) shall receive the highest priority treatment by the Chief Hearing Examiner. The Chief Hearing Examiner or an Associate Hearing Examiner assigned by him, shall commence the hearing of such a complaint within 24 hours after the complaint has been made. The 15-day period for informally resolving unfair labor practice complaints shall be waived when the complaint alleges a violation of said NCC 18-207(b)(4). If the Hearing Examiner, based on the evidence presented, finds that there exists a reasonable cause to believe that a NCC 18-207(b)(4) violation is occurring, he shall issue an order which provides for cessation of the alleged violative conduct pending disposition of the complaint.

(e) Upon finding a violation of this chapter, the Hearing Examiner will make disposition of the matters before him. The Hearing Examiner may order the respondent to cease and desist from such violative conduct and may require the respondent to take such affirmative actions, including back pay to employees, as he deems appropriate to effectuate the policies of this chapter. The hearing examiner shall assess the costs of the hearing between the parties based on the merits of the case.

(Code 1976, § 12-201; Ord. No. O-7576-1)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

18-202 Exclusive Recognition

(a) A labor organization seeking exclusive recognition shall submit to the employer a roster of its officers and representatives, a copy of its Charter and Constitution and By-Laws, and a statement of its objectives and affirmation of its compliance with NCC 18-208.

(b) The City Council shall accord exclusive recognition to a labor organization when the organization has been selected, in a secret ballot election, by a majority of the employees in an appropriate bargaining unit as their representative. When a labor organization has been accorded exclusive recognition, it is the exclusive representative of employees in the unit and is entitled to act for and to negotiate agreements covering all employees in the unit. It is responsible for representing the interests of all employees in the unit without discrimination and without regard to labor organization membership.

(c) Bargaining units shall ensure a clear and identifiable community of interest among the employees concerned, promote effective dealings between the labor organization and the employer, and promote the efficiency of City operations. Therefore, there shall be established only three bargaining units as a result of secret ballot elections. One bargaining knit shall include all uniformed fire personnel; a second bargaining unit shall include all commissioned police officers; the third bargaining unit shall include all employees not otherwise excluded. No bargaining unit shall be established it if includes:

(1) Any management official or supervisor or confidential employee;

(2) An employee engaged in administering this chapter; or

(3) A temporary or seasonal employee hired for a time certain of less than six months during a fiscal year.

(d) All elections shall be conducted by secret ballot. Each employee in the bargaining unit shall be eligible to vote and shall be provided the opportunity to choose the labor organization he wishes to represent him from among those on the ballot, or "no union." When no category on the ballot receives a majority of the valid ballots cast, a runoff election shall be held between the two categories receiving the largest and second largest number of votes in the first election. Elections may be held to determine whether:

(1) A labor organization should be recognized as the exclusive representative of employees in the unit;

(2) A labor organization should replace another labor organization as the exclusive representative; or

(3) A labor organization should cease to be the exclusive representative.

(e) The employer shall call and hold an election upon receipt of a timely, written petition signed by no less than 30 percent of the employees in an appropriate bargaining unit indicating their desire to be represented by a particular labor organization or to change or to withdraw recognition. No labor organization will be permitted to intervene in the election proceeding and secure a place on the ballot unless it has submitted a timely, written petition signed by no less than 20 percent of the employees in the unit indicating their desire to be represented by that particular labor organization. The employer may hold an election when he has evidence supporting a good faith belief that the labor organization no longer is the choice of employees in the bargaining unit.

(f) When the employer has received an appropriate petition, the employer shall post notices to all employees containing information as to the name of the petitioner and a description of the bargaining unit involved. All interested labor organizations wishing to participate in the election must seek intervention within the ten-day period following the date of the posting of the notice by submitting a timely, written petition with the employer and otherwise meeting the requirements of this chapter. As soon as possible after the close of the period of intervention, the employer shall meet with representatives of the successful petitioner to arrange the details of the election. Following the meeting, the employer shall post appropriate notices of election. Such notices shall set forth details and procedures for the election, the appropriate unit, the eligibility period, the date, hour, and place of the election and shall contain a sample ballot which is clearly marked "sample" on its face. The employer shall provide the voting booths and ballot boxes. Each labor organization on the ballot and the employer may be represented by no more than two observers of its own selection at the polling place. The observers' function is to see that the election is conducted fairly, the security of the ballot is maintained, and all eligible voters are given an opportunity to cast a ballot. At the conclusion of the balloting the ballots will be counted by the observers and an appropriate tally of ballots will be issued. Representatives of the labor organization and the employer shall sign the tally of ballots indicating that the tally is correct. The signing of the tally does not constitute a waiver of any rights by any party to file objections. If any party wishes to file objections or the number of challenged ballots are sufficient in number to affect the results of the election, such issue shall be submitted in accordance with the procedures set forth in NCC 18-201 within five days of the conclusion of the balloting. The City Manager shall promptly report the final results of the election to the City Council.

(g) There shall be no election to determine whether a labor organization should become, or continue to be recognized as, exclusive representative of the employees in any unit within 12 months after a prior valid election with respect to such unit. When an agreement covering a bargaining unit has been signed by the employer and the incumbent exclusive representative,

an election petition will not be timely unless filed with the employer not earlier than October 1 and not later than October 15.

(h) Recognition of a labor organization does not:

(1) Preclude an employee, regardless of whether he is in a unit of exclusive recognition, from exercising rights established by law, or from choosing his own representative in the exercise of such rights; or

(2) Preclude the employer from consulting or dealing with lawful associations, not qualified as a labor organization, with respect to matters or policies which involve individual members of the association or are of particular applicability to it or its members. These consultations and dealings shall be so limited that they do not assume the character of consultation or dealings on matters of general employee-management policy covering employees in the bargaining unit or extend to areas where recognition of the interests of one employee group may result in discrimination against or injury to the interests of other employees.

(i) When a labor organization has been found to have committed a NCC 18-208(b)(4) unfair labor practice, the City Manager shall report promptly this finding to the City Council, and the City Manager may recommend that the labor organization's exclusive recognition be revoked, any existing agreements be voided, and that the labor organization not qualify as a labor organization under this chapter for a period of 12 months.

(Code 1976, § 12-202; Ord. No. O-7576-1)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

18-203 Municipal Powers And Employer Rights

(a) Nothing herein contained shall be construed or interpreted so as to infringe upon or remove the prerogatives of the City to operate and manage affairs in all respects in accordance with its responsibilities and powers of authority, nor shall the right to collective bargaining extend to such matters.

(b) The employer retains the right, in accordance with this Code and the Charter of the City;

(1) To hire, direct, promote and take disciplinary action against employees;

(2) To relieve employees from duties because of lack of work or for other legitimate reasons;

(3) To maintain the efficiency of government operations entrusted to them;

(4) To determine the methods, means, and personnel by which such operations are to be conducted; and

(5) To take whatever actions may be necessary to carry out the mission of the City in situations of emergency.

(c) The requirements of this section shall be expressly stated in the initial or basic agreement and apply to all supplemental, implementing, subsidiary, or informal agreements between the employer and the labor organization.

(Code 1976, § 12-203; Ord. No. O-7576-1)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

18-204 Negotiation Of Agreements

(a) The employer and a labor organization that has been accorded exclusive recognition, through appropriate representatives, shall bargain collectively with respect to wages, salaries, hours, rates of pay, grievances, working conditions, and other terms and conditions of employment, so far as may be appropriate under the Code and the Charter of the City.

(b) The employer and the labor organization, in fulfillment of their mutual obligation to bargain collectively, shall meet at reasonable times and confer in good faith with respect to wages, salaries, hours, rates of pay, grievances, working conditions, and other terms and conditions of employment, or the negotiation of an agreement, or any question arising thereunder, and the execution of a written agreement incorporating the results of such negotiations if requested by either party, but such obligation does not compel either party to agree to a proposal or require the making of a concession.

(c) A party desiring to initiate negotiations for a new agreement shall notify the other party on or before January 5. At this time of notification, the parties shall inform the Federal Mediation and Conciliation Service of their intent to conduct negotiations for a new agreement. Negotiations shall begin on or before January 15 unless the parties mutually agree to another date.

(d) The employer shall enter into no agreement with a labor organization without the authorization of the City Council.

(e) Agreements entered into by the employer which require the appropriation of monies are expressly made subject to the annual appropriation of said monies by the City Council.

(f) Once the parties enter into an agreement, neither party shall be required to engage in additional negotiations on any issues during the term of that agreement unless required by the provisions of the agreement or this chapter.

(g) The expiration date of all agreements shall be June 30 at midnight; provided, however, and subject to the annual appropriation of monies by the City Council, an agreement may be for a period of time greater than one fiscal year.

(h) Negotiations for a new agreement may extend beyond the June 30 expiration date of the existing agreement, and the provisions and benefits of the existing agreement shall be extended during the period of the negotiations and until the new agreement is reached, subject to the annual appropriation of monies by the City Council, as provided in subsection (e) of this section.

(Code 1976, § 12-204; Ord. No. O-7576-1; Ord. No. O-8788-50)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

18-205 Negotiation Impasses

(a) All negotiation impasses not resolved by March 1 shall be subject to mediation by the Federal Mediation and Conciliation Service. At the request of either party, the parties shall jointly notify the service of their need for the immediate assistance of a mediator.

(b) All negotiation impasses not resolved by April 15 shall be subject to a fact-finding process. At the request of either party, all negotiation impasses not resolved through mediation shall jointly be submitted to fact-finding by a three-member board. Each party shall select its partisan member within three business days following initiation of the fact-finding process. Within seven business days following initiation of the fact-finding process, the two partisan members shall select a neutral member, who serves as Chairman. By mutual agreement of the parties these selection deadlines may be extended or waived. If the two partisan members are unable to agree on the neutral member, the parties shall immediately request the American Arbitration

Association to appoint the neutral member. The parties shall share equally the costs of the neutral member.

(c) The Fact-Finding Board shall conduct its hearing as soon as possible. The Chairman shall be responsible for the conduct of the hearing. The parties and their witnesses shall appear and give testimony and produce the books, records, and other evidence relative to or pertinent to the negotiation impasses presented to the Board. The hearing may be continued at the discretion of the Chairman. The hearing shall be concluded, and the Board's report and recommendations shall be submitted to the parties at the earliest possible opportunity.

(d) At any time before the submission of the Board's report and recommendations to the parties, the parties may mutually resolve each of the impasses. In this event, the parties shall immediately request the Board that the proceedings be terminated and the Board, acting through the Chairman, shall terminate the proceedings.

(e) The factors, among others, to be given weight by the Fact-Finding Board in arriving at its report and recommendations shall include:

(1) The lawful authority of the employer;

(2) The financial ability of the employer to meet costs;

(3) The interests and welfare of the public;

(4) The hazards of employment, physical, education, and mental qualifications, job training and skills involved;

(5) A comparison of wages, hours and conditions of employment of the employees involved in the fact-finding proceeding with the wages, hours, and conditions of employment of other employees performing similar services and with other employees generally in public and private employment in comparable communities, primarily in this geographic region;

(6) The average consumer prices for goods and services, commonly known as the cost of living;

(7) The overall compensation presently received by the employees, including direct wages and fringe benefits;

(8) Changes in any of the foregoing circumstances during the pendency of the fact-finding hearing;

(9) Such other factors, not confined to the foregoing, which are normally or traditionally taken into consideration in the determination of wages, hours, and conditions of employment through voluntary collective bargaining, mediation, fact-finding, arbitration, or otherwise between the parties, in the public service or in private employment; and

(10) The stipulations of the parties.

(f) The Chairman of the Fact-Finding Board is authorized to write the report and recommendations. In the event that no two members of the Board agree on the content of the report and recommendations, the Chairman's position shall comprise the report and recommendations. Members of the Board may append dissenting opinions to the report and recommendations.

(g) The report and recommendations of the Fact-Finding Board is advisory to the parties. If there is no agreement on each of the impasses within five business days after the parties receive the report and recommendations, the City Manager shall file a copy of the report and recommendations with his comments with the City Council.

(Code 1976, § 12-205; Ord. No. O-7576-1; Ord. No. O-8788-50)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

18-206 Grievance And Arbitration Procedures

(a) An agreement between the employer and a labor organization shall provide a procedure for the consideration of grievances over the interpretation or application of the agreement. A negotiated grievance procedure may not cover any other matters and it shall be the exclusive procedure available to the parties and the employees in the bargaining unit for resolving grievances which fall within its coverage. However, any employee or group of employees in the bargaining unit may present such grievances to the employer and have them adjusted, without the intervention of the exclusive representative, as long as the adjustment is consistent with the terms of the agreement and the exclusive representative has been given opportunity to be present at such adjustment.

(b) A negotiated grievance procedure may provide for arbitration of grievances. Arbitration may be invoked only by the employer or the exclusive representative. The grievance shall be submitted to arbitration under the Voluntary Labor Arbitration Rules of the American Arbitration Association. The parties shall share equally the cost of the arbitrator's fees and expenses. The arbitrator's award shall be consistent with the authority granted the arbitrator by the agreement and the Code and Charter of the City. Questions as to whether or not a grievance is on a matter subject to the grievance procedure in an existing agreement or is subject to arbitration under the agreement, may be submitted to arbitration.

(c) Where the negotiated grievance procedure does not provide for arbitration of grievances, questions as to whether or not a grievance is on a matter subject to the grievance procedure in an existing agreement may be submitted in accordance with the procedures set forth in NCC 18-201.

(Code 1976, § 12-206; Ord. No. O-7576-1)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

18-207 Unfair Labor Practices

(a) It shall be an unfair labor practice for the employer to:

(1) Interfere with, restrain, or coerce an employee in the exercise of the rights guaranteed in this chapter;

(2) Encourage or discourage membership in a labor organization by discrimination in regard to hiring, tenure, promotion, or other conditions of employment;

(3) Sponsor, control, or otherwise interfere or assist with the formation or administration of any labor organization or contribute financial or other support to it;

(4) Discipline, discharge, or otherwise discriminate against an employee because he has filed charges or given testimony under this chapter; or

(5) Refuse to bargain collectively with the exclusively recognized representatives of his employees.

(b) It shall be an unfair labor practice for a labor organization to:

(1) Interfere with, restrain, or coerce an employee in the exercise of the rights guaranteed in this chapter;

(2) Cause or attempt to cause the employer to coerce an employee in the exercise of the rights guaranteed in this chapter;

(3) Coerce, attempt to coerce, or discipline, fine, or take other economic sanction against a member of the labor organization as punishment or reprisal for, or for the purpose of hindering or impeding his work performance, his productivity, or the discharge of his duties owed as an employee of the City;

(4) Call or engage in a strike, work stoppage, or slowdown, or condone any such activity by failing to take affirmative action to prevent or stop it;

(5) Discriminate against an employee with regard to the terms or conditions of membership because of race, color, creed, sex, age, or national origin;

(6) Deny membership to any employee in the appropriate bargaining unit except for failure to meet reasonable occupational standards uniformly required for admission, or for failure to render initiation fees and dues uniformly required as a condition of acquiring and retaining membership; however, this section does not preclude a labor organization from enforcing discipline in accordance with procedures under its constitution and bylaws which conform to the requirements of this chapter; or

(7) Refuse to bargain collectively with the employer, provided the labor organization is the exclusively recognized representative of the employees.

(Code 1976, § 12-207; Ord. No. O-7576-1)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

18-208 Standards Of Conduct For Labor Organizations

(a) Recognition shall only be accorded to a labor organization that is free from corrupt influences and influences opposed to basic democratic principles.

(b) A labor organization seeking recognition shall provide the employer with evidence that it is subject to governing requirements which contain explicit and detailed provisions calling for:

(1) The maintenance of democratic procedures and practices, including provisions for periodic elections to be conducted subject to recognized safeguards and provisions defining and securing the right of individual members to participation in the affairs of the organization, to fair and equal treatment under the governing rules of the organization, and to fair process in disciplinary proceedings;

(2) The exclusion from office in the organization of persons affiliated with totalitarian movements and persons identified with corrupt influences;

(3) One prohibition of business or financial interests on the part of the organization officers and agents which conflict with their duty to the organization and its members; and

(4) The maintenance of fiscal integrity in the conduct of the affairs of the organization, including provision for accounting and financial controls, regular financial reports or summaries to be made available to members, and the bonding for the faithful discharge of duties of each officer and agent who handles funds or other property of the labor organization.

(Code 1976, § 12-208; Ord. No. O-7576-1)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

ARTICLE 18-III DISCUSSION OF CITY GOVERNMENTAL MATTERS BY EMPLOYEES AND OFFICERS

18-301 Statement Of Rights; Disciplinary Action Prohibited
18-302 Establishment Of Review Board
18-303 Complaints And Review Thereof
18-304 Enforcement
18-305 Appeal Of City Manager's Decision

18-301 Statement Of Rights; Disciplinary Action Prohibited

(a) The right of employees and officers of the City to petition the City Council or a member of the City Council or to furnish public information to the City Council, or to a committee or member thereof, may not be interfered with or denied, provided that the information is a matter of public concern (such as wasteful, fraudulent or unlawful City practices) and the information is based upon reliable sources, which includes documented, concrete facts to support the allegations.

(b) No supervisor or appointing authority of the City shall prohibit officers or employees of such City from discussing the operations of the City, either specifically or generally with any member of the City Council, any committee appointed by the City Council, or any City Administrative Board or Court of Law, provided that the information is a matter of public concern (such as wasteful, fraudulent or unlawful City practices) and the information is based upon reliable sources, which includes documented, concrete facts to support the allegations.

(c) Disciplinary actions, including, but not limited to, any direct or indirect form of discipline, any dismissal, demotion, transfer, reassignment, suspension, reprimand, admonishment, warning of possible dismissal, reduction in force, reduction in rank, reduction in status or withholding from work, shall not be taken against any employee or officer for providing public information or offering to provide public information to any member of the City Council, or any committee appointed by the City Council, or any City Administrative Board or Court of Law, provided that the information is a matter of public concern (such as wasteful, fraudulent, or unlawful City practices) and the information is based upon reliable sources, which includes documented, concrete facts to support the allegations.

(Code 1976, § 12-301; Ord. No. O-8788-28)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

18-302 Establishment Of Review Board

(a) There shall be established from time to time a Review Board to review complaints filed pursuant to this article.

(b) The Review Board shall consist of six of the following, provided the requirements of subsection (c) of this section are met:

(1) The Director of Personnel or his designee;

(2) The City Manager or his designee;

(3) Either a Union Official (if the complaining employee belongs to the union) or any other employee of the City who has worked with the City for three years (if the complaining employee does not belong to the union). The appointed employee shall be selected by the complaining employee.

(4) The City Attorney or his designee;

(5) Two citizens of the City agreed upon by subsections (b)(1), (2), (3) and (4) of this section.

(c) *Substitute Review Board members*.

(1) No department head or disciplining supervisor shall be allowed to act as a member of the Review Board if such department head or disciplining supervisor works either in the same department in which the complaining employee works or in the same department about which the transmitted information is concerned.

(2) In the event a Review Board Appointee is disqualified under subsection (c)(1) of this section, the position shall be filled by the appointment by the City Manager of a representative of another department of the City.

(3) Each member of the Review Board shall be allowed one vote, except the City Attorney or his designee. The City Attorney or his designee shall sit on the Review Board in an advisory capacity only and shall not vote.

(Code 1976, § 12-302; Ord. No. O-8788-28)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

18-303 Complaints And Review Thereof

(a) *Employee complaints*.

(1) Any employee or former employee aggrieved pursuant to this article may file a written request for a hearing by the Review Board within 30 days of the alleged disciplinary action. The Review Board shall set such matters for hearing within ten days after the filing of a request for review.

(2) The Review Board shall inquire into the reason for the disciplinary action. If the Review Board finds the employee in violation of the provisions of this article, the Review Board may recommend such action as it deems appropriate and as specified in NCC 18-305. If the Review Board finds the supervisor in violation of the provisions of this article, then the Review Board may recommend such action as deemed appropriate in NCC 18-305; and such a finding shall be an aggravated circumstance.

(b) *Complaints by a supervisor or appointing authority*.

(1) A supervisor or City Manager shall have the right to file a written request to the Review Board for review when an employee abuses the rights enumerated in this article.

(2) The Review Board shall inquire into whether, at the time the employee made the allegation pursuant to this article, there existed sufficient factual, verified information so that a reasonable and prudent person would believe the allegations were, in fact, true.

(c) Decisions by the Review Board shall be rendered in recommendation form to the City Manager.

(Code 1976, § 12-303; Ord. No. O-8788-28)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

18-304 Enforcement

(a) Any supervisor of the City who violates the provisions of this article by abridging the rights of the employee, as set out herein, shall be subject to disciplinary action, up to and including dismissal, as deemed appropriate by the City Manager.

(b) Any employee or officer of the City who violates the provisions of this article by disseminating or providing false or unfounded information that is detrimental to City operations shall be subject to disciplinary action, up to and including dismissal, as deemed appropriate by the City Manager.

(Code 1976, § 12-304; Ord. No. O-8788-28)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

18-305 Appeal Of City Manager's Decision

There shall be no appeal of the decision of the City Manager, except that this section shall not be construed to abridge any rights of the employers, officers or employees of the City, either in law or equity.

(Code 1976, § 12-305; Ord. No. O-8788-28)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

office memorandum

MEETING PROCESSES AND DECORUM

The purpose of this memorandum is to provide you with information regarding policies and ordinances that have been formally adopted, policies of practice, and other related information. Summaries of relevant Charter, Code and Resolution provisions are attached for ease of reference.

Discussion

1. City Council Regular Meetings

a. Decorum

Council has adopted a Resolution (R-0506-38) setting forth house rules for the conduct of Council and attendees during Council meetings. The resolution states that Council Chambers are a place of public business, and appropriate attire, appropriate behavior, and attention to business are expected. Specific rules are then set forth in the resolution.

House Rules – Code of Conduct

- Keep each other informed – share information, verify information
- Focus on the issue – do not make it personal
- Treat People with Respect – do not embarrass or attack
- Be Honest and Direct
- Be Concise, Focus and Be Brief
- Listen and Understand before You Judge – avoid stereotyping or characterizing
- Come Prepared, Ready to Go
- Be Attentive, Give Others Your Interest
- Okay to Disagree
- Vote and Decide, then Move Forward
- Silence all Cell Phones and Pagers and take Games and Conversations outside the Chambers

Additionally, City Code provisions address Council decorum. "Members of the Council shall….[c]onduct themselves so as to bring credit upon the City, setting an example of good, ethical conduct for all citizens of the community." *Norman City Code* Sec. 2-103(b)(1). The presiding officer is charged with preserving decorum at all meetings. *Norman City Code* Sec. 2-107(b).

b. Parliamentary Procedure

Council meetings are to be conducted in accordance with Robert's Rules of Order. *Norman City Code,* Section 2-108. The presiding officer chairs the meeting and answers all questions concerning application and interpretation of Robert's

Rules. The Code modifies a few provisions of Robert's Rules. These are outlined specifically in the attachment. Robert's Rules requires that a Councilmember wishing to speak be recognized prior to speaking, all questions should be directed through the Chair and not directed at one another.

c. Council Announcements

As a matter of practice, Council agendas have long contained an item for Council to make announcements. For many years, this was identified on the meeting agendas as "Council Comments" but concerns were raised that the term "comments" was misleading, as it was really intended for announcements and not points of discussion that were more appropriate for an agendized Council discussion. City Council Announcements should be used for announcements about events in the City, ward meetings, etc., and not as a platform to discuss things that are appropriate for full Council discussion or to attack one another in violation of the House Rules.

d. Consent Docket

The Consent Docket has been used for many years in cities across the State and Nation for routine business where unanimous consent of Council is anticipated. On each agenda, it is described as follows:

> "This item is placed on the agenda so that the City Council, by unanimous consent, can designate those routine agenda items that they wish to be approved or acknowledged by one motion. If an item proposed does not meet with approval of all Councilmembers, that item will be heard in regular order. Staff recommends that Items ___ through Item ___ be placed on the consent docket."

If a Councilmember does not wish to approve an agenda item proposed for the consent agenda, it should be pulled from the consent agenda, and heard in order after the consent agenda has been disposed of. If the vote on the consent docket is not unanimous, it is not considered a consent docket. It is advisable to notify the City Manager or the City Clerk of your intention to pull something off of consent in advance, so staff can be prepared with relevant information. Approving legislation on Second and Final Reading is not considered a "routine agenda item" even if a unanimous vote is anticipated because it requires a public hearing.

2. City Council Conferences/Study Sessions/Committee Meetings

a. Decorum

The same rules discussed in Section 1.a. apply to other meetings of the Council.

b. Parliamentary Procedure

Conferences, study sessions and committee meetings, although less formal than regular meetings, should still generally follow the parliamentary procedure discussed in Section 1.b. above.

c. Purpose of Council Conferences (Section 2-102)

Conference sessions are held prior to regular Council meetings and at any other times deemed necessary by call of the Mayor or the City Manager. Conferences should be devoted to matters where the interchange of information preliminary to public discussion is deemed essential. These sessions are informal; no formal votes shall be taken on any matter. These sessions should be open to the public. The Mayor serves as the presiding officer.

d. Study Sessions

Study sessions have historically been set on the 1st, 3rd, and 5th Tuesday of each month. There is no Charter or Code requirement that requires study sessions to be held. These meetings have been treated similarly to Council Conferences in that they are for situations where the interchange of information preliminary to public discussion is needed, they are informal, and no votes are taken. The Mayor serves as the presiding officer.

e. Council Committees

Council Committees are determined by the Mayor and are not provided for in the Code or the Charter. Historically, the elected Mayor has selected the Chairs of the Committee. The Committees have functioned as a way of obtaining Council input and consensus prior to placing an item on Council's agenda for action. The Chair typically serves to facilitate the delivery of the information and the discussion amongst the Committee members with the goal of providing staff with direction that represents the consensus of the Committee for moving forward on a particular item.

3. General Best Practices

Councilmembers are board members of the municipal corporation and trustees of its public trusts. You have a fiduciary duty to the City and to the public trusts of which you serve as trustees that takes precedent over politics and your relationship with one another. The fiduciary duty includes the duty of care, which requires Councilmembers/Trustees be fully and adequately informed and act with care when making decisions and acting for the City or one of its public trusts. It also includes the duty of loyalty, which requires that you act and make decisions in the best interest of the City or its public trust and not in your own personal interest.

Preparation for meetings is important. Communication with staff in advance of the meeting is critical. Staff's desire is to work with all of you, regardless of whether we agree with your politics or your actions. Staff should not be used as a pawn to score

political points. Letting staff know you have questions ahead of the meeting ensures you get the answers you want at the meeting and avoids the “gotcha game”. Staff is available to help you prepare to do your job to the best of your ability, but we can’t do that if we aren’t working cooperatively with one another.

Relevant Adopted Charter, Code, Policy Provisions Summarized

Roles and Conduct of Council

Charter, Article II, Section 1 – Elected Officers: Powers and duties; stipend

- Legislative powers are vested in Council, except for initiative and referendum
- 5 members of Council constitute a quorum and the affirmative vote of at least 5 members of Council is required to adopt any motion, resolution or ordinance, or pass any measure, unless a greater number is required by a specific provision of the Charter
- Mayor presides at all meetings and performs ceremonial duties necessary for the conduct of City's business

Charter, Article III, City Manager

- Section 1 – Outlines qualifications of City Manager and how to address employment issues
- Section 2 – City Manager is the administrative head of the municipal government responsible only to the Council.
- Section 4 – Sets out the special powers and duties of the City Manager; essentially he or she is the CEO and manages the day-to-day operations of the City and works with the Board (City Council) on policy matters and other higher-level issues within Council's purview.
- Section 6 – Forbids Council from interfering in appointments, removals or administration; provides a mechanism by which Council may direct the investigation of misconduct or incompetence; requires Council to deal with the administrative services solely through the City Manager and forbids Councilmembers from giving orders to any subordinate of the City Manager either publicly or privately. Violation of this section is grounds for removal from office.

Charter, Article V – City Auditor

- This Article was adopted by the voters in 2022 and formerly added to the Charter in 2023 after approval by the Governor's office.
- Creates the office of City Auditor and adds an additional "at will" employee hired and supervised by the City Council.
- Section 2 outlines qualifications required for the Auditor position and how to address employment issues.
- Section 3 outlines the duties of the City Auditor.

Charter, Article VIII -City Attorney

- This Article was modified and adopted by the voters in 2022 and formerly added to the Charter in 2023 after approval by the Governor's office.
- Changed the City Attorney position from a "for cause" employee of the City Manager to an "at-will" employee of the City Council.
- Section 2 outlines qualifications required for the City Attorney position and how to address employment issues.

Charter, Article XVII – Miscellaneous Provisions

Section 3: No appointment for definite time: No appointment to an office or position in the City shall be made for any definite time.

Section 4: Officer or employees to have no interest in any City contract: Elected officials and employees cannot have a direct or indirect interest in any contract or job for work, materials, supplies, or the profits thereof, or any purchase made for or sales made by, to or with the City, or own stock in any corporation, having any contract or subcontract, for doing any contract, job or work, and all such contracts with such official or employee shall be void. Violation of this clause shall be deemed as sufficient cause for the removal from office or employment of such officer or employee. The phrase "interested, directly or indirectly" shall also apply to a spouse and embrace any ownership interest greater than 5%.

Section 5 – Bribery prohibited. Violation is grounds for removal

Section 6 – Nepotism prohibited.

Code, Section 2-103 – Council ethics.

Prohibits Councilmembers from:
- Making use of special knowledge or information obtained from their Councilmember position before that knowledge or information is made available to the general public.
- Making decisions in which a Councilmember has a pecuniary interest or actual conflict
- Using their influence as Councilmembers in attempts to secure contracts, zoning, or other favorable municipal action for a person or entity with whom a Councilmember has a pecuniary interest or actual conflict
- Actions benefitting special interest groups at the expense of the City
- Appointments of persons with whom a Councilmember has a pecuniary interest or actual conflict to appointive boards and commissions
- Willful violations of Section 2-103
- Conflict of interest: Do not use position to influence government decisions in which Councilmember has a pecuniary interest in which he has an organization responsibility that may give the appearance of a conflict of interest

Affirms Councilmembers shall:
- Conduct themselves so as to bring credit upon the City, setting an example of good, ethical conduct for all citizens of the community
- Comply with all lawful actions, directives and orders of duly constituted municipal officers as such may be issued in the normal and lawful discharge of their duties
- Insure, within their power, the equal and impartial enforcement of all laws

Resolution R-0506-38

- Council Chambers are a place of public business, and appropriate attire, appropriate behavior, and attention to business are expected
- House Rules – Code of Conduct
    - Keep each other informed – share information, verify information
    - Focus on the issue – do not make it personal
    - Treat People with Respect – do not embarrass or attack
    - Be Honest and Direct
    - Be Concise, Focus and Be Brief
    - Listen and Understand before You Judge – avoid stereotyping or characterizing
    - Come Prepared, Ready to Go
    - Be Attentive, Give Others Your Interest
    - Okay to Disagree
    - Vote and Decide, then Move Forward
    - Silence all Cell Phones and Pagers and take Games and Conversations outside the Chambers

Council Agendas and Council Meetings

Charter, Article XI – Legislative Department

Section 1- Ordinances, how adopted

- Affirmative vote of five members is required to adopt any motion, resolution, or ordinance or pass any measure.
- Upon every vote, the ayes and nayes shall be called and recorded, and every motion, resolution or ordinance shall be reduced to writing and read before the final vote is taken thereon.
- Every resolution or ordinance passed by Council must be signed by the Mayor or by the Mayor Pro Tem, acting in that capacity, and be recorded and published.

Section 2 – Meetings

- Regular meetings of Council shall be held on the 2nd and 4th Tuesday of each month unless said regular meeting dates are otherwise fixed by ordinance; provided they are held semi-monthly.
- Council may be called into special session by the Mayor or by 5 Councilmembers.
- All meetings, regular, or special, or adjourned, of the City Council and all Boards, Commissions, Authorities, and Committees of the City, whether the members thereof by appointed or elected, shall be open to the public under such regulations as may be fixed by ordinance; provided that the City Council, or a Board, Commission, Authority or Committee of the City, may hold an executive session in compliance with State law.

Section 3 – Removal of Mayor and Councilmembers

- Mayor or any Councilmember shall be subject to removal from office in the same manner and for the same cause or causes as provided by the Laws of the State of Oklahoma for the removal of county officers
- In the event of a vacancy in the office of Mayor, the Mayor Pro Tem shall serve as Mayor until the vacancy is filled.

Charter, Article XII – Ordinances

Section 1 – Caption: Ordinances shall contain the caption "BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN" unless ordinances are revised and compiled under the order of Council or when they are published in book form.

Section 2 – Contents: Ordinances shall embrace one subject, which shall be clearly expressed in its title. A repealed ordinance cannot be revived, amended, or the provisions thereof by reference to title only – it must be reenacted and published at length.

Section 3 – When Effective. Ordinances generally become effective 30 days from the date of passage. All ordinances must be published in full or by title in the newspaper within 10 days of passage.

Section 4 – When Adopted. Ordinances cannot be adopted on the same day as its introduction before Council – it must lay over at least one week before being finally voted on and adopted (unless it is an emergency ordinance)

Section 5 – Emergency Ordinances. When, in the judgment of Council, it is necessary for the immediate preservation of peace, health, or safety, an emergency ordinance may be adopted without time between 1st, 2nd and final reading. It must be noted in the title of the ordinance, and the body must have a separate section declaring an emergency and this section must be adopted separately by a vote of 2/3 of the membership.

Code, Section 2-101 – Council agenda.

- Agenda Setting: The City Manager is charged with preparing agendas specifying the order of business for each regular meeting of Council.
- Agenda Materials: Agenda and support materials are required to be provided without cost, as far in advance as practicable to Council, City employees, the Library, and any public media member requesting a copy. A copy of the specific agenda item and support material shall be furnished to the applicant, agent or attorney who has an item appearing on that particular agenda if requested and paid for.
- Items on the Agenda: Generally, requests, reports, communications, ordinances, resolutions, contracts, etc. proposed for Council consideration must be submitted to

the City Manager no later than 5:00pm at least 7 days preceding the Council Meeting at which it is to be considered.
- Rule of Three: The City Manager is required to place policy and budget items on the agenda of the City Council meeting when three Councilmembers request it. The 7-day rule may impact what agenda the requested item is placed on.

Code, Section 2-102 – Council conferences

Conference sessions may be held by the Council under the following circumstances:
- Prior to each regular meeting, at such time and place as the majority of Council may determine
- At any other time deemed necessary by call of the Mayor or the City Manager
- Conferences shall be devoted exclusively to matters regarding which the interchange of information preliminary to public discussion is deemed essential
- Each session shall be informal and no formal votes shall be taken on any matter, whether under discussion or not.
- Each session shall be open to the public desiring to attend.

Code, Section 2-104 – Council Meetings: Classifications

- Regular Council meetings occur on the second and fourth Tuesday of each month at 6:30pm unless otherwise announced or delegated by Council. If the Tuesday falls upon a mandatory City holiday, or on the eve of such a holiday, the meeting shall be held at the same time on a day as designated by Council resolution.
- Except when otherwise designated by Council resolution, all Council meetings shall be at the Norman Municipal Building.
- Council shall meet in special session when so called by the Mayor or by 5 Councilmembers, provided notice in writing is served upon each Council member stating the date, time, location and purpose of the meeting and signed by the Mayor or the 5 Councilmembers. No notice is required when all Councilmembers are present and a waiver of notice is signed by the Councilmembers.
- Meetings may be continued from day to day, but no adjournment shall occur for a period longer than until the next regular meeting.

Code, Section 2-105 – Council Meetings: Order of Business

Regular and special meetings shall be conducted along the following order:
- The presiding officer shall take the chair at the start of the meeting and call the members to order.
- The City Clerk shall call the roll, and enter into the minutes of that meeting the names of those Councilmembers that are present.
- The minutes of prior Council meetings are approved without a formal reading as long as the Clerk as provided the minutes in advance; Councilmembers may request that the minutes be read.

- The remaining order of business shall be shown on the Agenda as prepared and submitted by the City Manager, unless such order is subsequently changed by a majority vote of the Council.

Code, Section 2-107 – Council meetings: Presiding officer's duties and powers

- The presiding officer may move, second, debate and vote from the chair in the same manner and subject to the same limitations applicable to other Councilmembers.
- The presiding officer shall preserve decorum at all meetings and shall call upon the Sergeant of Arms to enforce decorum and order
- The presiding officer shall decide all questions of order subject to the appeal to the Council.

Code, Section 2-108 – Council Meetings: Rules of Debate

Council Meetings are generally to be conducted in accordance with Robert's Rules of Order (the most recent version). The presiding officer, i.e. the Mayor, answers all questions concerning application and interpretation of Robert's Rules. There are a few alterations to Robert's Rules set forth in the Code:

- All business of the Council requires of 5 affirmative votes, unless a greater number is required
- A motion to adjourn is debatable only as to the time to which the meeting is adjourned
- You are required to vote affirmatively or negatively unless excused for stated reasons before the votes are called for.
- A Councilmember's recusal from voting shall be voted on without debate
- A Councilmember required to recues must leave his or her chair and not participate in the debate
- No Councilmember may leave a regular session without the permission of the presiding officer

Code, Section 2-109 – Duties of the Mayor.

The Mayor shall appoint individuals to all appointive boards and commissions as vacancies occur, subject to the final approval of Council.

APPEARING BEFORE SUBORDINATE BODIES

Background:

The Legal staff has been asked to issue guidance regarding Councilmembers appearing before subordinate bodies.

Discussion:

A. Appearing Before a Subordinate Body

Councilmembers occasionally attend or observe meetings of subordinate bodies such as boards, commissions, or advisory committees to stay informed or monitor issues of public concern. However, significant caution is required when appearing before or addressing such bodies because the Councilmember's comments may be interpreted as direction, influence, or pressure on entities that ultimately report directly or indirectly to Council.

B. Avoiding Undue Influence

A Councilmember's presence carries inherent authority. When a Councilmember speaks during deliberations of a subordinate body, members of that body may feel pressured to adopt the Councilmember's viewpoint, even if unintentionally. This undermines the independence of advisory bodies and can distort the information or recommendations ultimately provided to Council.

For this reason, Councilmembers should avoid:

- Advocating for a specific outcome during the body's deliberative process.
- Participating in debate as if they were members of the body.
- Making comments that may be interpreted as direction or instruction.
- Suggesting that the Council expects a particular result.

If a Councilmember wishes to present information or express a policy view, it is best to do so formally and transparently when the matter comes before Council.

C. Maintaining the Legislative/Administrative Boundary

Subordinate bodies often play an administrative or quasi-administrative role. When a Councilmember appears and attempts to influence operational or administrative decisions, it may blur the separation between legislative authority and administrative function.

In a Council-Manager form of government, this can raise concerns under the City's Charter, which requires Councilmembers to interact with the administrative structure solely through the City Manager.

Appearing before a subordinate body to advocate, especially on matters that involve staff recommendations, procurement, land use, or contract negotiations, may be interpreted as interference with the administrative process.

D. Preserving Fairness in Quasi-Judicial Matters

Some subordinate bodies, such as planning commissions, boards of adjustment, or hearings boards, perform quasi-judicial functions, meaning they must act as neutral decision-makers.

A Councilmember advocating for or against a matter before such a body can:

- Compromise the perception of fairness;
- Create due-process concerns; and
- Potentially disqualify the Councilmember from later participation when the matter comes before Council on appeal.

In these contexts, the safest approach is for the Councilmember not to appear as an advocate, even on behalf of constituents. If there are questions regarding how a matter was presented to a subordinate body, all of the City's boards and commissions are required to keep minutes and some are recorded – e.g., Planning Commission meetings.

It is also important that Councilmembers should strive to maintain neutrality in certain contexts before casting their vote.

- Fairness and impartiality: Neutrality ensures all parties and constituents feel they are being treated fairly.
- Protects due process: In quasi-judicial or legally sensitive matters (e.g., zoning, land-use approvals, appeals), prior advocacy or expressed bias can create legal challenges or perceptions of unfairness.
- Preserves public trust: Constituents are more likely to trust the decision-making process if it appears objective and deliberative.

- Encourages informed deliberation: Neutrality allows legislators to consider all evidence, testimony, and staff recommendations before forming an opinion.

E. Exception: Councilmember as Applicant

If a Councilmember is the applicant for a matter:

- Appearance may be necessary to provide factual information about the application.
- The Councilmember will be disqualified from voting or taking final action on the matter.

F. Best Practices for Councilmembers

To avoid these risks, Councilmembers should:

- Attend as observers, not participants, unless formally invited to present factual information.
- Refrain from advocacy that could influence or pressure the body.
- Communicate policy positions through formal Council action.
- Avoid involvement in quasi-judicial matters outside the official Council process.
- Seek advice from the City Attorney if unsure whether appearance could create legal or ethical concerns.

Applicable Resolutions and Other Forms

Resolution R-0506-38, House Rules

Resolution R-2021-18, Affirmation of House Rules and Adopting Rules for Video-Conference Meetings

Resolution

R-0506-38

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORMAN ADOPTING THE HOUSE RULES - CODE OF CONDUCT; AND PROVIDING FOR THE SEVERABILITY THEREOF.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN:

§ 1. The Council Chambers are a place of public business, and appropriate attire, appropriate behavior, and attention to business are expected; and

§ 2. The following House Rules - Code of Conduct are established which shall apply to the Council and all citizens attending Council meetings.

§ 3. That said rules as established are as follows:

- Keep Each Other Informed – share information, verify information
- Focus on the Issue – do not make it personal
- Treat People with Respect – do not embarrass or attack
- Be Honest and Direct
- Be Concise, Focus, and Be Brief
- Listen and Understand Before You Judge – avoid stereotyping or characterizing
- Come Prepared, Ready to Go
- Be Attentive, Give Others Your Interest
- Okay to Disagree
- Vote and Decide, Then Move Forward
- Silence all Cell Phones and Pagers and take Games and Conversations outside the Chambers

§ 4. Severability. If any section, subsection, sentence, clause, phrase or portion of this resolution is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this resolution.

PASSED AND ADOPTED this 9th day of August, 2005.

Harold Haraday
Mayor

ATTEST:

Mary Hatley
City Clerk

THE CITY OF NORMAN OKLAHOMA

R-2021-18

RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AFFIRMING THE HOUSE RULES – CODE OF CONDUCT ADOPTED IN 2005; AND ADOPTING ADDITIONAL RULES FOR MEETINGS HELD BY VIDEO-CONFERENCE.

§ 1. WHEREAS, the City Council Chambers are a place of public business and appropriate behavior and attention to business are expected; and

§ 2. WHEREAS, the Norman City Council, in its meeting of August 9, 2005, adopted the following House Rules - Code of Conduct which applies to City Council and all citizens attending Council meetings:

- Keep Each Other Informed – share information, verify information
- Focus on the Issue – do not make it personal
- Treat People with Respect – do not embarrass or attack
- Be Honest and Direct
- Be Concise, Focus, and Be Brief
- Listen and Understand Before You Judge – avoid stereotyping or characterizing
- Come Prepared, Ready to Go
- Be Attentive, Give Others Your Interest
- Okay to Disagree
- Vote and Decide, Then Move Forward
- Silence all Cell Phones and Pagers and take Games and Conversations outside the Chambers

§ 3. WHEREAS, due to the COVID-19 pandemic, Councilmembers are attending the City Council meetings via videoconference, which presents unique challenges to the orderly conduct of its meetings.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 4. That, the Council reaffirms the House Rules – Code of Conduct adopted in 2005; and

§ 5. That, the Council adopts the following Videoconference Rules – Code of Conduct for Council meetings held via videoconference:

- Keep your video feed on at all times while the meeting is ongoing, unless a break is called, in which case, the video and audio feeds shall be turned off.
- Dress appropriately in the same manner as for an in-person meeting.
- Stage your video area, being mindful of what is in the background of the video and of sufficient lighting.
- Connect to the meeting in an area where you can be alone with no distractions from other people, animals, etc.
- Test your audio and video settings prior to the meeting. Consider using ear buds or air pods to help block out surrounding noise.

- Look at the camera when you or others are speaking.
- Stay on mute if you are not talking.
- Stay focused on both the meeting and issue being discussed – don't eat or do other personal things during the meeting.
- Do not talk over others. Use the "raise your hand" feature to be recognized by the City Clerk.
- Refrain from texting each other and posting on social media during Council meetings.
- Do not post comments in the Chat section.

PASSED AND ADOPTED this 14th day of July, 2020.

Mayor

ATTEST:

City Clerk

CITY OF NORMAN CORPORATE SEAL OKLAHOMA

ORGANIZATION

Organizational Summary

Organizational Chart of City Departments

Trust Indentures

Applicable Charter and Code Provisions

Pertinent Excerpts of Ordinances Creating Committees

Resolutions Creating Committees

Ethics Policy

Ethics Pledge

ORGANIZATIONAL SUMMARY

Because of its complexity and size, it can be difficult to get a clear understanding of the structure of the City's operations. The following outline is intended to be a summary, with the understanding that some components will require additional in-depth discussion.

City of Norman. The City operates as a "charter" city, which is one of the organizational structures allowed by state law. By charter, the voters of Norman chose to create a "council-manager" form of government, in which the day-to-day operations are managed by a city manager and policy matters are determined by the elected City Council. Additional information related to our form of government can be found in Section 3, Form of Government and Role of City Council.

Cities are allowed by law to create different types of entities to carry out municipal functions. Those created by the City of Norman are listed below.

Public Trusts. State law allows "public trusts" to be created to carry out projects that otherwise may not be conducted by the City. The primary purpose of a public trust is to create more flexibility in financial transactions than the City has due to constitutional limitations. Public trusts are presumed under state law to exist for the public benefit, exist as a legal entity separate and distinct from the beneficiary, and act on behalf or in furtherance of the public function. The role of the City Council, as the governing body of a beneficiary of a public trust is to appoint the trustee board members and approve the issuance of debt by the public trust. The City has no legal claim to the trust estate or its income, no authority to do or transaction business for or on behalf of the Trustees, and no right to control or direct the actions of the Trustees pertaining to the Trust Estate. Importantly, the City is not liable for the action or inaction of a public trust. Each public trust has its own unique trust indenture; these are typically broadly written to include all statutorily authorized actions of the public trust. The following public trusts exist for the benefit of the City of Norman:

A. Norman Municipal Authority (NMA): The NMA is a trust dedicated to golf course operations, sanitation operations and is a vehicle for non-utility related revenue bond debt issuance. The City Council serves as trustees of NMA.

B. Norman Utilities Authority (NUA): The NUA is a trust dedicated to water and wastewater operations. The City Council serves as trustees of NUA.

C. Norman Regional Hospital Authority (NRHA): The NRHA is a trust dedicated to the operations of the Norman Regional Health System. The City Council appoints its trustees/board of directors consistent with the trust indenture and related Charter provisions.

D. Norman Tax Increment Finance Authority (NTIFA): The NTIFA is a trust dedicated to projects funded by tax increment financing revenues. The City Council serves as trustees of the NTIFA.

E. Norman Economic Development Authority (NEDA): The NEDA is a trust dedicated to funding economic development projects Citywide. The City Council serves as trustees of the NEDA. Unlike the other public trusts, there is not currently any dedicated funding for the NEDA and it has never been utilized.

F. Norman Parking and Transit Authority (NPTA): The NPTA is a trust created in 2025 dedicated to parking and transit operations. The City Council serves as trustees of the NPTA. It is anticipated the NPTA will serve as a financing vehicle for future parking garage projects.

When Councilmembers also serve as trustees of a public trust, it is important to remember your role as a Trustee is different than your role as a Councilmember. You will act as both Trustees of one or more of the City's public trusts and as a Councilmember during many of your voting meetings. However, each entity has its own separate budget, its own financial structure, and does business in specific areas without mingling its financial affairs with any other entity. For example, when Councilmembers are acting on behalf of the Norman Utilities Authority ("NUA"), actions should be taken with sole regard to the business affairs of the NUA. Money generated from NUA operations must be used in furtherance of the NUA, and not in furtherance of City operations. Although it is legally permissible and a common practice to serve as both a Councilmember for the City and a Trustee for a public trust benefitting the City, care must be taken to ensure your actions in each capacity do not conflict with one another.

Statutory/Charter Required Boards. State law requires cities to create certain boards and commissions for certain specific purposes. Norman's Charter provides for some of these boards as well.

A. Planning Commission (Norman Charter, Article XX, Section 2; Norman Code, §2-339 – §2-340): The Planning Commission makes recommendations to Council related to specific zoning and land use applications and has other related duties as outlined in the City Code.

B. Board of Park Commissioners (Norman Charter, Article IX, Section 1; Norman Code, §2-316 - §2-317): The Board of Park Commissioners, commonly referred to as the Parks Board, reviews proposed parkland dedications, proposes rules and regulations for parks and recreational facilities and makes recommendations about a variety of parks and recreational related items.

C. Board of Adjustment (11 O.S. §44-101, Norman Code, §2-312 - §2-313, §36-570): The Board of Adjustment hears and decides appeals from decisions of an administrative official under the zoning ordinance and requested special exceptions and variances to the zoning ordinance. Appeals from the Board of Adjustment are filed in District Court.

D. Norman Regional Hospital Authority (Norman Charter, Article X, Norman Code, §2-315): The City's authority to appoint the Board members of the Norman Regional Hospital Authority trust derives from the Charter and the trust indenture. The Board oversees the finances and the operations of the Hospital.

E. Central Oklahoma Master Conservancy District (82 O.S. §541): Formed through proceedings in Cleveland County District Court as authorized by State law for the purpose of contracting with the Bureau of Reclamation for the construction of Lake Thunderbird and the Little River dam, and to operate and maintain the water supply facilities. It also works with the US Army Corps of Engineers to regulate flood waters and helps support the recreational benefits managed by the Oklahoma Department of Tourism and Recreation.

F. Public Housing Authority (Norman Code, §2-341, 63 O.S. §1051 et. seq): Oversees the policies and performance of the Norman Housing Authority programs.

G. Pioneer Multi-County Library Board (65 O.S. §4-103): Oversees the library system and has all related powers necessary or convenient for the operation of the system. The Mayor, with consent of the Council, appoints one member to this Board.

City Created Council Committees. The City Council has four council committees to assist the council and staff in addressing certain issues that may arise. Even though less than a quorum of Council is typically appointed to these committees, the City, by resolution, has required all of its committees, boards and commissions to follow the Open Meetings Act. Specific committee assignments are developed after the annual City Council Retreat, where Council determines the tasks it would like to work on for the next year. Tasks prioritized for work by 3 or more members of Council should be the primary focus of Committee work to ensure Council's goals are met. The current Council committees are:

A. Business and Community Affairs Committee (BACA): BACA typically meets to discuss issues raised in the community that impact businesses.

B. Finance Committee: The Finance Committee reviews the revenue and expenses of the City throughout the year and also reviews the audit and proposed budget.

C. Oversight Committee: The Oversight Committee reviews issues that can be addressed with City ordinance amendments or new Code provisions.

D. Community Planning and Transportation Committee (CPTC): CPTC focuses on issues related to planning and transportation.

Council Created Committees. In addition to those required by state law and the Charter, the City has a number of other boards, committees or commissions that were established by ordinance, resolution, or by statute and/or contract. Not all committees are codified. Per Section 2-307 of the City Code, all boards, commissions, committees and ad hoc committees must follow the Open Meeting Act. Most of these groups are staffed by City staff, meaning Staff prepares and posts the agendas and minutes, and attend all meetings. In 2009, the City Council adopted Resolution R-0809-123, adopting the City of Norman Ethics Policy for City Council, boards, commissions and committees of the City of Norman. The Ethics Policy was later codified as it relates to City Council, but the policy adopted by resolution still applies to Council created committees. The following is a summary of the boards, commissions, and committees not already mentioned:

Committees Created by Ordinance and Codified:

A. Animal Welfare Oversight Commission (Norman Code, §2-347): Provides advice and recommendations to City Council related to the Norman Animal Shelter and issues pertaining to animal care and welfare.

B. Board of Appeals (Norman Code, §2-314): Hears and decides appeals of orders, decisions, or determinations made by the Building Official for the City relative to the application and interpretation of the adopted building and related codes of the City.

C. Economic Development Advisory Board (Norman Code, §2-318 – §2-321): Advise City Council with regards to economic development policies, opportunities, and requests for City-funded incentives of private business, and other economic development related items as requested by City Council.

D. Environmental Control Advisory Board (Norman Code, §2-322 – §2-323): Advise Council and City employees re: environmental quality control related to air pollution, water pollution, solid waste disposal, liquid waste disposal, and noise.

E. Floodplain Permit Committee (Norman Code, §36-533(c)): Reviews and determines whether to grant applications for floodplain permits. Members are required to have successfully completed the basic floodplain training offered by the Oklahoma Water Resources Board, or its equivalent.

F. Historic District Commission (Norman Code, §2-334 –§2-336): Prepare a comprehensive inventory of all historical resources and a plan to preserve those buildings. Review historic district applications for Certificates of Appropriateness, make recommendations to Council regarding historical preservation

G. Human Rights Commission (Norman Code, §2-337 – §2-338): Responsible for administering Chapter 8, Civil Rights, of the Norman Code.

H. Public Library Board (Norman Code, §2-342): Oversees the policies and performance of the Norman branch of the Pioneer Library System.

I. Norman Convention and Visitor's Bureau (Norman Code, §12-526, Contract K-2223-170): Administers the portion of the Room Tax Fund set aside specifically for the purpose of encouraging, promoting and fostering the convention and tourism development. There are two Mayoral appointments on the Committee, chosen from organizations and businesses within the City that are significantly affected by convention and tourism activities. There are also 2 ex-officio representatives from the City – the Mayor or his/her designee and the City Manager or his/her designee.

J. Social & Voluntary Services Commission (Norman Code, §2-343- §2-345): Responsible for evaluating and determining the needs of social and voluntary programs and assisting community and professional groups in the development of a cooperative system of social service agencies.

Committees Created by Ordinance but not Codified:

A. Development Oversight for TIF No. 2 (2019 Project Plan): Makes recommendations on the use of tax increment finance revenues and expenditures from TIF No. 2 for Economic Development Costs.

B. Citizen's Public Safety Oversight Committee (Ordinance O-0708-32, O-1314-33): Reviews expenditures of public safety sales tax (PSST) revenues to determine if they are expended for the purposes set forth in the sales tax ordinance, monitors the successful implementation of community policing concepts, issues annual reports on its findings to

Council and the public, and makes recommendation on other public safety issues as may be assigned to it by Council.

Committees Created by Resolution

A. ADA Citizens Advisory Committee (Resolution R-1819-114): Participates in the City's Self-Evaluation and Transition Plan, serves as a resource to municipal leaders on issues affecting people with disabilities and the ways by which the City can be made more accessible to everyone.

B. Bicycle Advisory Committee (Resolution R-0506-47): Reviews the Bicycle Transportation Development Plan on an ongoing basis, makes and assists in implementation of recommendations to encourage and support biking, both recreational and for transportation, and to consult with and forward those recommendations to the CPTC.

C. Norman Forward Sales Tax Citizen Oversight Board (Resolution R-1516-75): Reviews actual and projected Norman Forward Sales Tax ("NFST") revenues, recommends a mix of project financing versus pay as you go, reviews the pace and sequencing of projects, reviews Council actions related to expenditures of NFST monies, recommends strategies for long-term operations and maintenance of facilities, reports to Council as warranted and provides an annual report to Council.

City Departments

The City of Norman has 13 departments. These include:

A. City Manager: This department includes 16 general fund positions, including the City Manager, the Assistant City Manager, and employees in the Community and Business Relations, Communications, and Environmental Quality divisions. Two additional grant funded positions were added in late FYE 26: a Community Services Manager and a Community Outreach Social Worker.

B. Office of the City Clerk. The City Clerk is the official custodian of City Records, serves as Clerk to the Council, attends all Council meetings and keeps a record of all of the proceedings, and signs and attests all ordinances, resolutions, or other acts of Council. The Department also issues City licenses and prepares City Council agendas and minutes, as well as staffs the Action Center, a central point of contact for citizens who have a problem, suggestion, or question related to municipal government. This department includes 6 employees.

C. Finance Department: The Finance Department is the central manager of the City's assets and is responsible for controlling and recording the organizations' financial activity. This department includes 16 employees across the Treasury, Accounting and Budget divisions.

D. Fire: The Fire Department provides fire, rescue, medical, and hazardous materials and technical rescue response services for the City of Norman. NFD maintains 9 fire stations, a fire investigation building, a fire administration building and a training center. The NFD regularly staffs 8 engine companies, 2 ladder companies, one squad, one heavy rescue unit, two boats and one regional hazardous materials unit. The Administration of NFD is organized into 4 divisions: Operations, Administrative Services, Emergency Management, and Fire Protection Engineer. There are 165 employees in the Fire Department across Administration, Prevention, Suppression, Training, and Emergency Management.

E. Human Resources. The Human Resources Department has 7 employees and administers the classification, pay and employee benefit programs; negotiates labor agreements; provides training and development and safety programs to all employees; and coordinate the efforts of all City departments in the selection, hiring, evaluation, promotion of a staff of dedicated and qualified personnel to serve the citizens of Norman.

F. Information Technology. The Information Technology Department provides information technology management services and telecommunications technology management services to all departments of the City of Norman. There are 19 employees among three divisions - Business Systems and Development; Network, Infrastructure, and Support; and IT Security.

G. Legal: The City Attorney's office serves as the corporate legal counsel for the municipal corporation. The office defends actions brought against the City and files court actions for the City in Federal, State and Workers' Compensation Court, conducts research, and provides legal opinions and legal advice for the City Council, City Manager, City Staff, and Boards and Commissions. The City Attorney or an Assistant City Attorney attends all City Council meetings, study sessions and council conferences as requested, various Boards and Commission meetings as requested, and serves as police legal advisor. The Office also provides legal representation for Municipal Court prosecution, including juvenile non-traffic charges and appeals to District Court. The Legal Department has 9 employees.

H. Municipal Court: The Municipal Court of Norman is the judicial branch of city government and is created pursuant to state law and City ordinance as a court not of record to impartially hear and process violations of city ordinances. The Court processes

misdemeanor traffic and non-traffic offenses as well as parking violations. Charges can be filed by police officers, other authorized city officials, such as code enforcement, animal welfare, or fire personnel, and citizens of the community. The maximum penalty in Municipal Court is $750 and/or 60 days in jail. The Mayor and Council appoint the Presiding, Associate, and Acting Judges for two-year terms. There are 12 employees in this department, plus 1 Presiding Judge, 2 Associate Judges, and 1 Acting Judge.

I. Parks and Recreation: The Parks and Recreation Department is responsible for the management of the park systems, recreational facilities, and programs, as well as facilities like the Westwood Complex and the Young Family Athletic Center. The department also manages the maintenance of all City buildings. The department has 112 employees organized into 8 functional divisions: Administration, Facility Maintenance, Recreation, Park Development, Young Family Athletic Center, Park Maintenance, Westwood Operations, and Westwood Maintenance.

J. Planning and Community Development: The Department of Planning and Community Development provides support to City Council, Planning Commission, Board of Adjustment, Reapportionment Commission, Historic District Commission, and Board of Appeals. The Department is responsible for developing and updating the Comprehensive Land Use Plan and other plans for the City; reviewing rezoning, subdivision, and building permit applications, and ensuring the timely hearing of requests which are reviewed by various Boards and the City Council. The Department also enforces various codes and ordinances related to the health, safety and welfare of residents and updates and interprets ordinances comprising the regulatory framework against which development proposals are evaluated. Finally, the Department manages the administration of ordinances related to the health, safety and welfare of citizens, and administration of federal grants related to housing and urban development. The 37-member department is organized into 4 divisions: Planning Services, Development Services, Geographic Information System Services, and Community Development Block Grant Services.

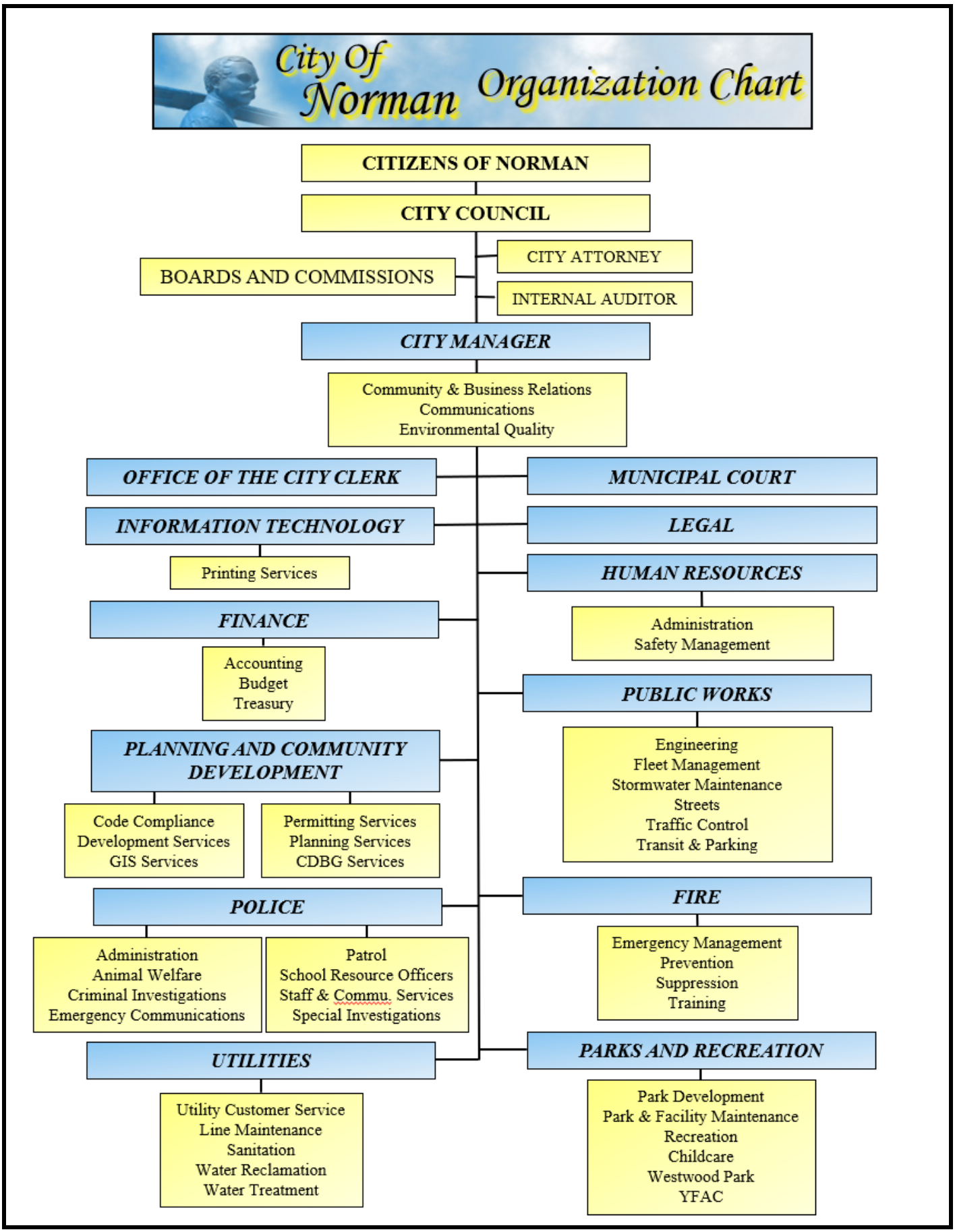
K. Police: The Police Department is responsible for protecting and responding to calls that span the city's 197 square miles, which includes a mixture of dense urban and growing rural areas. NPD focuses on initiatives to maintain a safe community and create positive partnerships that allows residents to work with them to problem solve and prevent crime. NPD has 260 employees and is organized into 7 divisions: Administration, Animal Welfare, Staff Services, Communications, Criminal Investigations, Personnel and Training, and Patrol/Community Outreach.

L. Public Works: The Public Works Department delivers transportation, stormwater management, flood control, and subdivision development services through development facilitation, construction, rehabilitation, and the operation and maintenance of critical public infrastructure. It also supports every municipal department through specification development, acquisition assistance, and maintenance of the City vehicle and equipment fleet. The 124-member department is divided into 6 functional divisions: Engineering, Fleet, Streets, Stormwater Quality & Maintenance, Traffic Control, and Transit & Parking.

M. Utilities: The Utilities Department provides environmentally sound, efficient utility service to customers at sustainable rates. Operational costs are funded by utility ratepayers and are accounted for separately in an enterprise fund. The department's 174 employees are divided among 6 divisions: Administration and Engineering, Water Treatment, Line Maintenance, Sanitation, Utility Services, and Water Reclamation.

Unions

There are three bargaining units, all chapters of larger organizations, made up of City of Norman employees – the American Federation of State, County and Municipal Employees (AFSCME), International Association of Fire Fighters (IAFF), and the Fraternal Order of Police (FOP). Additional information about how bargaining units function within the day-to-day operations of the City can be found in Section 3 of this Handbook.


City Of Norman Organization Chart
CITIZENS OF NORMAN
CITY COUNCIL
BOARDS AND COMMISSIONS
CITY ATTORNEY
INTERNAL AUDITOR
CITY MANAGER
Community & Business Relations
Communications
Environmental Quality
OFFICE OF THE CITY CLERK
MUNICIPAL COURT
INFORMATION TECHNOLOGY
LEGAL
Printing Services
HUMAN RESOURCES
Administration
Safety Management
FINANCE
Accounting
Budget
Treasury
PUBLIC WORKS
Engineering
Fleet Management
Stormwater Maintenance
Streets
Traffic Control
Transit & Parking
PLANNING AND COMMUNITY DEVELOPMENT
Code Compliance
Development Services
GIS Services
Permitting Services
Planning Services
CDBG Services
POLICE
Administration
Animal Welfare
Criminal Investigations
Emergency Communications
Patrol
School Resource Officers
Staff & Commu. Services
Special Investigations
FIRE
Emergency Management
Prevention
Suppression
Training
UTILITIES
Utility Customer Service
Line Maintenance
Sanitation
Water Reclamation
Water Treatment
PARKS AND RECREATION
Park Development
Park & Facility Maintenance
Recreation
Childcare
Westwood Park
YFAC

July 19 10 1 50 PM

TRUST INDENTURE.

KNOW ALL MEN BY THESE PRESENTS:

THIS TRUST INDENTURE dated as of the 13th day of April, 19 65,

by Earl Speed

hereinafter referred to as the Trustor, and Earl Speed, William H. Matthews, John Hemphill, Charles S. Standley, Jr., Gene Maier, Guy N. Steele, Jr., Carl Rigas

and their respective successors in office, to be known as the Trustees of the Norman Municipal Authority, who shall be Trustees of the Trust herein set out and hereinafter referred to as Trustees.

W I T N E S S E T H:

That in consideration of the payment by the Trustor to the Trustees of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, the mutual covenants herein set forth, and other valuable considerations, the said Trustees agree to hold, manage, invest, assign, convey and distribute as herein provided, authorized and directed, such property as Trustor, or others, may from time to time assign, transfer, lease, convey, give, bequeath, devise or deliver unto this Trust or the Trustees hereof.

TO HAVE AND TO HOLD such property and the proceeds, rents, profits and increases thereof unto said Trustees and said Trustees' successors and assigns, but nevertheless in trust, for the use and benefit of the City of Norman, Oklahoma, hereinafter referred to as Beneficiary, and upon the following trusts, terms and conditions herein stated.

ARTICLE I

CREATION OF TRUST

The undersigned Trustor creates and establishes a trust for the use and benefit of the Beneficiary, to finance, operate, construct and administer any public works, improvements or facilities, and for the public purposes hereinafter set forth, under the provisions of Title 60, Oklahoma Statutes 1961, Sections 176 to 180, inclusive, the Oklahoma Trust Act and other applicable statutes of the State of Oklahoma.

ARTICLE II

The name of this Trust shall be "Norman Municipal Authority," hereinafter referred to as Trust. The Trustees shall conduct all business and execute or authorize the execution of all instruments, and otherwise

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OKLAHOMA SECRETARY

perform the duties and functions required in the execution of this Trust.

ARTICLE III

The purposes of this Trust are:

(1) To acquire, construct, purchase, install, equip, maintain, repair, enlarge, remodel and operate buildings and other facilities for use by the United States of America, or the State of Oklahoma, or for use by authorities or agencies of the United States of America or of the State of Oklahoma or of any municipality thereof, or for use by municipal or other political subdivisions of the State of Oklahoma, including the beneficiary hereof; to plan, establish, develop, construct, enlarge, improve, extend, maintain, equip, operate, lease, furnish, provide, supply, regulate, hold, store and administer utilities, either within or without the territorial boundaries of the beneficiary which are or shall be of public use, including, but without limitation, water, sewer, garbage and trash disposal facilities and to service machinery or equipment in connection with such utilities, buildings and facilities.

(2) To hold, maintain and administer any leasehold rights in and to physical properties demised to the beneficiary and to comply with the terms and conditions of any such lease.

(3) To acquire by lease, purchase, production, reduction to possession or otherwise, and to plan, establish, develop, construct, enlarge, improve, extend, maintain, equip, operate, furnish, provide, supply, regulate, hold, store and administer any and all physical properties (real, personal or mixed), rights, privileges, immunities, benefits, and any other thing of value, designated or needful for utilization in furnishing, providing or supplying the aforementioned services, utilities, buildings and facilities; to finance and refinance and to enter into contracts of purchase or other interest in or operation and maintenance of water and sanitary sewage company properties, garbage and trash disposal, and other utilities and revenue thereof, lease-purchase contracts and to comply with the terms and conditions of any such contracts, leases or other contracts made in connection with the acquisition, equipping, maintenance and disposal of any of said property; and to relinquish, dispose of, rent or otherwise make provisions for properties owned or controlled by the Trust but no longer needful for trust purposes.

(4) To perform on behalf of the beneficiary the functions and powers as authorized by industrial development statutes.

(5) To provide funds for the cost of financing, refinancing, acquiring, constructing, purchasing, equipping, maintaining, leasing, repairing, improving, extending, enlarging, remodeling, holding, storing, operating and administering any or all aforesaid services, utilities, buildings, facilities, industrial development, and all properties (real, personal or mixed) needful for executing and fulfilling the Trust purposes as set forth in this instrument and all other charges, costs, and expenses necessarily incurred in connection therewith and in so doing, to incur indebtedness, either unsecured or secured by all or any part of the Trust Estate and its revenues.

(6) To expend all funds coming into the hands of the Trustees as revenue or otherwise for the payment of any indebtedness incurred by the Trustees for purposes specified herein, and in the payment of the aforesaid costs and expenses, and in payment of any other obligation properly chargeable against the Trust Estate, and to distribute the residue and remainder of such funds to the beneficiary municipality.

ARTICLE IV

DURATION OF TRUST

This Trust shall have duration for the term of duration of the beneficiary and until such time as its purpose shall have been fully fulfilled, or until it shall be terminated as hereinafter provided.

ARTICLE V

THE TRUST ESTATE

The Trust Estate shall consist of:

(1) The funds and property presently in the hands of the Trustees or to be acquired or constructed by Trustees and dedicated by the Trustor and others to be used for trust purposes.

(2) Any and all leasehold rights remised to the Trustees by the beneficiary as authorized and empowered by law.

(3) Any and all money, property, real, personal or mixed, rights, choses in action, contracts, leases, privileges, immunities, licenses, franchises, benefits, and all other things of value coming into the possession of the Trustees pursuant to the provisions of this Trust Indenture.

(4) Cash in the sum of $10.00 deposited in _____

_____

to the account of the Trustees.

The instruments executed for each project, and such issuance of Trustees Bonds and other indebtedness, shall set out the specific property of the Trust Estate exclusively pledged and mortgaged for the payment of such indebtedness.

ARTICLE VI

THE TRUSTEES

(1) The Trustees of this Trust shall be citizens and residents of the beneficiary, who are the persons presently constituting the Mayor, City Commission, and members of the governing board of the beneficiary, and the persons who shall be their successors as Mayor, City Commission, and members of said governing board of said beneficiary, and each such successor in office shall without any further act, deed or conveyance, automatically become Trustees of this Trust and become fully vested with all the estate, properties, rights, powers, duties and obligations of his predecessor hereunder with like effect as if originally named as a Trustee herein.

(2) The person who shall be the Mayor of the beneficiary, shall become automatically the Chairman of the Trustees and shall preside at all meetings and perform other duties designated by the Trustees. The Trustees shall designate the time and place of all regular meetings. All actions by the Trustees pursuant to the provisions of this Trust Indenture shall be approved by the affirmative vote of at least a majority of the Trustees qualified to act as such under the provisions of this Trust Indenture. The Trustees shall select one of their members to be Vice-Chairman who shall act in the place of the Chairman during the latter's absence or incapacity to act.

(3) The person who shall be the City Clerk of the beneficiary, shall act as Secretary of the Trustees. The Secretary shall keep minutes of all meetings of the Trustees and shall maintain complete and accurate records of all their financial transactions, all such minutes, books and records to be on file in the office of the Trust. All meetings of the Trustees shall be open to the public, and the books, records and minutes of the Trustees shall be considered as public records and available for inspection at all times by any interested party.

(4) The person who shall be the City Treasurer of the beneficiary, shall act as Treasurer of the Trustees.

(5) The Trustees may appoint a general manager for the Trust Estate, and may employ such other clerical, professional, legal and technical assistance as may be deemed necessary in the discretion of the Trustees to properly operate the business of the Trust Estate, and may fix their duties, terms of employment and compensation. Any such employee may be a person who shall be an officer or employee of the beneficiary, in which event such officer or employee may receive compensation from the Trust Estate. All Trustees shall serve without compensation but shall be reimbursed for actual expenses incurred in the performance of their duties hereunder. In the event a general manager for the Trust Estate is appointed by the Trustees, the said general manager shall administer the business of the Trust Estate as directed from time to time by the Trustees.

(6) The Trustees are authorized to contract, in connection with the incurring of any funded indebtedness secured by the Trust Estate and/or its revenues, or any part of either or both, that in the event of a default in the fulfillment of any contract obligation undertaken on behalf of the Trust Estate or in the payment of any indebtedness incurred on behalf of the Trust Estate, that a Temporary Trustee or Trustees or Receiver shall be appointed to succeed to the rights, powers and duties of the Trustees then in office. Any such contract, if made, shall set out the terms and conditions under which such Temporary Trustee or Trustees or Receiver shall be appointed, and operate the Trust Estate and provide for compensation to be paid, and appointment to be vacated and permanent Trustees to be automatically reinstated upon termanation of all defaults by which their appointment was authorized.

(7) Bonds or other evidences of indebtedness to be issued by the Trustees shall not constitute an indebtedness of the State of Oklahoma, nor of the beneficiary, nor personal obligations of the Trustees of the Trust, but shall constitute obligations of the Trustees payable solely from the Trust Estate.

(8) The Trustees, the State of Oklahoma, and the beneficiary hereof shall not be charged personally with any liability whatsoever by reason of any act or omission committed or suffered in good faith or in the exercise of their honest discretion in the performance of such Trust or in the operation of the Trust Estate; but any act or liability for any omission or obligation of the Trustees in the execution of such Trust, or in the operation of the Trust Estate, shall extend to the whole of the Trust Estate or so much thereof as may be necessary to discharge such liability or obligation.

(9) Notwithstanding any other provision of this Indenture which shall appear

to provide otherwise, no Trustee or Trustees shall have the power or authority to bind or obligate any other Trustee, or the beneficiary, in his or its capacity, nor can the beneficiary bind or obligate the Trust or any individual Trustee.

ARTICLE VII

POWERS AND DUTIES OF THE TRUSTEES

To accomplish the purposes of the Trust, and subject to the provisions and limitations otherwise provided in this Trust Indenture, the Trustees shall have, in addition to the usual powers incident to their office and the powers granted to them in other parts of this Trust Indenture, the following rights, powers, duties, authority, discretion and privileges, all of which may be exercised by them without any order or authority from any court:

(1) To finance, refinance, acquire, establish, develop, construct, enlarge, improve, extend, maintain, equip, operate, lease, furnish, provide, supply, regulate, hold, store and administer any of the facilities designated pursuant to Article III hereof as the Trustees shall determine necessary for the benefit and development of the beneficiary.

(2) To enter into contracts for the acquisition and construction of works and facilities authorized to be acquired and constructed pursuant to the terms of this Trust Indenture and in compliance herewith, other than those works and facilities to be constructed by the employees of the Trustees; provided, however, that:

(a) It is the intent of this Trust Indenture that there be effective competition on contracts for all construction work and materials involving an outlay and expenditure in excess of $750.00; provided, however, should the Trustees find that an immediate emergency exists by reason of which an immediate outlay of funds in an amount exceeding $750.00 is necessary in order to avoid loss of life, substantial damage to property, or damage to the public peace or safety, then contracts may be made and entered into without competitive bids. Contracts for the construction of all improvements as a whole or in part shall be entered into only after reasonable public advertisement for bids, and the Trustees shall cause plans and specifications to be prepared in sufficient detail for contractors to submit bids on such construction work. Plans and specifications shall be made available to all bidders and, whenever practicable in the opinion of the Trustees, final detailed plans and

specifications will be prepared prior to advertisement for bids and shall be made available to all bidders.

(b) The Trustees may reject all bids and readvertise for bids or may enter into a contract or contracts with a responsible bidder or bidders who, in the opinion of the Trustees, shall offer the terms deemed most favorable to the Trust Estate. All contractors to whom any construction contract for any project or part thereof is let shall be financially responsible and bear a good reputation in the industry. The Trustees may prescribe such bidding qualifications as they deem necessary and desirable.

(c) All construction contracts shall be bonded (performance and statutory) for one hundred per cent (100%) of the amount of the contract.

(d) On major construction projects the invitation to bid, the bidding, and letting of contracts may be in whole, by sections, segments or for particular parts or units of the total work to be performed.

(3) To employ such architectural and engineering firm or firms as the Trustees deem necessary to prepare such preliminary and detailed studies, plans, specifications, cost estimates and feasibility reports as are required in the opinion of the Trustees. The cost of such engineering and architectural work shall be paid out of the proceeds of the sale of bonds or from such other funds as may be available therefor.

(4) To enter into contracts for the sale of bonds, notes or other evidences of indebtedness or obligations of the Trust for the purpose of acquiring or constructing works and facilities authorized to be acquired or constructed pursuant to the terms of this Trust Indenture and for that purpose may:

(a) Employ a financial advisor, or committee of advisors, to advise and assist the Trustees in the marketing of such bonds, notes or other evidences of indebtedness or obligations, and to present financial plans for the financing of the acquisition or construction of each project, and to recommend to, or consult with, the Trustees concerning the terms and provisions of bond indentures and bond issues, and may pay appropriate compensation for such work and services performed in the furtherance of the project;

(b) Sell all bonds, notes or other evidences of indebtedness or obligations of the Trust in whole or in installments or series and on

such terms and conditions and in such manner as the Trustees shall deem to be in the best interest of the Trust Estate; and

(c) Appoint and compensate attorneys, paying agencies and corporate trustees in connection with the issuance of any such bonds, notes, evidences of indebtedness or other obligations of the Trust.

(5) To enter into and execute, purchase, lease or otherwise acquire property, real, personal or mixed, contracts, leases, rights, privileges, benefits, choses in action, or other things of value and to pay for the same in cash, with bonds or other evidences of indebtedness or otherwise.

(6) To make and change investments, to convert real into personal property, and vice versa, to lease, improve, exchange or sell, at public or private sale, upon such terms as they deem proper, and to resell, at any time and as often as they deem advisable, any or all the property in the Trust, real and personal; to borrow money, or renew loans to the Trust, to refund outstanding bonded indebtedness and to execute therefor notes, bonds or other evidences of indebtedness, and to secure the same by mortgage, lien, pledge or otherwise; to purchase property from any person, firm or corporation, and lease land and other property to and from the beneficiary and construct, improve, repair, extend, remodel, and equip utilities or buildings and facilities thereon and to operate or lease or rent the same to individuals, partnerships, associations, corporations and others, including the United States of America or the State of Oklahoma and agencies or authorities of the United States of America, or of the State of Oklahoma, or of any municipality thereof, and also including all municipal or other political subdivisions of the State of Oklahoma as well as the beneficiary hereof, and to do all things provided for in Article III of this Trust Indenture, and procure funds necessary for such purpose by the sale of bonds or other evidences of indebtedness by a mortgage, lien, pledge or other encumbrance or otherwise of such real and personal property, utilities, buildings and facilities owned or otherwise acquired, leased or controlled by Trustees, and by rentals, income, receipts and profits therefrom, or from any other revenues associated with the ownership, operation or control of the property of the Trust; to lease or sublease any property of the Trust or of which the Trustees may become the owners or lessees.

(7) To fix, demand and collect charges, rentals and fees for the services and facilities of the Trust to the same extent as the beneficiary might do and

to discontinue furnishing of services and facilities to any person, firm or corporation, or public instrumentality, delinquent in the payment of any indebtedness to the Trust; to purchase and sell such supplies, goods and commodities as are incident to the operation of its properties.

(8) To make and perform contracts of every kind, including management contracts, with any person, firm, corporation, association, trusteeship, municipality, government or sovereignty; and without limit as to amount to draw, make, accept, indorse, assume, guarantee, account, execute and issue promissory notes, drafts, bills of exchange, acceptances, warranties, bonds, debentures, and other negotiable or non-negotiable instruments, obligations and evidences of unsecured indebtedness, or of indebtedness secured by mortgage, deed of trust or otherwise upon any or all income of the Trust, in the same manner and to the same extent as a natural person might or could do. To collect and receive any property, money, rents, or income of any sort and distribute the same or any portion thereof for the furtherance of the authorized Trust purposes set out herein.

(9) To do all other acts in their judgment necessary or desirable for the proper and advantageous management, investment, and distribution of the Trust Estate and income therefrom.

The whole title, legal and equitable, to the properties of the Trust is and shall be vested in the Trustees, as such title in the Trustees is necessary for the due execution of this Trust. Said Trustees shall have and exercise exclusive management and control of the properties of the Trust Estate for the use and benefit of the beneficiary; but may agree for approval of any or all of its actions and transactions by the governing board of the beneficiary.

The Trustees may contract for the furnishing of any services or the performance of any duties that they may deem necessary, or proper, and pay for the same as they see fit.

The Trustees may select depositories for the funds and securities of this Trust. Temporary Trustee or Trustees or Receiver appointed pursuant to paragraph 6 of Article VI hereof may employ special counsel to represent them and such special counsel's compensation shall be paid from revenues of the Trust Estate.

The Trustees may compromise any debts or claims of or against the Trust Estate, and may adjust any dispute in relation to such debts or claims by arbitration or otherwise and may pay any debts or claims against the Trust Estate upon any evi-

dence deemed by the Trustees to be sufficient. The Trustees may bring any suit or action, which in their judgment is necessary or proper to protect interest of the Trust Estate, or to enforce any claim, demand or contract for the Trust; and they shall defend, in their discretion, any suit against the Trust, or the Trustees or employees, agents or servants thereof. They may compromise and settle any suit or action, and discharge the same out of assets of the Trust Estate, together with court costs and attorneys' fees. All such expenditures shall be treated as expenses of executing this Trust.

No purchaser at any sale or lessee under a lease made by the Trustees shall be bound to inquire into the expediency, propriety, validity or necessity of such sale or lease or to see to or be liable for the application of the purchase or rental moneys arising therefrom.

ARTICLE VIII

BENEFICIARY OF TRUST

(1) The beneficiary of this Trust shall be the City of Norman, Oklahoma, a municipal corporation, under and pursuant to Title 60, Oklahoma Statutes 1961, Sections 176 to 180, both inclusive, and other statutes of the State of Oklahoma as presently in force and effect. Trustor now declares that this Trust Indenture shall be irrevocable from the moment it is signed by him and delivered to the Trustees, and that it shall thereafter stand without any power whatsoever at any time to alter, amend, revise, modify, revoke or terminate any of the provisions of this Trust Indenture.

(2) The beneficiary shall have no legal title, claim or right to the Trust Estate, its income, or to any part thereof or to demand or require any partition or distribution thereof. Neither shall the beneficiary have any authority, power or right, whatsoever, to do or transact any business for, or on behalf of, or binding upon the Trustees or upon the Trust Estate, nor the right to control or direct the actions of the Trustees pertaining to the Trust Estate, or any part thereof. The beneficiary shall be entitled solely to the benefits of this Trust, as administered by the Trustees hereunder, and at the termination of the Trust, as provided herein, and then only, the beneficiary shall receive the residue of the Trust Estate.

ARTICLE IX

TERMINATION OF TRUST

This Trust shall terminate -

(1) When the purposes set out in Article III of this instrument shall have been fully executed; or

(2) In the manner provided by Title 60, Oklahoma Statutes 1961, Section 180. Provided, however, that this Trust shall not be termanated by voluntary action if there be outstanding indebtedness or fixed term obligations of the Trustees, unless all owners of such indebtedness or obligations shall have consented in writing to such termination.

Upon the termination of this Trust, the Trustees shall proceed to wind up the affairs of this Trust, and after payment of all debts, expenses and obligations out of the moneys and properties of the Trust Estate to the extent thereof, shall distribute the residue of the money and properties of the Trust Estate to the beneficiary hereunder. Upon final distribution, the powers, duties and authority of the Trustees hereunder shall cease.

ARTICLE X

The Trustees accept the Trust herein created and provided for, and agree to carry out the provisions of this Trust Indenture on their part to be performed.

IN WITNESS WHEREOF, the Trustor and the Trustees have hereunto set their hands on the day and year indicated.

Earl Sneed

Earl Sneed, Truster

Earl Sneed

Earl Sneed

John Rumpff III

George Bauer

Carl Rizer

William G. Burton

Charles E. Loeffler, Jr.

Robert H. Siegfried, Jr.

Trustees

STATE OF OKLAHOMA)
) SS
COUNTY OF CLEVELAND)

Before me, the undersigned, a Notary Public in and for said County and State, on this 13th day of August, 1965, personally appeared Earl Sneed, to me known to be the person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

Notary Public

(SEAL)

My commission expires [illegible].

STATE OF OKLAHOMA)
) SS
COUNTY OF CLEVELAND)

Before me, the undersigned, a Notary Public in and for said County and State, on this 13th day of August, 1965, personally appeared Earl Sneed, William H. Patton, John Rexhill, Charles [illegible] Bradley, Jr., George Mauer, Cu. H. Tiegle, Jr., Carl Rice to me known to be the identical persons who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

Notary Public

(SEAL)

My commission expires [illegible].

ACCEPTANCE

KNOW ALL MEN BY THESE PRESENTS:

That the Mayor and City Commission of the City of Norman, Oklahoma, a municipal corporation, hereby accepts the beneficial interest in the Trust created by the within and foregoing Trust Indenture, for and on behalf of said beneficiary in all respects in accordance with the terms of said Trust Indenture.

WITNESS my hand as Mayor of the City of Norman, Oklahoma, attested by the City Clerk of the City of Norman, Oklahoma, pursuant to direction of said City Commission, this 23rd day of March, 19 61.

Earl Sneed
Mayor

ATTEST:

City Clerk

OFFICE OF THE SECRETARY OF STATE

STATE OF OKLAHOMA

FILED

DEC 12 2000

OKLAHOMA SECRETARY OF STATE

Certificate

I, THE UNDERSIGNED SECRETARY OF STATE OF THE STATE OF OKLAHOMA, DO HEREBY CERTIFY: That I am by the laws of the State, the custodian of the records of the State of Oklahoma relating to written instruments creating public trusts and I am the proper officer to execute this Certificate.

I FURTHER CERTIFY pursuant to Title 60, Oklahoma Statutes 1991, Section 180.2(d), that an original executed copy of the Trust Indenture dated as of April 13, 1965, creating the NORMAN MUNICIPAL AUTHORITY, located in Cleveland County, Oklahoma, in The City of Norman, Oklahoma, was filed in my office this day.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 12th day of December, 2000.

SECRETARY OF STATE OF THE STATE OF OKLAHOMA

By:

Filed by
Firm of: FAGIN, BROWN, BUSH, TINNEY & KISER

Address: 1900 West First National Center
Oklahoma City, Oklahoma 73102

OFFICE OF THE STATE AUDITOR AND INSPECTOR

STATE OF OKLAHOMA

Certificate

I, THE UNDERSIGNED STATE AUDITOR AND INSPECTOR OF THE STATE OF OKLAHOMA, DO HEREBY CERTIFY that I am, under Title 60, Oklahoma Statutes 1991, Section 180.2(d), required to receive Notice of the filing in the Office of the Secretary of State of the State of Oklahoma of any written instrument creating a public trust prior to the delivery of and payment for any evidence of indebtedness issued by such public trust.

I FURTHER CERTIFY that I did on this date receive Notice that the Trust Indenture dated as of April 13, 1965, with respect to the NORMAN MUNICIPAL AUTHORITY, located in Cleveland County, Oklahoma, in The City of Norman, Oklahoma, was filed in the Office of the Secretary of State of the State of Oklahoma on this date.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 12th day of December, 2000.

STATE AUDITOR AND INSPECTOR

By: Helen Payton

Filed by
Firm of: FAGIN, BROWN, BUSH, TINNEY & KISER

Address: 1900 West First National Center
Oklahoma City, Oklahoma 73102

NUA (LEG) Trust Indenture

TRUST INDENTURE

KNOW ALL MEN BY THESE PRESENTS:

THIS TRUST INDENTURE dated as of the 2nd day of February, 19 70, by Gordon Masters hereinafter referred to as the Trustor, and Gordon Masters, Jim P. Artman, Joe W. Keeley, William E. Remy, Harold L. Heiple, Herbert Kuhlman and Richard L. Reynolds and their respective successors in office, to be known as the Trustees of the Norman Utilities Authority, who shall be and are hereinafter referred to as Trustees of the said Authority (hereinafter referred to as Trust) herein set out.

WITNESSETH:

That in consideration of the payment by the Trustor to the Trustees of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, the mutual covenants herein set forth, and other valuable considerations, the said Trustees agree to hold, manage, invest, assign, convey and distribute as herein provided, authorized and directed, such property as Trustor, or others, may from time to time assign, transfer, lease, convey, give, bequeath, devise or deliver unto this Trust or the Trustees hereof.

TO HAVE AND TO HOLD such property and the proceeds, rents, profits and increases thereof unto said Trustees and said Trustee's successors and assigns, but nevertheless in trust, for the use and benefit of the City of Norman, Oklahoma, hereinafter referred to as Beneficiary, and upon the following trusts, terms and and conditions herein stated.

ARTICLE I

CREATION OF TRUST

The undersigned Trustor creates and establishes a trust for the use and benefit of the Beneficiary, to finance, operate, construct and administer any public works, improvements or facilities, and for the public purposes hereinafter set forth, under the provisions of Title 60, Oklahoma Statutes 1961, Sections 176 to 180, inclusive, the Oklahoma Trust Act and other applicable statutes of the State of Oklahoma.

ARTICLE II

The Trustees of this Trust shall conduct all business and execute or authorize the execution of all instruments in the name of this Trust, and otherwise perform the duties

and functions required in the execution of this Trust.

ARTICLE III

The purposes of this Trust are:

(1) To finance, acquire, establish, develop, construct, enlarge, improve, extend, maintain, equip, operate, lease, furnish, provide, supply, regulate, hold, store and administer any of the facilities designated pursuant to Paragraph (1) of Article III hereof as the Trustees shall determine necessary for the benefit and development of the beneficiary, and as shall have been approved by any ordinance or resolution of the governing body of the beneficiary and under such terms and conditions as shall be set out in any such ordinance or resolution for each such project; provided, however, that the governing body of the beneficiary may by ordinance or resolution duly adopted by a majority of the members thereof direct the Trustees to finance, establish, construct, operate, maintain, enlarge and improve any project or facility deemed by said governing body to be necessary for the benefit and development of the beneficiary, and upon receipt of such direction the Trustees shall promptly make such investigations as they may deem appropriate, in such detail as the governing body shall request, and shall report thereon to the governing body, such report to contain such information as the governing body shall specify. In the event the aforesaid investigation and information furnished the governing body indicates that the works and facilities the governing body has requested the Trustees to undertake can be financed, acquired or constructed within the limitations contained herein and in any contracts, bond indentures or other conditions and restrictions imposed by law or contract upon the Trustees, the Trustees shall at the direction of the governing body proceed diligently with the financing, acquisition and construction of any such works or facilities.

(2) To acquire, construct, reconstruct, extend, lease, purchase, install, equip, maintain, repair, enlarge, remodel and operate buildings and other facilities for use by the United States of America, or the State of Oklahoma, or for use by authorities or agencies of the United States of America or of the State of Oklahoma or of any municipality thereof, or for use by municipal or other political subdivisions

of the State of Oklahoma, including the Beneficiary hereof; to plan, establish, develop, construct, enlarge, improve, extend, maintain, equip, operate, lease, furnish, provide, supply, regulate, hold, store and administer utilities and/or buildings or other facilities either within or without the territorial boundaries of the Beneficiary which are or shall be of public use, including, but without limitation, water, sewer, garbage, trash disposal and recreational facilities; and to service machinery or equipment in connection with such utilities, buildings and facilities.

(3) To hold, maintain and administer any leasehold rights in and to physical properties demised to the Beneficiary and to comply with the terms and conditions of any such lease.

(4) To acquire by lease, purchase, production, reduction to possession or otherwise, and to plan, establish, develop, construct, enlarge, improve, extend, maintain, equip, operate, furnish, provide, supply, regulate, hold, store and administer any and all physical properties (real, personal or mixed), rights, privileges, immunities, benefits, and any other thing of value, designated or needful for utilization in furnishing, providing or supplying the aforementioned services, utilities, buildings and facilities; to finance and refinance and to enter into contracts of purchase, lease-purchase or other interest in or operation and maintenance of said properties, and revenue thereof, and to comply with the terms and conditions of any such contracts, leases or other contracts made in connection with the acquisition, equipping, maintenance and disposal of any of said property; and to relinquish, dispose of, rent or otherwise make provisions for properties owned or controlled by the Trust but no longer needful for trust purposes.

(5) To provide funds for the cost of financing, refinancing, acquiring, constructing, purchasing, equipping, maintaining, leasing, repairing, improving, extending, enlarging, remodeling, holding, storing, operating and administering any or all aforesaid property, improvements, buildings, facilities, and all properties (real, personal or mixed) needful for executing and fulfilling the Trust purposes as set forth in this instrument and all other charges, costs, and expenses necessarily incurred in connection therewith and in so doing, to incur indebtedness, either unsecured or secured by all or any part of the Trust Estate and its revenues.

(6) To expend all funds coming into the hands of the Trustees as revenue or otherwise for the payment of any indebtedness incurred by the Trustees for purposes specified herein, and in the payment of the aforesaid costs and expenses, and in payment of any other obligation properly chargeable against the Trust Estate, and to distribute the residue and remainder of such funds to the Beneficiary.

ARTICLE IV

DURATION OF TRUST

This Trust shall have duration for the term of duration of the Beneficiary and until such time as its purpose shall have been fully fulfilled, or until it shall be terminated as hereinafter provided.

ARTICLE V

THE TRUST ESTATE

The Trust Estate shall consist of:

(1) The funds and property presently in the hands of the Trustees or to be acquired or constructed by Trustees and dedicated by the Trustor and others to be used for trust purposes.

(2) And and all leasehold rights remised to the Trustees by the Beneficiary as authorized and empowered by law.

(3) Any and all money, property (real, personal or mixed), rights, choses in action, contracts, leases, privileges, immunities, licenses, franchises, benefits, funds, accounts and all other things of value coming into the possession of the Trustees pursuant to the provisions of this Trust Indenture.

(4) Cash in the sum of $10.00 paid to Trustees, receipt of which is hereby acknowledged by the Trustees.

The instruments executed for each project, and such issuance of Trustees Bonds and other indebtedness, shall set out the specific property of the Trust Estate exclusively pledged and mortgaged for the payment of such indebtedness.

ARTICLE VI

THE TRUSTEES

(1) The Trustees of this Trust shall be citizens and residents of the Beneficiaty, who are the persons presently constituting the Commission of the City of Norman, and members of the governing board of the Beneficiary, and the persons who shall be their successors as City Commissioners, and members of said governing board of said Beneficiary, and each such successor in office shall without any further act, deed or conveyance, automatically become Trustees of this Trust and become fully vested with all the estate, properties, rights, powers, duties and obligations of his predecessor hereunder with like effect as if originally named as a Trustee herein.

(2) The person who shall be the Mayor of the Beneficiary, shall become automatically the Chairman of the Trustees and shall preside at all meetings and perform other duties designated by the Trustees. The Trustees shall designate the time and place of all regular meetings. All actions by the Trustees pursuant to the provisions of this Trust Indenture shall be approved by the affirmative vote of at least a majority of the Trustees qualified to act as such under the provisions of this Trust Indenture. The Trustees shall select one of their members to be Vice-Chairman who shall act in the place of the Chairman during the latter's absence or incapacity to act.

(3) The person who shall be the City Clerk of the Beneficiary, shall act as Secretary of the Trustees. The Secretary shall keep minutes of all meetings of the Trustees and shall maintain complete and accurate records of all their financial transactions, all such minutes, books and records to be on file in the office of the Trust. All meetings of the Trustees shall be open to the public, and the books, records and minutes of the Trustees shall be considered as public records and available for inspection at all times by any interested party.

(4) The person who shall be the City Treasurer of the Beneficiary, shall act as Treasurer of the Trustees.

(5) The Trustees may appoint a general manager for the Trust Estate, and may employ such other clerical, professional legal and technical assistance as may be deemed necessary in the discretion of the Trustees to properly operate the business of the Trust Estate, and may fix their duties, terms of employment and compensation. Any such employee may be a person who shall be an officer or employee of the Beneficiary, in which event such officer or employee may receive compensation from the Trust Estate. All Trustees shall serve without compensation but shall be reimbursed for actual expenses incurred in the performance of their duties hereunder. In the event a general manager for the Trust Estate is appointed by the Trustees, the said general manager shall administer the business of the Trust Estate as directed from time to time by the Trustees.

(6) The Trustees are authorized to contract, in connection with the incurring of any funded indebtedness secured by the Trust Estate and/or its revenues, or any part of either or both, that in the event of a default in the fulfillment of any contract obligation undertaken on behalf of the Trust Estate or in the payment of any indebtedness incurred on behalf of the Trust Estate, that a Temporary Trustee or Trustees or Receiver shall be appointed to succeed to the rights, powers and duties of the Trustees then in office. Any such contract, if made, shall set out the terms and conditions under which such Temporary Trustee or Trustees or Receiver shall be appointed, and operate the Trust Estate and provide for compensation to be paid, and appointment to be vacated and permanent Trustees to be automatically reinstated upon termination of all defaults by which their appointment was authorized.

(7) Bonds or other evidences of indebtedness to be issued by the Trustees shall not constitute an indebtedness of the State of Oklahoma, or of the Beneficiary, or personal obligations of the Trustees of the Trust, but shall constitute obligations of the Trustees payable solely from the Trust Estate.

(8) The Trustees, the State of Oklahoma, and the Beneficiary hereof shall not be charged personally with any liability whatsoever by reason of any act or omission committed or suffered in good faith or in the exercise of their honest discretion in the performance of such Trust or in the operation of the Trust Estate; but any act or liability for any omission or obligation of the Trustees in the execution of such Trust, or in the operation of the Trust Estate, shall extend to the whole of the Trust Estate or so much thereof as may be necessary to discharge such liability or obligation.

(9) Notwithstanding any other provision of this Indenture which shall appear to provide otherwise, no Trustee or Trustees shall have the power or authority to bind or obligate any other Trustee, or the Beneficiary, in his or its capacity, nor can the Beneficiary bind or obligate the Trust or any individual Trustee.

ARTICLE VII

POWERS AND DUTIES OF THE TRUSTEES

To accomplish the purposes of the Trust, and subject to the provisions and limitations otherwise provided in this Trust Indenture, the Trustees shall have, in addition to the usual powers incident to their office and the powers granted to them in other parts of this Trust Indenture, the following rights, powers, duties, authority, discretion and privileges, all of which may be exercised by them without any order or authority from any court:

(1) To finance, refinance, acquire, establish, develop, construct, enlarge, improve, extend, maintain, equip, operate, lease, furnish, provide, supply, regulate, hold, store and administer any of the facilities designated pursuant to Article III hereof as the Trustees shall determine necessary for the benefit and development of the Beneficiary.

(2) To enter into contracts for the acquisition and construction of facilities authorized to be acquired and constructed pursuant to the terms of this Trust Indenture and in compliance herewith, other than those facilities to be constructed by the employees of the Trustees;

(3) To employ such architectural and engineering firm or firms as the Trustees deem necessary to prepare such preliminary and detailed studies, plans, specifications, cost estimates and feasibility reports as are required in the opinion of the Trustees. The cost of such engineering and architectural work shall be paid out of the proceeds of the sale of bonds or from such other funds as may be available therefor.

(4) To enter into contracts for the sale of bonds, notes or other evidences of indebtedness or obligations of the Trust for the purpose of acquiring or constructing facilities authorized to be acquired or constructed pursuant to the terms of this Trust Indenture and for that purpose may:

(a) Employ a financial advisor, or committee of advisors, to advise and assist the Trustees in the marketing of such bonds, notes or other evidences of indebtedness or obligations, and to present financial plans for the financing of the acquisition or construction of each project, and to recommend to, or consult with, the Trustees concerning the terms and provisions of bond indentures and bond issues, and may pay appropriate compensation for such work and services performed in the furtherance of the project;

(b) Sell all bonds, notes or other evidences of indebtedness or obligations of the Trust in whole or in installments or series and on such terms and conditions and in such manner as the Trustees shall deem to be in the best interest of the Trust Estate; and

(c) Appoint and compensate attorneys, paying agencies and corporate trustees in connection with the issuance of any such bonds, notes, evidences of indebtedness or other obligations of the Trust.

(5) To enter into and execute, purchase, lease or otherwise acquire property, real, personal or mixed, contracts, leases, rights, privileges, benefits, choses in actions, or other things of value and to pay for the same in cash, with bonds or other evidences of indebtedness or otherwise.

(6) To make and change investments, to convert real into personal property, and vice versa, to lease, improve, exchange or sell, at public or private sale, upon such terms as they deem proper, and to resell, at any time and as often as they deem advisable, any or all the property in the Trust, real and personal; to borrow money, or renew loans to the Trust, to refund outstanding bonded indebtedness and to execute therefor notes, bonds or other evidences of indebtedness, and to secure the same by mortgage, lien, pledge or otherwise; to purchase property from any person, firm or corporation, and lease land and other property to and from the Beneficiary and construct, improve, repair, extend, remodel and equip facilities thereon and to operate or lease or rent the same to individuals, partnerships, associations, corporations and others, including the United States of America, or the State of Oklahoma and agencies or authorities of the United States of America, or of the State of Oklahoma, or of any municipality thereof, and also including all municipal or other political subdivisions of the State of Oklahoma as well as the Beneficiary hereof, and to do all things provided for in Article III of this Trust Indenture, and procure funds necessary for such purpose by the sale of bonds or other evidences of indebtedness by a mortgage, lien, pledge or other encumbrance or otherwise of such real and personal property and facilities owned or otherwise acquired, leased or controlled by Trustees, and by rentals, income, receipts and profits therefrom, or from any other revenues associated with the ownership, operation or control of the property of the Trust; to lease or sublease any property of the Trust or of which the Trustees may become the owners or lessees.

(7) To fix, demand and collect charges, rentals and fees for the services and facilities of the Trust to the same extent as the Beneficiary might do and to discontinue furnishing of services and facilities to any person, firm or corporation, or public instrumentality, delinquent in the payment of any indebtedness to the Trust; to purchase and sell such supplies, goods and commodities as are incident to the operation of its properties.

(8) To make and perform contracts of every kind, including management contracts, with any person, firm, corporation, association, trusteeship, municipality, government or sovereignty; and without limit as to amount to draw, make, accept, endorse, assume, guarantee, account, execute and issue promissory notes, drafts, bills of exchange, acceptances, warranties, bonds, debentures and other negotiable or non-negotiable instruments, obligations and evidences of unsecured indebtedness, or of indebtedness secured by mortgage, deed of trust or otherwise upon any or all income of the Trust, in the same manner and to the same extent as a natural person might or could do. To collect and receive any property, money, rents or income of any sort and distribute the same or any portion thereof for the furtherance of the authorized Trust purposes set out herein.

(9) To do all other acts in their judgment necessary or desirable, for the proper and advantageous management, investment and distribution of the Trust Estate and income therefrom.

The whole title, legal and equitable, to the properties of the Trust is and shall be vested in the Trustees, as such title in the Trustees is necessary for the due execution of this Trust. Said Trustees shall have and exercise exclusive management and control of the properties of the Trust Estate for the use and benefit of the Beneficiary; but may agree for approval of any or all of its actions and transactions by the governing board of the Beneficiary.

The Trustees may contract for the furnishing of any services or the performance of any duties that they may deem necessary or proper, and pay for the same as they see fit.

The Trustees may select depositories for the funds and securities of this Trust. Temporary Trustee or Trustees or Receiver appointed pursuant to paragraph 6 of Article VI hereof may employ special counsel to represent them and such special counsel's compensation shall be paid from revenues of the Trust Estate.

The Trustees may compromise any debts or claims of or against the Trust Estate, and may adjust any dispute in relation to such debts or claims by arbitration or otherwise and may pay any debts or claims against the Trust Estate upon any evidence deemed by the Trustees to be sufficient. The Trustees may bring any suit or action, which in their judgment is necessary

or proper to protect interest of the Trust Estate, or to enforce any claim, demand or contract for the Trust; and they shall defend, in their discretion, any suit against the Trust, or the Trustees or employees, agents or servants thereof. They may compromise and settle any suit or action, and discharge the same out of assets of the Trust Estate, together with court costs and attorneys' fees. All such expenditures shall be treated as expenses of executing this Trust.

No purchaser at any sale or lessee under a lease made by the Trustees shall be bound to inquire into the expediency, propriety, validity or necessity of such sale or lease or to see to or be liable for the application of the purchase or rental moneys arising therefrom.

ARTICLE VIII

BENEFICIARY OF TRUST

(1) The Beneficiary of this Trust shall be the Beneficiary, under and pursuant to Title 60, Oklahoma Statutes 1961, Sections 176 to 180, inclusive, as amended and supplemented, and other statutes of the State of Oklahoma presently in force and effect. Trustor now declares that this Trust Indenture shall not be subject to revocation, alteration, amendment, revision, modification or termination from and after the date any indebtedness is incurred by the Trustees.

(2) The Beneficiary shall have no legal title, claim or right to the Trust Estate, its income, or to any part thereof or to demand or require any partition or distribution thereof. Neither shall the Beneficiary have any authority, power or right, whatsoever, to do or transact any business for, or on behalf of, or binding upon the Trustees or upon the Trust Estate, nor the right to control or direct the actions of the Trustees pertaining to the Trust Estate, or any part thereof. The Beneficiary shall be entitled solely to the benefits of this Trust, as administered by the Trustees hereunder, and at the termination of the Trust, as provided herein, and then only, the Beneficiary shall receive the residue of the Trust Estate.

ARTICLE IX

TERMINATION OF TRUST

This Trust shall terminate - - -

(1) When the purposes set out in Article III of this instrument shall have been fully executed; or

(2) In the manner provided by Title 60, Oklahoma Statutes 1961, Section 180. Provided, however, that this Trust shall not be terminated by voluntary action if there be outstanding indebtedness or fixed term obligations of the Trustees, unless all owners of such indebtedness or obligations shall have consented in writing to such termination.

Upon the termination of this Trust, the Trustees shall proceed to wind up the affairs of this Trust, and after payments of all debts, expenses and obligations out of the moneys and properties of the Trust Estate to the extent thereof, shall distribute the residue of the money and properties of the Trust Estate to the Beneficiary hereunder. Upon final distribution, the powers, duties and authority of the Trustees hereunder shall cease.

ARTICLE X

The Trustees accept the Trust herein created and provided for, and agree to carry out the provisions of this Trust Indenture on their part to be performed.

IN WITNESS WHEREOF, the Trustor and the Trustees have hereunto set their hands on the day and year indicated.

Gordon Masters Trustor

/s/ Gordon Masters
Gordon Masters

/s/ Joe W. Keeley
Joe W. Keeley

/s/ Harold L. Heiple
Harold L. Heiple

/s/ Richard L. Reynolds
Richard L. Reynolds

/s/ Jim P. Artman
Jim P. Artman

/s/ William E. Remy
William E. Remy

/s/ Herbert Kuhlman
Herbert Kuhlman

Trustees

STATE OF OKLAHOMA)
) SS
COUNTY OF CLEVELAND)

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this _____ day of _____, 19 70, personally appeared Gordon Masters, to me known to be the person who executed the within and foregoing instruments and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

GIVEN UNDER MY HAND AND SEAL the day and year last above written.

_____
Notary Public

(SEAL)

My commission expires_____.

STATE OF OKLAHOMA)
) SS
COUNTY OF CLEVELAND)

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this _____ day of _____, 19 70, personally appeared Gordon Masters, Jim P. Artman, Joe W. Keeley, William E. Remy, Harold L. Heiple, Herbert Kuhlman and Richard L. Reynolds to me known to be the identical persons who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

GIVEN UNDER MY HAND AND SEAL the day and year last above written.

_____
Notary Public

(SEAL)

My commission expires_____.

ACCEPTANCE

KNOW ALL MEN BY THESE PRESENTS:

That the Commission of the City of Norman, Oklahoma, a municipal corporation, hereby accepts the beneficial interest in the Trust created by the within and foregoing Trust Indenture, for and on behalf of said beneficiary in all respects in accordance with the terms of said Trust Indenture.

WITNESS my hand as Mayor of the City of Norman, Oklahoma, attested by the City Clerk of the City of Norman, Oklahoma, pursuant to direction of said Commission of said City, this 31st day of March, 1970.

Mayor

ATTEST:

City Clerk

AMENDED AND RESTATED
TRUST INDENTURE

FILED
JUN 15 2000
OKLAHOMA SECRETARY
OF STATE

KNOW ALL MEN BY THESE PRESENTS:

THIS AMENDED AND RESTATED TRUST INDENTURE ("Trust Indenture"), dated as of the 28th day of April, 2000, by and among the City Council of the City of Norman and the Trustees of Norman Regional Hospital Authority ("Trustees"), hereby amends and restates in its entirety the original Trust Indenture dated as of the 15th day of December, 1969, forming and creating Norman Regional Hospital Authority (referenced herein as the "Trust"), as set forth below:

W I T N E S S E T H :

That in consideration of the payment by the original Trustor, Ronald Shuman, to the Trustees of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, the mutual covenants herein set forth, and other valuable considerations, the said Trustees agree to hold, manage, invest, assign, convey, lease and distribute as herein provided, authorized and directed, such property as Trustor, or others, may from time to time assign, transfer, lease, convey, give, bequeath, devise or deliver unto this Trust or the Trustees hereof.

TO HAVE AND TO HOLD such property and the proceeds, returns, rents, profits and increases thereof unto said Trustees and said Trustees' successors and assigns, but nevertheless in trust, for the use and benefit of the City of Norman, Oklahoma, hereby designated as Beneficiary of this Trust and hereinafter referred to as Beneficiary, and upon the following trusts, terms and conditions herein stated.

ARTICLE I

CREATION OF TRUST

The Trust is created and established for the use and benefit of the Beneficiary, for the public purposes and functions hereinafter set forth, under the provisions of Title 60, Oklahoma Statutes 1991, Section 176 *et seq.*, the Oklahoma Trust Act and other applicable statutes and laws of the State of Oklahoma.

ARTICLE II

NAME

The name of this Trust shall be "Norman Regional Hospital Authority", hereinafter referred to as Trust. The Trustees shall conduct all business and execute or authorize the execution of all instruments and otherwise perform the duties and functions required in the execution of this Trust.

ARTICLE III

PURPOSES

The purposes of this Trust are:

(1) To plan, establish, develop, construct, enlarge, remodel, improve, make alterations, extend, maintain, equip, operate, lease, furnish and regulate hospitals, extended care facilities, clinics, community mental health centers, geriatrics facilities and related facilities, including, but not limited to, laboratories, out-patient departments and facilities, nurses' homes, central service facilities and training facilities, operated in connection with hospitals, extended care facilities, clinics, community mental health centers, geriatrics facilities, and related facilities including the construction, installation, equipment and maintenance of facilities for the treatment of those persons needing surgical or medical care, and also including facilities for staff, which are or shall be of public use; to acquire, construct, purchase, install, equip, maintain, repair, enlarge, remodel and operate buildings and other facilities for use by the United States of America, the State of Oklahoma or any municipality or political subdivision of the State of Oklahoma, including the Beneficiary, or for use by authorities or agencies of the same.

(2) To hold, maintain and administer any leasehold rights in and to physical properties demised to the Beneficiary and to comply with the terms and conditions of any such lease.

(3) To acquire by lease, purchase or otherwise, and to plan, establish, develop, construct, enlarge, improve, extend, remodel, maintain, equip, operate, furnish, regulate and administer any and all physical properties (real, personal or mixed), rights, privileges, immunities, benefits and any other things of value, designated or needful for utilization in furnishing and providing of services in connection with the types of facilities and services set forth in Paragraph (1) above; to finance and refinance and to enter into contracts of purchase, lease-purchase or other interest in or operation and maintenance of such properties, and revenue thereof, and to comply with the terms and conditions of any such contracts, leases or other contracts made in connection with the acquisition, equipping, maintenance and disposal of any of said properties; and to relinquish, dispose of, rent or otherwise make provisions for properties owned or controlled by the Trust but no longer needful for trust purposes.

(4) To transact business anywhere in the State of Oklahoma to the extent it benefits the citizens of the Beneficiary.

(5) To provide funds for the cost of financing, refinancing, acquiring, constructing, purchasing, equipping, maintaining, leasing, repairing, improving, extending, enlarging, remodeling, holding, storing, operating and administering any or all aforesaid hospitals, buildings, facilities, and all properties (real, personal or mixed) needful for executing and fulfilling the Trust purposes as set forth in this instrument and all other charges, costs, and expenses necessarily incurred in connection therewith and in so doing, to incur indebtedness, either unsecured or secured by all or any part of the Trust Estate and its revenues.

(6) To expend all funds coming into the hands of the Trustees as revenue or otherwise for the payment of any indebtedness incurred by the Trustees for purposes specified herein, and in the payment of the aforesaid costs and expenses, and in payment of any other obligation properly chargeable against the Trust Estate, and to distribute the residue and remainder of such funds to the Beneficiary municipality upon termination of the Trust pursuant to Article IX.

ARTICLE IV

DURATION OF TRUST

This Trust shall continue in existence until it shall be terminated as hereinafter provided.

ARTICLE V

THE TRUST ESTATE

The Trust Estate shall consist of:

(1) The funds and property presently in the hands of the Trustees or to be acquired or constructed by Trustees and dedicated by the Trustor and others to be used for trust purposes.

(2) Any and all leasehold rights remised to the Trustees by the Beneficiary as authorized and empowered by law.

(3) Any and all money, property (real, personal or mixed), rights, choses in action, contracts, leases, privileges, immunities, licenses, franchises, benefits, and all other things of value coming into the possession of the Trustees pursuant to the provisions of this Trust Indenture.

The instruments executed for each project, and such issuance of Trustees' bonds and other indebtedness, shall set out the specific property of the Trust Estate exclusively pledged and mortgaged for the payment of such indebtedness.

ARTICLE VI

THE TRUSTEES

(1) The voting Trustees of this Trust shall be nine (9) in number, each of whom shall be appointed by the Mayor with the approval of the City Council of the City of Norman, Oklahoma. The names and terms of the current appointed Trustees are:

Name	Term Expires
Rev. G. Hugh Wilson, Ph.D.	December 2000
Don Sickles	December 2000
Richard Harkness, M.D.	December 2000
Andrea M. West, R.N., Ph.D.	December 2001
Janie Powell	December 2001
Rainey Powell	December 2001
Joseph L. Thacker	December 2002
Jequita H. Napoli	December 2002
William C. McCurdy, M.D.	December 2002

After completion of the terms set forth above, the terms of office shall be staggered three (3) year terms and each Trustee shall serve until his/her successor is approved and qualified. Upon the end of such Trustee's term, or upon such Trustee vacating his or her office, the Mayor of the City of Norman, with the approval of the City Council, shall appoint a Trustee to fill the vacancy. A vacancy shall be deemed to exist in the case of death, disability, resignation or removal of any Trustee. Any position of Trustee filled by the appointment of a successor upon completion of a Trustee's term shall be for a term equal to the term of office of the Trustee whose term has expired. The remaining Trustees may submit a list of proposed names to the Mayor for the successor Trustee, who shall be appointed by the Mayor with the approval of the City Council. The vacant position of a Trustee filled shall be for the remainder of the vacating Trustee's unexpired term. A Trustee may be reappointed to succeed himself/herself. Any Trustee appointed by the Mayor with the approval of the City Council may be removed for cause, under applicable law. The current Chief of Staff and the Chief of Staff Elect of Norman Regional Hospital, the Chief Executive Officer of the Trust and the City Manager of the Beneficiary may be ex-officio members of the Board of Trustees of the Trust, but shall have no vote. All Trustees shall serve without compensation but shall be reimbursed for actual expenses incurred in the performance of their duties hereunder.

(2) A quorum of the Board of Trustees shall consist of a minimum of five (5) Trustees. The affirmative vote of at least six (6) Trustees shall be required for the approval of any amendments to this Trust Indenture or any Bylaws of the Board of Trustees. On all other matters, the following number of affirmative votes shall be required for the approval of any action based upon the number of Trustees present:

Number of Trustees Present	Affirmative Votes Required
9	5
8	5
7	4
6	4
5	4

(3) The Trustees may appoint a Chair of the Trustees who shall preside at all meetings and perform other duties designated by the Trustees. The Trustees shall designate the time and place of all regular meetings.

(4) The Trustees may appoint a Vice Chair/Secretary who shall act in the place of the Chair during his or her absence, keep minutes of all meetings of the Trustees and maintain complete and accurate records of all their financial transactions, all such minutes, books and records to be on file in the office of the Trust. The Trustees may appoint one or more Assistant Secretaries to perform such duties as may be assigned to such officers at any time and from time to time by the Trustees.

(5) The Trustees shall appoint a Chief Executive Officer of the Trust (whether designated as President, Administrator, or otherwise). The Chief Executive Officer shall act as general manager for the Trust Estate and may cause the Trust to employ such other clerical, professional, legal and technical assistance as may be deemed necessary in the discretion of the Trustees to properly operate the business of the Trust Estate, and may either directly or through his or her designees, fix their duties, terms of employment and compensation. The Chief Executive Officer of the Trust shall administer the business of the Trust Estate as directed from time to time by the Trustees. The Chief Executive Officer of the Trust may be an ex-officio member of the Board of Trustees, but shall have no vote.

(6) Bonds or other evidences of indebtedness to be issued by the Trustees shall not constitute an indebtedness of the State of Oklahoma, nor of the Beneficiary, nor personal obligations of the Trustees of the Trust, but shall constitute obligations of the Trust payable solely from the Trust Estate.

(7) The Trustees, the State of Oklahoma, and the Beneficiary hereof shall not be charged personally with any liability whatsoever by reason of any act or omission committed or suffered in the performance of such Trust or in the operation of the Trust Estate; but any act or liability for any omission or obligation of the Trustees in the execution of such Trust, or in the operation of the Trust Estate, shall extend to the whole of the Trust Estate or so much thereof as may be necessary to discharge such liability or obligation, and not otherwise.

(8) Notwithstanding any other provision of this Trust Indenture which shall appear to provide otherwise, no Trustee or Trustees shall have the power or authority to bind or obligate any

other Trustee, or the Beneficiary, in his or its capacity, nor can the Beneficiary bind or obligate the Trust or any individual Trustee.

ARTICLE VII

POWERS AND DUTIES OF THE TRUSTEES

To accomplish the purposes of the Trust, and subject to the provisions and limitations otherwise provided in this Trust Indenture, the Trustees shall have, in addition to the usual powers incident to their office and the powers granted to them in other parts of this Trust Indenture, the authority to do, or cause to be done, all things which are incidental, necessary, proper or convenient to carry fully into effect the purposes enumerated in Article III of this Trust Indenture, with the general authority hereby given being intended to make fully effective the power of the Trustees under this Trust Indenture; and, to effectuate said purposes, the Trustees are specifically authorized (but their general powers are not limited thereby) with the following rights, powers, duties, authority, discretion and privileges, all of which may be exercised by them without any order or authority from any court:

(1) To finance, acquire, establish, develop, construct, enlarge, improve, extend, maintain, equip, operate, lease, furnish, provide, supply, regulate, hold, store and administer any of the facilities designated pursuant to Paragraph (1) of Article III hereof as the Trustees shall determine necessary for the benefit and development of the Beneficiary.

(2) To enter into contracts for the acquisition and construction of property, buildings and facilities authorized to be acquired and constructed pursuant to the terms of this Trust Indenture.

(3) To employ such architectural and engineering firm or firms as the Trustees deem necessary to prepare such preliminary and detailed studies plans, specifications, cost estimates and feasibility reports as are required in the opinion of the Trustees. The cost of such engineering and architectural work shall be paid out of the proceeds of the sale of bonds or from such other funds as may be available therefor.

(4) To enter into contracts for the sale of bonds, notes or other evidences of indebtedness or obligations of the Trust for the purpose of acquiring, equipping or constructing property, buildings, improvements and facilities authorized to be acquired or constructed pursuant to the terms of this Trust Indenture and for that purpose may:

> (a) Employ a financial advisor, or committee of advisors, to advise and assist the Trustees in the marketing of such bonds, notes or other evidences of indebtedness or obligations, and to present financial plans for the financing of the acquisition or construction of each project, and to recommend to, or consult with, the Trustees concerning the terms and provisions of bond

indentures and bond issues, and may pay appropriate compensation for such work and services performed in the furtherance of the project.

(b) Sell all bonds, notes or other evidences of indebtedness or obligations of the Trust in whole or in installments or series and on such terms and conditions and in such manner as the Trustees shall deem to be in the best interest of the Trust Estate; and

(c) Appoint, select and compensate attorneys, underwriters, paying agencies and corporate trustees in connection with the issuance of any such bonds, notes, evidences of indebtedness or other obligations of the Trust.

(d) To purchase or redeem said bonds, notes or other evidences of indebtedness in whole or in part prior to the stated maturity thereof as may be stated in any instrument authorizing such issuance or securing the payment of any such indebtedness.

(5) To enter into and execute, purchase, lease or otherwise acquire property (real, personal or mixed), contracts, leases, rights, privileges, benefits, choses in action, or other things of value and to pay for the same in cash, with bonds or other evidences of indebtedness or otherwise.

(6) To make and change investments, to convert real into personal property, and vice versa, to lease, improve, exchange or sell, at public or private sale, upon such terms as they deem proper, and to resell, at any time and as often as they deem advisable, any or all the property in the Trust, real and personal; to borrow money, or renew loans to the Trust, to refund outstanding bonded indebtedness and to execute therefor notes, bonds or other evidences of indebtedness, and to secure the same by mortgage, lien, pledge or otherwise; to purchase property from any person, firm or corporation, and lease land and other property to and from the Beneficiary and construct, improve, repair, extend, remodel and equip buildings and facilities thereon and to operate or lease or rent the same to individuals, partnerships, associations, limited liability companies, corporations and others, including the United States of America, or the State of Oklahoma and agencies or authorities of the United States of America, or of the State of Oklahoma, or of any municipality thereof, and also including all municipal or other political subdivisions of the State of Oklahoma as well as the Beneficiary hereof, and to do all things provided for in Article III of this Trust Indenture, and procure funds necessary for such purpose by the sale of bonds or other evidences of indebtedness by a mortgage, lien, pledge or other encumbrance or otherwise of such real and personal property, buildings and facilities owned or otherwise acquired, leased or controlled by Trustees, and by rentals, income, receipts and profits therefrom, or from any other revenues associated with the ownership, operation or control of the property of the Trust; to lease or sublease any property of the Trust Estate or of which the Trustees may become the owners or lessees.

(7) To fix, demand and collect charges, rentals and fees for the property, buildings and facilities of the Trust; to discontinue furnishing of properties, buildings and facilities to any person,

firm or corporation, or public instrumentality, delinquent in the payment of any indebtedness to the Trust; to purchase and sell such supplies, goods and commodities as are incident to the operation of its properties.

(8) To make and perform contracts of every kind, including management contracts, with any person, firm, corporation, limited liability company, association, trusteeship, municipality, government or sovereignty; and without limit as to amount to draw, make, accept, endorse, assume, guarantee, account, execute and issue promissory notes, drafts, bills of exchange, acceptances, warranties, bonds, debentures, and other negotiable or non-negotiable instruments, obligations and evidences of unsecured indebtedness, or of indebtedness secured by mortgage, deed of trust or otherwise upon any or all income of the Trust, in the same manner and to the same extent as a natural person might or could do. To collect and receive any property, money, rents, or income of any sort and distribute the same or any portion thereof for the furtherance of the authorized Trust purposes set out herein.

(9) To do all other acts in their judgment necessary or desirable for the proper and advantageous management, investment, and distribution of the Trust Estate and income therefrom.

(10) To have and exercise exclusive management and control of the properties of the Trust Estate for the use and benefit of the Beneficiary. The whole title, legal and equitable, to the properties of the Trust Estate is and shall be vested in the Trustees.

(11) To contract for the furnishing of any services or the performance of any duties that they may deem necessary, or proper, and pay for the same as they see fit.

(12) To select depositories for the funds and securities of this Trust.

(13) To compromise any debts or claims of or against the Trust Estate, and adjust any dispute in relation to such debts or claims by arbitration or otherwise and pay any debts or claims against the Trust Estate upon any evidence deemed by the Trustees to be sufficient. The Trustees may bring any suit or action, which in their judgment is necessary or proper to protect interest of the Trust Estate, or to enforce any claim, demand or contract for the Trust; and they shall defend, in their discretion, any suit against the Trust, or the Trustees or employees, agents or servants thereof. They may compromise and settle any suit or action, and discharge the same out of assets of the Trust Estate, together with court costs and attorneys' fees. All such expenditures shall be treated as expenses of executing this Trust.

(14) No purchaser at any sale or lessee under a lease made by the Trustees shall be bound to inquire into the expediency, propriety, validity or necessity of such sale or lease or to see to or be liable for the application of the purchase or rental moneys arising therefrom.

(15) To adopt, amend and repeal rules and regulations, policies and procedures for the regulation of its affairs and the conduct of its business.

(16) To exercise all other powers and functions necessary or appropriate to carry out the duties and purposes of the Trust in behalf of and for the benefit of the Beneficiary, to the extent and in such manner as now is or hereafter shall be a proper function of the Trust and of the Beneficiary.

ARTICLE VIII

BENEFICIARY OF TRUST

(1) The Beneficiary of this Trust shall be the Beneficiary, under and pursuant to Title 60, Oklahoma Statutes 1991, Section 176 *et seq.*, as amended and supplemented, and other statutes of the State of Oklahoma presently in force and effect. Except as otherwise provided herein, this Trust Indenture shall not be subject to revocation, alteration, amendment, revision, modification or termination from and after the date any indebtedness is incurred by the Trustees.

(2) The Beneficiary shall have no legal title, claim or right to the Trust Estate, its income, or to any part thereof or to demand or require any partition or distribution thereof. Neither shall the Beneficiary have any authority, power or right, whatsoever, to do or transact any business for, or on behalf of, or binding upon the Trustees or upon the Trust Estate, nor the right to control or direct the actions of the Trustees pertaining to the Trust Estate, or any part thereof. The Beneficiary shall be entitled solely to the benefits of this trust, as administered by the Trustees hereunder, and at the termination of the Trust, as provided herein, and then only, the Beneficiary shall receive the residue of the Trust Estate.

ARTICLE IX

TERMINATION OF TRUST

This Trust shall terminate -

(1) When the purposes set out in Article III of this instrument shall have been fully executed; or

(2) In the manner provided by Title 60, Oklahoma Statutes 1991, Section 180; provided, however, that this Trust shall not be terminated by voluntary action if there be outstanding indebtedness or fixed term obligations of the Trustees, unless all owners of such indebtedness or obligations shall have consented in writing to such termination.

Upon the termination of this Trust, the Trustees shall proceed to wind up the affairs of this Trust, and after payment of all debts, expenses and obligations out of the moneys and properties of the Trust Estate to the extent thereof, shall distribute the residue of the money and properties of the Trust Estate to the Beneficiary hereunder. Upon final distribution, the powers, duties and authority of the Trustees hereunder shall cease.

ARTICLE X

AMENDMENT OF TRUST INDENTURE

This Amended and Restated Trust Indenture has been duly approved by the Trustees and by the Beneficiary. In addition, due to the death of the original Trustor, the ability of the Trustees and Beneficiary to approve the Amended and Restated Trust Indenture was confirmed by the Order of the District Court of Cleveland County, Oklahoma dated April 28, 2000, in Case No. CJ-2000-446-L. This Amended and Restated Trust Indenture may be amended without the approval of the Trustor by approval of two-thirds (2/3rds) of the Trustees and approval of the Beneficiary so long as no outstanding indebtedness is secured by the Trust Estate. If there is any such outstanding indebtedness, such amendment shall be approved by the holders of such indebtedness or any Trustee for the holders of any outstanding bonds or notes. The Trustee for the holders of any such bonds or notes may conclusively rely on the opinion of an attorney for the Trust that any such amendment shall not materially adversely affect the security for such bonds or notes or the ability of the holders to receive timely payment thereon.

ARTICLE XI

ACCEPTANCE OF TRUST

The Trustees accept the Trust herein created and provided for, and agree to carry out the provisions of this Trust Indenture on their part to be performed.

IN WITNESS WHEREOF, the Trustor and the Trustees of the Trust have executed this document as of the date and year first above mentioned.

TRUSTEES:

Joseph L. Thacker

Jequita H. Napoli

Jamie Powell

Rainey Powell

Don Sickles

Richard Harkness, M.D.

Andrea M. West, R.N., Ph.D.

Rev. G. Hugh Wilson, Ph.D.

William C. McCurdy, M.D.

STATE OF OKLAHOMA)
) SS
COUNTY OF CLEVELAND)

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this 10th day of May, 2000, personally appeared Joseph L. Thacker, Jequita H. Napoli, Janie Powell, Rainey Powell, Don Sickles, Richard Harkness, M.D., Andrea M. West, R.N., Ph.D., Rev. G. Hugh Wilson, Ph.D., William C. McCurdy, M.D., to me known to be the identical persons who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

GIVEN UNDER MY HAND AND SEAL the day and year last above written.

Notary Public

My Commission expires:

04-27-01

(SEAL)

OFFICIAL SEAL
Betty S. Bredy
Notary Public ❁ Oklahoma
Cleveland County
My Commission Expires Apr. 27, 2001

ACCEPTANCE OF BENEFICIAL INTEREST (AMENDED AND RESTATED TRUST)
BY CITY OF NORMAN

KNOW ALL MEN BY THESE PRESENTS:

That the City of Norman, Oklahoma, a municipal corporation, hereby approves in all respects the within and foregoing Amended and Restated Trust Indenture, and hereby confirms its acceptance of the beneficial interest in the Trust for and on behalf of said Beneficiary and in all respects in accordance with the terms of said Amended and Restated Trust Indenture.

WITNESS, my hand as Mayor of the City of Norman, Oklahoma, attested by the City Clerk of the City of Norman, Cleveland County, Oklahoma, pursuant to the direction of the Norman City Council, this 13th day of June, 2000.

Bob Thompson, Mayor

ATTEST:

Mary Hatley, City Clerk

OFFICE OF THE SECRETARY OF STATE

STATE OF OKLAHOMA

FILED

JUN 15 2000

OKLAHOMA SECRETARY
OF STATE

CERTIFICATE

I, THE UNDERSIGNED, SECRETARY OF STATE OF THE STATE OF OKLAHOMA, DO HEREBY CERTIFY: That I am by the laws of said State, the custodian of the records of the State of Oklahoma relating to written instruments creating public trusts, and am the proper officer to execute this certificate.

I FURTHER CERTIFY that pursuant to Title 60, Oklahoma Statutes, 1991, Section 180.2(d), on the 15 day of June, 2000, a certified copy of the Amended and Restated Trust Indenture dated as of the 28th day of April, 2000, for the Norman Regional Hospital Authority was filed in my office.

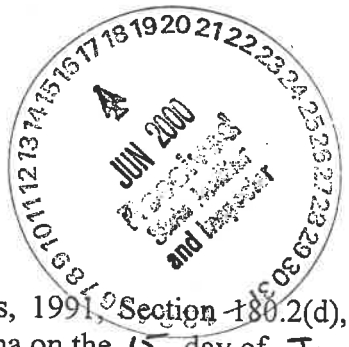
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Oklahoma at the City of Oklahoma City this 15 day of June, 2000.

SECRETARY OF STATE
STATE OF OKLAHOMA

By: Darlene Adams

ADDRESS OF TRUST:

Norman Regional Hospital Authority
c/o Norman Regional Hospital
901 North Porter
Norman, Oklahoma 73071



NOTICE OF FILING

TO: STATE AUDITOR AND INSPECTOR
OF THE STATE OF OKLAHOMA

Pursuant to the requirements of Title 60, Oklahoma Statutes, 1991, Section 180.2(d), there has been filed with the Secretary of State of the State of Oklahoma on the 15 day of June _____, 2000, a certified copy of the Amended and Restated Trust Indenture of the Norman Regional Hospital Authority, an Oklahoma public trust, dated as of April 28, 2000.

BY CROWE & DUNLEVY
A PROFESSIONAL CORPORATION

By: Carol S. Rieger

ADDRESS OF TRUST:

Norman Regional Hospital Authority
c/o Norman Regional Hospital
901 North Porter
Norman, Oklahoma 73071

FILED - Oklahoma Secretary of State #12200125 01/28/2026

01/28/2026 08:49 AM
OKLAHOMA SECRETARY OF STATE
SOS
74746070002

FIRST AMENDMENT TO AMENDED AND RESTATED TRUST INDENTURE OF NORMAN REGIONAL HOSPITAL AUTHORITY

KNOW ALL MEN BY THESE PRESENTS:

THIS FIRST AMENDMENT TO THE AMENDED AND RESTATED TRUST INDENTURE, dated as of the 24th day of November, 2025, is entered into by and among those individuals presently acting as Trustees of Norman Regional Hospital Authority (the "Trust").

W I T N E S S E T H :

The Trust currently operates pursuant to its Amended and Restated Trust Indenture dated as of April 28th, 2000 (the "Trust Indenture"), which document is filed of record with the Oklahoma Secretary of State.

The City of Norman, Oklahoma is the sole beneficiary of the Trust, and has the authority to select the Trustees of the Trust pursuant to nomination by the Mayor and confirmation by the Norman City Council.

On May 24, 2022, the City of Norman Code was amended to change the number and qualifications applicable to Trustees of the Trust.

That, in consideration of the mutual covenants herein set forth, and other valuable considerations, the Trustees acknowledge certain changes are required to the Trust Indenture of the Trust in order to make the process for selection of Trustees consistent with the City of Norman Code, and hereby declare that Article IV, paragraphs 1 and 2 of said Trust Indenture are hereby amended in their entirety to read as follows:

ARTICLE IV

THE TRUSTEES

"1. The Mayor, with the approval of the City Councilmembers, shall appoint a Board of Trustees of the Trust consisting of eleven registered voters who shall serve for a term of three years. At least nine of the Board members shall be Norman residents. A maximum of two members of the Board may be appointed from other communities in which the Trust operates at least one facility. The names and terms of the current appointed Trustees are as follows:

NAME	TERM EXPIRES
Joan Kemmet Greenleaf	10/31/28
Jerome Charles Weber	10/31/28
Paula Roberts	10/31/28

RECEIVED
JAN 28 2026
OKLAHOMA SECRETARY OF STATE

NAME	TERM EXPIRES
Kevin Pipes	10/31/26
David Nimmo	10/31/26
Andy Sherrer	10/31/26
Kelley Lobb, MD	10/31/27
Muhammad Anwar, MD	10/31/27
Mary Womack	10/31/27
Lacy Anderson	10/31/28
Danny Hale	10/31/28

The terms of Lacy Anderson and Danny Hale shall commence concurrent with the execution of the Acceptance below by the City of Norman.

Upon the end of a Trustee's term, or upon such Trustee vacating his or her office, the Mayor of the City of Norman, with the approval of the City Council, shall appoint a Trustee to fill the vacancy. A vacancy shall be deemed to exist in the case of death, disability, resignation or removal of any Trustee. Any position of Trustee filled by the appointment of a successor upon completion of a Trustee's term shall be for a term equal to the term of office of the Trustee whose term has expired. The remaining Trustees may submit a list of proposed names to the Mayor for the successor Trustee, who shall be appointed by the Mayor with the approval of the City Council. The vacant position of a Trustee filled shall be for the remainder of the vacating Trustee's unexpired term. A Trustee may be reappointed to succeed himself/herself. The current Chief of Staff and the Chief of Staff Elect of the Trust's Medical Staff, the Chief Executive Officer of the Trust and the City Manager of the Beneficiary shall be ex-officio members of the Board of Trustees of the Trust, but shall have no vote.

(2) A quorum of the Board of Trustees shall consist of at least a majority of the then-existing Trustees. The affirmative vote of a majority of Trustees shall be required for the approval of any amendments to this Trust Indenture or any Bylaws of the Board of Trustees. On all other matters, the following number of affirmative votes shall be required for the approval of any action based upon the number of Trustees present:

Number of Trustees Present	Affirmative Votes Required
11	6
10	6
9	5
8	5
7	4
6	4

(Signatures on next page)

IN WITNESS WHEREOF, the Trustees have hereunto set their hand on the day and year indicated.

Joan Kemmet Greenleaf, Trustee

Jerome Charles Weber, Trustee

Paula Roberts, Trustee

Kevin Pipes, Trustee

David Nimmo, Trustee

Andy Sherrer, Trustee

Kelley Cobb, MD, Trustee

Mohammad Anwar, MD, Trustee

Mary Womack, Trustee

STATE OF OKLAHOMA)
) SS
COUNTY OF CLEVELAND)

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on the 24th day of November, 2025 personally appeared Joan Kemmet Greenleaf, Jerome Charles Weber, Paula Roberts, Kevin Pipes, David Nimmo, Andy Sherrer, Kelley Lobb, MD, Muhammad Anwar, MD and Mary Womack to me known to be the persons who executed the within and foregoing First Amendment to Trust Indenture as Trustees and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

GIVEN UNDER MY HAND AND SEAL the day and year first above written.

Claudia Todd
Notary public

CLAUDIA TODD NOTARY PUBLIC IN AND FOR STATE OF OKLAHOMA #19000728 Exp. January 21, 2027

My commission expires 01-21-27

ACCEPTANCE

KNOW ALL MEN BY THESE PRESENTS:

That the City Council of Norman, Oklahoma, hereby accepts the beneficial interest in the Norman Regional Hospital Authority, a public trust existing pursuant to the Amended and Restated Trust Indenture dated as of April 28, 2020, as amended by the foregoing First Amendment to Trust Indenture, for and on behalf of the City of Norman, Oklahoma, as beneficiary in all respects in accordance with the terms of said Trust Indenture as amended and by such acceptance ratifies, confirms, accepts and appoints the individuals set out in Article IV of said Trust to act as Trustees of the Trust for the terms as specified therein.

WITNESS my hand as the Mayor of the City of Norman, Oklahoma, attested by the Norman City Clerk this 9th day of December, 2025.

CITY OF NORMAN, OKLAHOMA

Stephen Tyler Holman, Mayor

(SEAL) CITY OF NORMAN CORPORATE SEAL OKLAHOMA

ATTEST:

City Clerk

Resolution

R-0607-15

A RESOLUTION ACCEPTING BENEFICIAL INTEREST IN THE TRUST CREATED BY A TRUST INDENTURE CREATING THE NORMAN TAX INCREMENT FINANCE AUTHORITY FOR AND ON BEHALF OF THE CITY OF NORMAN, OKLAHOMA, IN ALL RESPECTS IN ACCORDANCE WITH THE TERMS OF SAID TRUST INDENTURE.

§ 1. WHEREAS, The City of Norman (the "City") adopted Ordinance No. O-0102-28, effective December 18, 2001, approving the Campus Corner Revitalization Project Plan and establishing Tax Increment District Number One, City of Norman ("TIF District No.1"); and

§ 2. WHEREAS, the City adopted Ordinance No. O-0506-66, effective May 23, 2006, approving the Norman University North Park Tax Increment Financing District Project Plan and establishing Increment District Number Two, City of Norman ("TIF District No. 2"); and

§ 3. WHEREAS, the City Council of the City deems it to be within the best interest of the citizens of Norman for funds generated by Tax Increment Financing Districts within the City be administered through a separate Municipal Public Trust to better provide for transparency and accountability for the use of those funds; and

§ 4. WHEREAS, Mayor of the City is an appropriate person, under Oklahoma Public Trust Statutes, to act as Trustor on behalf of the citizens of Norman in the creation of said Public Trust; and

§ 5. WHEREAS, the Mayor and City Council of the City are appropriate persons, under Oklahoma Public Trust Statutes, to act as Trustees on behalf of the newly created Public Trust.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 6. The Trust Indenture by and among Harold Haralson, as Trustor, and Harold Haralson, Rachel Butler, Doug Cubberley, David Hopper, Dan Quinn, Cindy Rosenthal, Jim Stanley, Richard Stawicki, and Bob Thompson, as Trustees, to be dated as of the 11th day of July, 2006, creating the Norman Tax Increment Finance Authority (the "Authority"), a copy of which is to be filed in the office of the County Clerk of Cleveland County, Oklahoma, is hereby approved and the City Council of the City hereby accepts the beneficial interest in the Trust created therein for and on behalf of The City of Norman, Oklahoma. The Mayor or Mayor Pro Tem and City Clerk or Deputy City Clerk are authorized to execute a certificate to evidence said acceptance of beneficial interest.

§ 7. Severability. If any section, subsection, sentence, clause, phrase or portion of this resolution is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this resolution.

PASSED AND ADOPTED this 11th day of July, 2006.

Harold Haralson
Mayor

ATTEST:

City Clerk

CERTIFICATE
OF
CITY COUNCIL ACTION

I, the undersigned, hereby certify that I am the duly qualified and acting City Clerk of The City of Norman, Oklahoma.

I further certify that the City Council of The City of Norman, Oklahoma, held a Regular Meeting at 6:30 o'clock p.m., on July 11, 2006, in the Council Chambers, 201 West Gray in Norman, Oklahoma, after due notice was given in full compliance with the Oklahoma Open Meeting Act.

I further certify that attached hereto is a full and complete copy of Resolution R-0607-15 that was passed and adopted by said City Council at said meeting as the same appears in the official records of my office and that said Resolution is currently in effect and has not been repealed or amended as of this date.

I further certify that below is listed those Council Members present and absent at said meeting; those making and seconding the motion that said Resolution be passed and adopted; and those voting for and against such motion:

PRESENT:	Councilmembers Butler, Cubberley, Hopper, Quinn, Stanley, Stawicki, Thompson, Mayor Haralson
ABSENT:	Councilmember Rosenthal
MOTION MADE BY:	Councilmember Stawicki
MOTION SECONDED BY:	Councilmember Cubberley
AYE:	Councilmembers Butler, Cubberley, Hopper, Quinn, Stawicki, Mayor Haralson
NAY:	Councilmembers Stanley and Thompson

WITNESS MY HAND THIS 11TH DAY OF JULY, 2006.

THE CITY OF NORMAN, OKLAHOMA

City Clerk

TRUST INDENTURE
CREATING THE
NORMAN TAX INCREMENT FINANCE AUTHORITY

KNOW ALL MEN BY THESE PRESENTS:

This Trust Indenture dated as of the 11th day of July, 2006, by Harold Haralson, hereinafter referred to as the Trustor, and Harold Haralson, Rachel Butler, Doug Cubberley, David Hopper, Dan Quinn, Cindy Rosenthal, Jim Stanley, Richard Stawicki, and Bob Thompson, and their respective successors as provided herein, to be known as the Trustees of the Norman Tax Increment Finance Authority, who shall be and are hereinafter referred to as Trustees of the said Authority, hereinafter referred to as "Authority" or "Trust", hereby creates and establishes a public trust for the use and benefit of The City of Norman, Oklahoma (referred to herein as the "City" and the "Beneficiary") pursuant to the terms of Title 60, Okla. Stats. 2001, Sections 176 *et seq.* and prescribes the terms thereof as follows:

NOW, THEREFORE, in consideration of the payment by the Trustor to the Trustees of the sum of Ten Dollars ($10.00), receipt of which is hereby acknowledged, the mutual covenants herein set forth, and other valuable considerations, the said Trustees agree to hold, manage, invest, assign, convey and distribute as herein provided, authorized and directed, such property as Trustor, or others may heretofore or from time to time hereafter assign, transfer, lease, convey, give, bequeath, devise or deliver unto this Trust or the Trustees hereof.

TO HAVE AND HOLD such property and the proceeds, rents, profits, and increases thereon unto said Trustees and said Trustees' successors and assigns, but nevertheless in trust, for the use and benefit of The City of Norman, State of Oklahoma, such City being hereby designated and hereinafter referred to as "Beneficiary" and upon the trusts, terms and conditions hereinafter stated.

ARTICLE I
Creation of Trust

The undersigned Trustor recreates, creates and establishes a Trust for the use and benefit of the Beneficiary for the public purposes hereinafter set forth, under the provisions of Title 60, Oklahoma Statutes 2001, Sections 176 to 180.4, inclusive, as amended and supplemented, the Oklahoma Trust Act and other applicable statutes and laws of the State of Oklahoma.

The undersigned Trustor hereby forever irrevocably conveys, relinquishes and assigns to the Trustees of the Authority any and all right, title and interest he may have in and under this Trust Indenture and the trust created hereunder, including, without limitation, the right to consent to and approve any further changes, amendments or supplements to this Trust Indenture.

ARTICLE II
Name and Effective Date of Trust

The Trustees of this Trust shall conduct all business and execute or authorize the execution of all instruments in the name of this Trust, which shall be the "Norman Tax Increment Finance Authority" and otherwise perform the duties and functions required in the execution of this Trust, and hereby authorize the Chairman or Vice Chairman and the Secretary or Assistant Secretary of the Trust to execute instruments on behalf of the Trust as directed by duly enacted resolutions of the Trust. This Trust Indenture shall be in full force and effect from and after the date of execution by the Trustees of the Trust and acceptance of the beneficial interest herein by the Beneficiary.

ARTICLE III
Definitions

"Act" shall mean the Oklahoma Public Trust Act, being Title 60, Oklahoma Statutes 2001, Sections 176 to 180.4, as amended and supplemented.

"Authority" shall mean the Norman Tax Increment Finance Authority created pursuant to this Trust Indenture, and the Trustees thereof, acting on behalf of and in the name of said Authority.

"Beneficiary" shall mean The City of Norman, State of Oklahoma, acting by and through its City Council.

"Bonds" or "Notes" shall mean respectively the bonds and notes of the Authority authorized to be issued under this Indenture.

"By-Laws" shall mean the By-Laws, if any, duly adopted by the Authority as the same may be amended from time to time.

"Governmental Agency" shall mean the United States of America and the State or any department, division, public corporation, public agency, political subdivision or other public instrumentality of either.

"Lending Institution" shall mean any bank or trust company, Federal National Mortgage Association, mortgage banker, mortgage company, national banking association, savings bank, savings and loan association and any other financial institution or Governmental Agency or person.

"Mortgage" shall mean a mortgage, mortgage deed, deed of trust, security agreement or other instrument creating a lien on a fee interest in real and/or personal property or a leasehold on such fee interest.

"Mortgage Loan" means an interest bearing obligation secured by a Mortgage.

"State" shall mean the State of Oklahoma.

"Trust Indenture" shall mean this Trust Indenture dated as of July 11, 2006. 26-4

"Trustees" shall mean the Trustees of the Authority.

ARTICLE IV
Purposes of Trust

The purposes of this Trust are:

(1) To assist the Beneficiary, the State of Oklahoma, its Governmental Agencies, and private entities, agencies and citizens in implementing provisions of the Local Development Act, Title 62, Oklahoma Statutes, Section 850, et. seq., (the "Local Development Act") which shall serve to implement and execute Section 6C of Article X of the Oklahoma Constitution as approved by the voters of the State of Oklahoma on November 6, 1990, as amended by the voters of the State of Oklahoma on November 2, 2004, and as may be further amended from time to time, by:

(a) Providing for the granting of incentives and exemptions from taxation within certain areas, placing restrictions thereon, and limiting the time period for the exemption, as authorized by the Local Development Act;

(b) Providing for apportionment of an increment of local taxes and fees, placing restrictions thereon, and limiting the time period for the apportionment, as authorized by the Local Development Act; and

(c) Providing for the planning, financing, and carrying out of development and redevelopment within certain areas, as authorized by the Local Development Act.

Nothing herein shall be construed in a manner contrary to or inconsistent with the provisions of said constitutional provision, and the Local Development Act.

(2) To assist the Beneficiary, the State of Oklahoma, Governmental Agencies, municipalities and private entities, agencies and citizens in making the most efficient use of all of their economic resources and powers in accord with the needs and benefit of the State of Oklahoma and the Beneficiary in order to lessen the burdens on government and to stimulate economic growth and development, specifically including, but not limited to, the power to conduct studies and prepare comprehensive plans relating to the future economic growth and development of the Beneficiary; to inventory the services, facilities and resources of the Beneficiary; to promote, stimulate, encourage and finance the growth and development of the utility, agricultural, commercial, health care and industrial resources of the Beneficiary, all in order to achieve maximum utilization of the Beneficiary's human, economic and natural resources and tourist attractions; to foster and promote an improved industrial climate within the Beneficiary and to otherwise promote its general economic welfare and prosperity and to finance any and all programs,

utilities, facilities or resources promoting or intending to promote any of the foregoing and, without restriction, in furtherance of the foregoing general objectives, the following specific powers or purposes, to wit:

(a) To promote and develop any and all utility and public works projects or facilities of any type or description including, but not limited to, those for water, sewer, electric, solid waste, natural gas or other public utilities of any type or description.

(b) To promote, develop and finance projects or facilities relating to agriculture, farming, ranching and agri-business of any sort or description including, but not limited to, any land or personal property related thereto, or projects relating to cattle, poultry, irrigation equipment and systems, or other agri-projects of any other sort or description.

(c) To promote, finance and develop commercial and industrial projects or facilities and to exercise all of the powers, privileges and prerogatives of industrial trusts within this State.

(d) To promote, finance and develop hospitals, ambulance services and other health care facilities and any other medically related facilities including, but not limited to, medical and/or dental, optometric, osteopathic or chiropractic clinics, offices, laboratories, nursing homes, research facilities, geriatric facilities, retirement facilities, central service facilities and training facilities, extended care facilities, facilities for aged and/or disabled persons, day care facilities for children and all other types of facilities for serving the medical and physical needs of people.

(e) To promote, finance and develop projects or facilities relating to the development of energy of any sort or description including, but not limited to those relating to the development of oil, gas, coal, gravel, lead, zinc or other minerals or hydro-carbons, the financing of oil and gas equipment, refineries, drilling and pumping rigs and equipment, or other energy development of any sort or description and synthetic fuel facilities.

(f) To promote, finance and develop projects, facilities, services and industries pertaining to the development or improvement of: individual, commuting, airport and mass transportation; transportation generally; trucking; handling and shipping of goods; railroads, railroad rights-of-way; railroad equipment or rolling stock construction, repair or maintenance facilities; air transportation; public or mass transportation systems, facilities and equipment, and the financing of automobiles, trucks and vehicles of every sort and description; and other methods and modes of transporting people, goods and equipment of whatsoever kind or character, within the boundaries of the Beneficiary and to provide additional employment or increase transportation efficiency which will benefit and strengthen the economy of the Beneficiary.

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(g) To promote, finance and develop recreational, sports, cultural, tourism, entertainment and communication media projects or facilities including, but not limited to, mass-media broadcasting facilities such as radio, television and cable television equipment and facilities.

(h) To plan, establish, develop, construct, finance, enlarge, remodel, acquire, improve, alter, extend, maintain, equip, operate, lease, furnish and regulate any facilities related to any of the foregoing and, if desired, to lease such facilities and to operate the same in connection therewith and to do, perform, own, acquire, construct or engage in or finance any other enterprise or activity, project or facility to such extent and in such manner as now is or may be considered a proper and lawful function of public trust entities within the State of Oklahoma.

(3) To promote the development of adequate housing within the territorial limits of the Beneficiary whether single family dwellings or multi-family dwellings:

(a) By making or committing to make or participating in the making of loans to non-profit sponsors of housing;

(b) By making or committing to make or participating in the making of loans to persons upon terms and conditions requiring such owners to use the proceeds of such loans to construct, acquire, rehabilitate or improve housing and such additional terms and conditions as may be set by the Authority;

(c) By participating in all Government Agency programs relating to housing and housing projects;

(d) By participating in housing programs of all kinds to assist in providing safe and sanitary housing to the residents of the Beneficiary and surrounding community.

(4) To provide funds and assistance for the purposes set out in this Indenture which include, among others:

(a) the expansion of the supply of funds in the Beneficiary available for new Mortgage Loans for housing; and

(b) the provision of the additional housing needed to remedy the shortage of such housing within the boundaries of the Beneficiary and to upgrade substandard housing within the boundaries of the Beneficiary so as to eliminate the existence of substandard dwellings.

(5) To hold, maintain and administer any leasehold rights in and to physical properties heretofore or hereafter demised to the Beneficiary or the Authority and to comply with the terms and conditions of any such lease.

(6) To acquire by lease, purchase, production, reduction to possession or otherwise, and to plan, establish, develop, construct, enlarge, improve, extend, maintain, equip, operate, furnish, provide, supply, regulate, hold, store and administer any and all physical properties (real, personal or mixed), rights, privileges, immunities, benefits and any other thing of value, designated or needful for utilization in furnishing, providing or supplying the aforementioned services, utilities, buildings and facilities; to finance and refinance and to enter into contracts of purchase, lease-purchase or other interest in or operation and maintenance of said properties, and revenues thereof, and to comply with the terms and conditions of any such contracts, leases or other contracts entered into in connection with the acquisition, equipping, maintenance and disposal of any of said property; and to relinquish, dispose of, rent or otherwise make provisions for properties owned or controlled by the Trust, but no longer needful for Trust purposes.

(7) To acquire, construct, reconstruct, extend, lease, purchase, install, equip, maintain, repair, enlarge, remodel and operate any property, improvements, buildings and other facilities of every nature for use by the State of Oklahoma, the United States of America, or the Beneficiary, or for use by authorities or agencies of the State of Oklahoma, the United States of America or the Beneficiary or for the use of corporations, individuals, partnerships, associations or proprietary companies for industrial development; to plan, establish, develop, construct and enlarge railroad and railway facilities, trucking, air transportation, public or mass transportation, and all phases of transportation relating to commerce; improve, extend, replace, reconstruct, repair, operate and maintain railroad rights-of-way, trucking, air transportation, public or mass transportation projects, and related facilities; maintain, equip, operate, lease, furnish, provide, supply, regulate, hold, store and administer property, buildings, improvements and facilities of every nature, within the territorial boundaries of the Beneficiary which may be useful in securing, developing and maintaining such facilities, functions or activities.

(8) To perform, on behalf of the Beneficiary, all functions, activities and powers authorized by industrial and economic development statutes as they from time to time exist.

(9) To provide funds for the cost of financing, refinancing, acquiring, constructing, purchasing, equipping, maintaining, leasing, repairing, improving, extending, enlarging, remodeling, holding, storing, operating and administering any or all aforesaid property, improvements, buildings, facilities and all properties (real, personal or mixed) necessary or desirable for executing and fulfilling the Trust purposes, as set forth in this instrument, and all other charges, costs and expenses necessarily incurred in connection therewith and in so doing, to incur indebtedness, either unsecured or secured by all or any part of the Trust Estate and its revenues.

(10) To expend all funds coming into the hands of the Trustees as revenue or otherwise for the payment of any indebtedness incurred by the Trustees for the purposes specified herein, and in the payment of the aforesaid costs and expenses, and in

payment of any other obligation properly chargeable against the Trust Estate, and to distribute the residue and remainder of such funds to the Beneficiary.

ARTICLE V
Duration of Trust

This Trust shall have duration for the term of duration of the Beneficiary and until such time as its purposes shall have been fully fulfilled and all indebtedness of the Authority is paid, or until it shall be terminated as hereinafter provided.

ARTICLE VI
The Trust Estate

The Trust Estate shall consist of:

(1) The funds and property presently in the hands of the Trustees or to be hereafter acquired or constructed by the Trustees and dedicated by the Trustor, the Beneficiary and others to be used for trust purposes.

(2) Any and all leasehold rights heretofore or hereafter remised to the Trustees by the Beneficiary, and others as authorized and empowered by law.

(3) Any and all money, property (real, personal or mixed), rights, choses in action, contracts, leases, privileges, immunities, licenses, franchises, benefits, Mortgages, Mortgage Loans, collateral and all other things of value heretofore or hereafter coming into the hands of the Trustees under this Trust Indenture.

(4) Cash in the sum of $10.00 paid by the Trustor to the Trustees, receipt of which is hereby specifically acknowledged by the Trustees.

ARTICLE VII
The Trustees

(1) The Trustees of this Trust shall be citizens and residents of the Beneficiary, who are the persons presently constituting the Mayor and members of the City Council of the Beneficiary, and the persons who shall be their successors as Mayor, and members of said City Council of said Beneficiary, and each such successor in office shall, upon taking the Oath of Office, but without any further act, deed or conveyance, automatically become Trustees of this Trust and become fully vested with all the estate, properties, rights, powers, duties and obligations of his predecessor hereunder with like effect as if originally named as a Trustee herein.

(2) The person who shall be the Mayor of the Beneficiary, shall become automatically the Chairman of the Trustees and shall preside at all meetings and perform other duties designated by the Trustees. The Trustees shall designate the time and place of all regular meetings. All actions by the Trustees pursuant to the provisions of this Trust Indenture shall be approved by the affirmative vote of at least a majority of the Trustees qualified to act as such under the provisions of this Trust Indenture. The person who shall be the Mayor Pro Tem of the Beneficiary, shall become automatically the Vice-Chairman who shall act in the place of the Chairman during the latter's absence or incapacity to act. In case of the absence of both the Chairman and the Vice-Chairman, the remaining Trustees shall elect one of their number to act as Chairman until the return of the Chairman or Vice-Chairman.

(3) The person who shall be the City Clerk of the Beneficiary shall act as Secretary of the Trustees. The person who shall be the Deputy City Clerk of the Beneficiary shall act as Assistant Secretary of the Trustees. The Secretary or Assistant Secretary shall keep minutes of all meetings of the Trustees and shall maintain complete and accurate records of all their financial transactions, all such minutes, books and records to be on file in the office of the Trust. All meetings of the Trustees shall be open to the public, and the books, records and minutes of the Trustees shall be considered as public records and available for inspection at all times by any interested party.

(4) The person who shall be the City Finance Director of the Beneficiary shall act as Treasurer of the Trustees. The duties of the Treasurer shall be prescribed by the Trustees.

(5) The person who shall be the City Manager of the Beneficiary shall act as General Manager for the Trust Estate, and the Trustees may employ such other clerical, professional, legal and technical assistance as may be deemed necessary in the discretion of the Trustees to properly operate the business of the Trust, and may fix their duties, terms of employment and compensation from the Trust Estate. All Trustees shall serve without compensation, but shall be reimbursed for actual expenses incurred in the performance of their duties hereunder. Said General Manager shall administer the business of the Trust Estate as directed from time to time by the Trustees.

(6) The Trustees are authorized to contract, in connection with the incurrence of any funded indebtedness secured by the Trust Estate and/or its revenues, or any part of either or both, that in the event of a default in the fulfillment of any contractual obligation undertaken on behalf of the Trust Estate or in the payment of any indebtedness incurred on behalf of the Trust Estate, that a Temporary Trustee or Trustees or Receiver shall be appointed to succeed to the rights, powers and duties of the Trustees then in office. Any such contract, if made, may set forth the terms and conditions under which such Temporary Trustee or Trustees or Receiver may be appointed to operate the Trust Estate and may provide for compensation to be paid, and may provide for such appointment to be vacated and permanent Trustees to be

automatically reinstated upon termination of all defaults by which their appointment was authorized.

(7) Bonds or other evidences of indebtedness to be issued by the Trustees shall not constitute an indebtedness or obligation of the State or the Beneficiary nor personal obligations of the Trustees, but shall constitute obligations of the Trust only, payable solely from the Trust Estate.

(8) The Trustees, the State, and the Beneficiary shall not be charged personally with any liability whatsoever by reason of any act or omission committed or suffered in good faith or in the exercise of their honest discretion in the performance of such Trust or in the operation of the Trust Estate; but any act or liability for any omission or obligation of the Trustees in the execution of such Trust, or in the operation of the Trust Estate, shall extend to the whole of the Trust Estate or so much thereof as may be necessary to discharge such liability or obligation.

(9) Notwithstanding any other provision of this Trust Indenture which shall appear to provide otherwise, no Trustee or Trustees shall have the power or authority to bind or obligate any other Trustee, or the Beneficiary, in his or its capacity, nor can the Beneficiary bind or obligate the Trust or any individual Trustee.

(10) The Trust shall cause to be prepared annually at the close of each fiscal year of the Trust an audit of the funds, financial affairs and transactions of the Trust including, but not limited to, all fees, salaries and expenditures in exact amounts and specifying to whom such expenditures were paid. Such audit is to be certified with an unqualified opinion of an independent, certified public account. A copy of the annual audit of the Trust shall be filed within the time period and in conformity with the provisions of Oklahoma law related thereto. Unless hereafter changed by specific resolution of the Trustees, the fiscal year of the Trust shall be July 1 to June 30 of the following year. All expense incurred in connection with the annual audits shall be paid from the Trust Estate.

(11) Every person becoming a Trustee shall first take the Oath of Office required of an elected public officer. The Oath of Office shall be administered by any person authorized to administer oaths in the State, and shall be filed with the Clerk or Deputy Clerk of the Beneficiary. Every officer and employee who handles funds of the Trust shall furnish a good and sufficient fidelity bond in an amount and with surety as may be specified and approved by the Trustees; the Trustees may, but shall not be obligated to, obtain bonds relating to the performance of their duties as Trustees. Such bonds shall be in a surety company authorized to transact surety business in the State and the cost thereof shall be paid from the Trust Estate.

ARTICLE VIII
Powers and Duties of the Trustees

To accomplish the purposes of the Trust, the Trustees shall have, in addition to the usual powers incident to their office and the powers granted to them otherwise by law or in other parts of this Trust Indenture, the following rights, powers, duties, authority, discretion and privileges, all to be exercised on behalf of and in the name of the Authority:

(1) To sue and be sued.

(2) To have a seal and alter same at pleasure.

(3) To make and execute contracts and all other instruments necessary or convenient for the exercise of its powers and functions hereunder.

(4) To make and alter by-laws for its obligations and internal management as provided herein.

(5) To make and alter rules and regulations pertaining to any loan or other program developed by the Authority.

(6) To acquire, lease, convey, or otherwise hold and dispose of real and personal property for its Trust purposes; provided that, no purchaser at any sale or lessee under a lease made by the Trustees shall be bound to inquire into the expediency, propriety, validity or necessity of such sale or lease or to see or be liable for the application of the purchase or rental monies arising therefrom.

(7) To enter into contracts for sale of Bonds, Notes or other evidences of indebtedness, interim Notes or Bonds or other obligations of the Trust and to issue the same for any of the purposes of the Trust authorized hereby including, but not limited to: the acquisition, construction, reconstruction, equipping or otherwise financing facilities discussed in Article IV hereof or for any other lawfully permitted facilities which may be secured with Mortgages, security interests or other collateral satisfactory to the Trustees; making Mortgage loans or purchasing Mortgage notes secured by Mortgages on dwellings; acquiring real or personal property or facilities at foreclosure of any loan or obligation or authorized to be acquired pursuant to the terms of this Trust Indenture or other purposes authorized under any instrument securing any indebtedness of the Trust; refunding or advance refunding any outstanding indebtedness of the Trust; creating any reserves or replacement funds, loan funds or other funds or accounts deemed advisable by the Trustees in the furtherance of the Trust purposes or in connection with the securing of any of the Trust's debts or in the administration of Trust programs; and for any other purpose authorized by law and/or by Article IV hereof; and for those purposes the Trustees may:

    (a) Sell all Bonds, Notes or other evidences of indebtedness or obligations of the Trust at public or private sale in whole or in installments or series and on

such terms and conditions and in such manner as is prescribed by law and as the Trustees shall deem to be in the best interest of the Trust Estate; and

(b) Appoint and compensate attorneys, paying agencies and corporate trustees in connection with the issuance of any such Bonds, Notes, evidences of indebtedness or other obligations of the Trust; and

(c) Pay all expenses incident to the creation of any indebtedness or the issuance of any Bonds, Notes or other evidences of indebtedness including, but not limited to, printing expenses, feasibility studies, special consultants, travel expenses or reproduction expenses; and

(d) Create any reserve fund and any and all other funds and accounts as the Authority shall deem necessary or desirable in connection with the issuance of any Bonds, Notes or other evidences of indebtedness.

Any such indebtedness shall be deemed to be incurred or issued on behalf of the Beneficiary and may be general or special obligations of the Trust as the Trustees may from time to time determine.

(8) To purchase or redeem their Bonds, Notes or other evidences of indebtedness in whole or in part prior to the stated maturity thereof as specified in any instrument authorizing the issuance or securing the payment of any such indebtedness.

(9) To pledge any or all of the Trust's revenues or assets to secure the payment of any of its indebtedness.

(10) To enter into agreements with or participate in any programs of the Beneficiary, the State of Oklahoma, or any agency or instrumentality thereof, the United States of America, or any agency or instrumentality thereof.

(11) To enter into and execute, purchase, lease or otherwise acquire property, real, personal or mixed, contracts, leases, rights, privileges, benefits, choses in action or other things of value and to pay for the same in cash, with bonds or other evidences of indebtedness or otherwise.

(12) To fix, demand and collect charges, rentals and fees for the services and facilities of the Trust and to discontinue the furnishing of services and facilities to, and foreclose on any collateral of, any person, firm, or corporation, or public instrumentality delinquent in the payment of any indebtedness to the Trust; to purchase and sell such supplies, goods and commodities as are incident to the operation of its properties.

(13) To make and perform contracts of every kind including, management contracts, with any person, firm, corporation, association, joint venture, trusteeship, municipality, government, sovereignty or other entity; and without limitation as to amount, to draw, make, accept, endorse, assume, guarantee, account, execute and issue

promissory notes, drafts, bills of exchange, acceptances, warranties, bonds, debentures and other negotiable or non-negotiable instruments, obligations and evidences of unsecured indebtedness, or of indebtedness secured by mortgage, deed of trust or otherwise upon any or all income of the Trust, in the same manner and to the same extent as a natural person might or could do. To collect and receive any property, collateral, money, rents, or income of any sort and distribute the same or any portion thereof for the furtherance of the authorized Trust purposes set out herein.

(14) To exercise or to request of, arrange or contract with the Beneficiary or any governmental unit, agency or political subdivision thereof for the exercise of the power of eminent domain as necessary in establishing, operating, administering and maintaining any Trust facilities, systems, projects or programs.

(15) To expend all funds coming into the hands of the Trustees as revenue or otherwise for the payment of any indebtedness incurred by the Trustees for purposes specified herein, and in the payment of the aforesaid costs and expenses, and in payment of any other obligation properly chargeable against the Trust Estate, to from time to time transfer any surplus funds to the Beneficiary as the Authority in its sole discretion may determine and, upon termination of the Trust, to distribute the residue and remainder of such funds to the Beneficiary.

(16) To contract for services with firms or persons or other units and entities of government or private entities or agencies to carry out the purposes of the Trust; to apply for, contract for, receive and expend for its purposes, funds or grants from any governmental or non-governmental agency or entity, the Beneficiary, the State, the Federal Government or any agency or department thereof, or from any other source.

(17) To receive funds, money, property, collateral, services, rights and choses in action from any source to finance the programs and operations of the Trust; to receive grants, gifts, contributions and donations to carry out the purposes for which the Trust is formed; to receive and accept from any Federal, State or private agencies or entities, grants or loans for or in aid of the construction of any facility or system and to receive and accept aid or contributions of money, labor or any other valuable things from any source.

(18) To plan, coordinate, implement, administer or otherwise carry out public works or other projects or programs for public purposes for the benefit of the Beneficiary.

(19) To make, or commit to make, or participate in the making of Mortgage Loans whether for construction, for acquisition, financing or purchasing of housing.

(20) To invest monies of the Authority not required for immediate use, including proceeds from the sale of any Bonds or Notes, in accordance with the laws of the State.

(21) To sell any Mortgages or other personal property acquired by the Authority at public or private sale and at such price or prices as it shall determine.

(22) To renegotiate, refinance or foreclose, or contract for the foreclosure of any Mortgage, security interest or other obligation in default; to waive any default or consent to the modification of the terms of any Mortgage; to commence any action to protect or enforce any right conferred upon it by any law, Mortgage, security interest, contract or other agreement, and to bid for and purchase such property at any foreclosure or at any other sale, or acquire or take possession of any such property; to operate, manage, rehabilitate, improve, lease, dispose of, and otherwise deal with such property, in such manner as may be necessary to protect the interests of the Trust and the holders of its Bonds, Notes or other obligations.

(23) To renegotiate or refinance any loan in default; waive any default or consent to the modification of the terms of any loan, and commence any action or proceedings to protect or enforce any right conferred upon it by law, loan agreement, contract or other agreement.

(24) To make and execute contracts and appoint agents for the administration or servicing of any loan made or acquired by the Trust and pay the reasonable value of services rendered to the Trust pursuant to such contracts.

(25) To sell any loans made or acquired by the Trust at public or private sale and at such price or prices and on such terms as the Trust shall determine.

(26) To collect and pay reasonable fees and charges in connection with making, committing to make, purchasing or committing to purchase and servicing its Mortgage Loans, Notes, Bonds, commitments and other evidences of indebtedness.

(27) To procure insurance against any type loss in such amounts, and from such insurers, as it may deem necessary or desirable.

(28) To consent, whenever it shall be deemed necessary or desirable in the fulfillment of its Trust purposes, to the modification of the rate of interest, time of payment of any installment of principal or interest, or any other terms of any Mortgage Loan, Mortgage Loan commitment, construction loan, temporary loan, contract or agreement of any kind to which the Trust is a party.

(29) To do any and all things necessary or convenient to carry out its purposes and exercise the powers given and granted herein, and to do all other acts in their judgment necessary or desirable, for the proper and advantageous management, investment and distribution of the Trust Estate and income therefrom.

(30) To exercise exclusive management and control of the properties of the Trust Estate.

(31) To contract for the furnishing of any services or the performance of any duties that they may deem necessary or proper and pay for the same as they see fit.

(32) To select depositories for the funds and securities of this Trust.

(33) To compromise any debts or claims of or against the Trust Estate, and adjust any dispute in relation to such debts or claims against the Trust Estate upon any evidence deemed by the Trustees to be sufficient. The Trustees may bring any suit or action which in their judgment is necessary or proper to protect the interest of the Trust Estate, or to enforce any claim, demand or contract for the Trust; and they shall defend, in their discretion, any suit against the Trust, or the Trustees or employees, agents or servants thereof. They may compromise and settle any suit or action, and discharge the same out of assets of the Trust Estate, together with court costs and attorney's fees. All such expenditures shall be treated as expenses of executing this Trust.

(34) To do each and all things necessary to implement the purposes of this Trust as set out herein, and to that end Article IV "Purposes of Trust" is incorporated in its entirety under this "Powers" Article for the purpose of insuring that all appropriate power is granted to the Trustees to accomplish the purposes hereof without inhibition.

ARTICLE IX
Supervisory Control

The Trust created hereby and the Trustees appointed hereunder are subject to such supervision and control as may be determined from time to time by the Legislature of the State or by regulations that may be issued by departments or agencies of the United States of America, to insure the tax exempt status of any Bonds, Notes or other evidences of indebtedness issued by the Authority.

ARTICLE X
Beneficiary of Trust

(1) The Beneficiary of this Trust shall be the municipality designated in Article III herein, under and pursuant to Title 60, Oklahoma Statutes 2001, Sections 176 to 180.4, inclusive, as amended and supplemented, and other applicable statutes of the State presently in force and effect.

(2) The Beneficiary shall have no legal title, claim or right to the Trust Estate, its income, or to any part thereof or to demand or require any partition or distribution thereof. Neither shall the Beneficiary have any authority, power or right whatsoever, to do or transact any business for, or on behalf of or binding upon the Trustees or upon the Trust Estate, nor the right to control or direct the actions of the Trustees pertaining to the Trust Estate or any part thereof, except as herein provided. The Beneficiary shall be entitled solely to the benefits of this Trust as administered

by the Trustees hereunder, and at the termination of the Trust, as provided herein, and only then, the Beneficiary shall receive the residue of the Trust Estate.

ARTICLE XI
Adoption and Amendment of By-Laws; Amendment and Termination of Trust

This Trust Indenture may be amended by an affirmative vote of at least two-thirds (2/3) of all Trustees and any such proposed amendment shall be further approved by the affirmative vote of two-thirds (2/3) of the governing body of the Beneficiary before becoming effective.

The Trustees, by an affirmative vote of a majority of all Trustees, may adopt, alter and amend By-Laws of the Trust.

PROVIDED, HOWEVER, that this Trust Indenture shall not be subject to revocation, alteration, amendment, revision, modification or termination in any manner which would be adverse to the interest of the holders of any evidence of indebtedness of the Trust without the consent of holders of indebtedness who would be adversely affected, which consent may be given by less than all of such holders, if so provided in any resolution, indenture or agreement relating to such indebtedness.

This Trust shall terminate -

(1) When the purposes set out in Article IV of this instrument shall have been fully executed; or

(2) In the manner provided by Oklahoma law. Provided, however, that this Trust shall not be terminated by voluntary action while there be outstanding indebtedness or fixed obligations of the Trustees, unless all owners of such indebtedness or obligations shall have consented in writing to such termination.

Upon the termination of this Trust, the Trustees shall proceed to wind up the affairs of this Trust, and after payment of all debts, expenses and obligations out of the monies and properties of the Trust Estate to the extent thereof, the Trustees shall distribute the residue of the money and properties of the Trust Estate to the Beneficiary hereunder. Upon final distribution, the powers, duties and authority of the Trustees hereunder shall terminate.

ARTICLE XII

The Trustees accept the Trust herein created and provided for, and agree to carry out the provisions of this Trust Indenture on their part to be performed.

IN WITNESS WHEREOF, the Trustor and the Trustees have hereunto set their hands on the day and year indicated.

Harold Haralson, Trustor

Harold Haralson, Trustee

Rachel Butler, Trustee

Doug Cubberley, Trustee

David Hopper, Trustee

Dan Quinn, Trustee

Cindy Rosenthal, Trustee

Jim Stanley, Trustee

Richard Stawicki, Trustee

Bob Thompson, Trustee

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STATE OF OKLAHOMA)
)SS
COUNTY OF CLEVELAND)

BEFORE ME, the undersigned, a Notary Public in and for the above County and State, on the 11th day of July, 2006, appeared Harold Haralson, and further known to me to be the identical person who subscribed said person's name to the foregoing instrument, as Trustor, and acknowledged to me that said person executed the same as said person's free and voluntary act and deed, for the uses and purposes therein mentioned and set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year aforesaid.

NOTARY PUBLIC 02017428 IN AND FOR STATE OF OKLAHOMA
OFFICIAL SEAL
Brenda D. Hall
Cleveland County
Commission Expires Nov. 2, 2006

(SEAL)

Brenda D. Hall
Notary Public

My commission expires 11/02/2006
Commission No. 02017428

STATE OF OKLAHOMA)
)SS
COUNTY OF CLEVELAND)

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on the 11th day of July, 2006, personally appeared Harold Haralson, Rachel Butler, Doug Cubberley, David Hopper, Dan Quinn, Cindy Rosenthal, Jim Stanley, Richard Stawicki, and Bob Thompson, and further known to me to be the identical persons who subscribed their names to the foregoing instrument, as Trustees, and acknowledged to me that they executed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned and set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year aforesaid.

NOTARY PUBLIC 02017428 IN AND FOR STATE OF OKLAHOMA
OFFICIAL SEAL
Brenda D. Hall
Cleveland County
Commission Expires Nov. 2, 2006

(SEAL)

Brenda D. Hall
Notary Public

My commission expires 11/02/2006
Commission No. 02017428

STATE OF OKLAHOMA)
)SS
COUNTY OF CLEVELAND)

ACCEPTANCE

KNOW ALL MEN BY THESE PRESENTS:

That the City Council of The City of Norman, State of Oklahoma, hereby accepts the beneficial interest in the Trust created and recreated by the within and foregoing Trust Indenture, for and on behalf of said City in all respects in accordance with the terms of said Trust Indenture.

WITNESS my hand as Mayor of said City, attested by the Clerk of said City, pursuant to direction of the City Council of said City, this 11th day of July, 2006.

THE CITY OF NORMAN, OKLAHOMA

Harold Haralson
Mayor

ATTEST:

Mary Hatley
City Clerk

(SEAL)

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TRUST INDENTURE
CREATING THE
NORMAN TAX INCREMENT FINANCE AUTHORITY

KNOW ALL MEN BY THESE PRESENTS:

This Trust Indenture dated as of the 11th day of July, 2006, by Harold Haralson, hereinafter referred to as the Trustor, and Harold Haralson, Rachel Butler, Doug Cubberley, David Hopper, Dan Quinn, Cindy Rosenthal, Jim Stanley, Richard Stawicki, and Bob Thompson, and their respective successors as provided herein, to be known as the Trustees of the Norman Tax Increment Finance Authority, who shall be and are hereinafter referred to as Trustees of the said Authority, hereinafter referred to as "Authority" or "Trust", hereby creates and establishes a public trust for the use and benefit of The City of Norman, Oklahoma (referred to herein as the "City" and the "Beneficiary") pursuant to the terms of Title 60, Okla. Stats. 2001, Sections 176 *et seq.* and prescribes the terms thereof as follows:

NOW, THEREFORE, in consideration of the payment by the Trustor to the Trustees of the sum of Ten Dollars ($10.00), receipt of which is hereby acknowledged, the mutual covenants herein set forth, and other valuable considerations, the said Trustees agree to hold, manage, invest, assign, convey and distribute as herein provided, authorized and directed, such property as Trustor, or others may heretofore or from time to time hereafter assign, transfer, lease, convey, give, bequeath, devise or deliver unto this Trust or the Trustees hereof.

TO HAVE AND HOLD such property and the proceeds, rents, profits, and increases thereon unto said Trustees and said Trustees' successors and assigns, but nevertheless in trust, for the use and benefit of The City of Norman, State of Oklahoma, such City being hereby designated and hereinafter referred to as "Beneficiary" and upon the trusts, terms and conditions hereinafter stated.

ARTICLE I
Creation of Trust

The undersigned Trustor recreates, creates and establishes a Trust for the use and benefit of the Beneficiary for the public purposes hereinafter set forth, under the provisions of Title 60, Oklahoma Statutes 2001, Sections 176 to 180.4, inclusive, as amended and supplemented, the Oklahoma Trust Act and other applicable statutes and laws of the State of Oklahoma.

The undersigned Trustor hereby forever irrevocably conveys, relinquishes and assigns to the Trustees of the Authority any and all right, title and interest he may have in and under this Trust Indenture and the trust created hereunder, including, without limitation, the right to consent to and approve any further changes, amendments or supplements to this Trust Indenture.

ARTICLE II
Name and Effective Date of Trust

The Trustees of this Trust shall conduct all business and execute or authorize the execution of all instruments in the name of this Trust, which shall be the "Norman Tax Increment Finance Authority" and otherwise perform the duties and functions required in the execution of this Trust, and hereby authorize the Chairman or Vice Chairman and the Secretary or Assistant Secretary of the Trust to execute instruments on behalf of the Trust as directed by duly enacted resolutions of the Trust. This Trust Indenture shall be in full force and effect from and after the date of execution by the Trustees of the Trust and acceptance of the beneficial interest herein by the Beneficiary.

ARTICLE III
Definitions

"Act" shall mean the Oklahoma Public Trust Act, being Title 60, Oklahoma Statutes 2001, Sections 176 to 180.4, as amended and supplemented.

"Authority" shall mean the Norman Tax Increment Finance Authority created pursuant to this Trust Indenture, and the Trustees thereof, acting on behalf of and in the name of said Authority.

"Beneficiary" shall mean The City of Norman, State of Oklahoma, acting by and through its City Council.

"Bonds" or "Notes" shall mean respectively the bonds and notes of the Authority authorized to be issued under this Indenture.

"By-Laws" shall mean the By-Laws, if any, duly adopted by the Authority as the same may be amended from time to time.

"Governmental Agency" shall mean the United States of America and the State or any department, division, public corporation, public agency, political subdivision or other public instrumentality of either.

"Lending Institution" shall mean any bank or trust company, Federal National Mortgage Association, mortgage banker, mortgage company, national banking association, savings bank, savings and loan association and any other financial institution or Governmental Agency or person.

"Mortgage" shall mean a mortgage, mortgage deed, deed of trust, security agreement or other instrument creating a lien on a fee interest in real and/or personal property or a leasehold on such fee interest.

"Mortgage Loan" means an interest bearing obligation secured by a Mortgage.

"State" shall mean the State of Oklahoma.

"Trust Indenture" shall mean this Trust Indenture dated as of July 11, 2006. 26-4

"Trustees" shall mean the Trustees of the Authority.

ARTICLE IV
Purposes of Trust

The purposes of this Trust are:

(1) To assist the Beneficiary, the State of Oklahoma, its Governmental Agencies, and private entities, agencies and citizens in implementing provisions of the Local Development Act, Title 62, Oklahoma Statutes, Section 850, et. seq., (the "Local Development Act") which shall serve to implement and execute Section 6C of Article X of the Oklahoma Constitution as approved by the voters of the State of Oklahoma on November 6, 1990, as amended by the voters of the State of Oklahoma on November 2, 2004, and as may be further amended from time to time, by:

(a) Providing for the granting of incentives and exemptions from taxation within certain areas, placing restrictions thereon, and limiting the time period for the exemption, as authorized by the Local Development Act;

(b) Providing for apportionment of an increment of local taxes and fees, placing restrictions thereon, and limiting the time period for the apportionment, as authorized by the Local Development Act; and

(c) Providing for the planning, financing, and carrying out of development and redevelopment within certain areas, as authorized by the Local Development Act.

Nothing herein shall be construed in a manner contrary to or inconsistent with the provisions of said constitutional provision, and the Local Development Act.

(2) To assist the Beneficiary, the State of Oklahoma, Governmental Agencies, municipalities and private entities, agencies and citizens in making the most efficient use of all of their economic resources and powers in accord with the needs and benefit of the State of Oklahoma and the Beneficiary in order to lessen the burdens on government and to stimulate economic growth and development, specifically including, but not limited to, the power to conduct studies and prepare comprehensive plans relating to the future economic growth and development of the Beneficiary; to inventory the services, facilities and resources of the Beneficiary; to promote, stimulate, encourage and finance the growth and development of the utility, agricultural, commercial, health care and industrial resources of the Beneficiary, all in order to achieve maximum utilization of the Beneficiary's human, economic and natural resources and tourist attractions; to foster and promote an improved industrial climate within the Beneficiary and to otherwise promote its general economic welfare and prosperity and to finance any and all programs,

utilities, facilities or resources promoting or intending to promote any of the foregoing and, without restriction, in furtherance of the foregoing general objectives, the following specific powers or purposes, to wit:

(a) To promote and develop any and all utility and public works projects or facilities of any type or description including, but not limited to, those for water, sewer, electric, solid waste, natural gas or other public utilities of any type or description.

(b) To promote, develop and finance projects or facilities relating to agriculture, farming, ranching and agri-business of any sort or description including, but not limited to, any land or personal property related thereto, or projects relating to cattle, poultry, irrigation equipment and systems, or other agri-projects of any other sort or description.

(c) To promote, finance and develop commercial and industrial projects or facilities and to exercise all of the powers, privileges and prerogatives of industrial trusts within this State.

(d) To promote, finance and develop hospitals, ambulance services and other health care facilities and any other medically related facilities including, but not limited to, medical and/or dental, optometric, osteopathic or chiropractic clinics, offices, laboratories, nursing homes, research facilities, geriatric facilities, retirement facilities, central service facilities and training facilities, extended care facilities, facilities for aged and/or disabled persons, day care facilities for children and all other types of facilities for serving the medical and physical needs of people.

(e) To promote, finance and develop projects or facilities relating to the development of energy of any sort or description including, but not limited to those relating to the development of oil, gas, coal, gravel, lead, zinc or other minerals or hydro-carbons, the financing of oil and gas equipment, refineries, drilling and pumping rigs and equipment, or other energy development of any sort or description and synthetic fuel facilities.

(f) To promote, finance and develop projects, facilities, services and industries pertaining to the development or improvement of: individual, commuting, airport and mass transportation; transportation generally; trucking; handling and shipping of goods; railroads, railroad rights-of-way; railroad equipment or rolling stock construction, repair or maintenance facilities; air transportation; public or mass transportation systems, facilities and equipment, and the financing of automobiles, trucks and vehicles of every sort and description; and other methods and modes of transporting people, goods and equipment of whatsoever kind or character, within the boundaries of the Beneficiary and to provide additional employment or increase transportation efficiency which will benefit and strengthen the economy of the Beneficiary.

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(g) To promote, finance and develop recreational, sports, cultural, tourism, entertainment and communication media projects or facilities including, but not limited to, mass-media broadcasting facilities such as radio, television and cable television equipment and facilities.

(h) To plan, establish, develop, construct, finance, enlarge, remodel, acquire, improve, alter, extend, maintain, equip, operate, lease, furnish and regulate any facilities related to any of the foregoing and, if desired, to lease such facilities and to operate the same in connection therewith and to do, perform, own, acquire, construct or engage in or finance any other enterprise or activity, project or facility to such extent and in such manner as now is or may be considered a proper and lawful function of public trust entities within the State of Oklahoma.

(3) To promote the development of adequate housing within the territorial limits of the Beneficiary whether single family dwellings or multi-family dwellings:

(a) By making or committing to make or participating in the making of loans to non-profit sponsors of housing;

(b) By making or committing to make or participating in the making of loans to persons upon terms and conditions requiring such owners to use the proceeds of such loans to construct, acquire, rehabilitate or improve housing and such additional terms and conditions as may be set by the Authority;

(c) By participating in all Government Agency programs relating to housing and housing projects;

(d) By participating in housing programs of all kinds to assist in providing safe and sanitary housing to the residents of the Beneficiary and surrounding community.

(4) To provide funds and assistance for the purposes set out in this Indenture which include, among others:

(a) the expansion of the supply of funds in the Beneficiary available for new Mortgage Loans for housing; and

(b) the provision of the additional housing needed to remedy the shortage of such housing within the boundaries of the Beneficiary and to upgrade substandard housing within the boundaries of the Beneficiary so as to eliminate the existence of substandard dwellings.

(5) To hold, maintain and administer any leasehold rights in and to physical properties heretofore or hereafter demised to the Beneficiary or the Authority and to comply with the terms and conditions of any such lease.

(6) To acquire by lease, purchase, production, reduction to possession or otherwise, and to plan, establish, develop, construct, enlarge, improve, extend, maintain, equip, operate, furnish, provide, supply, regulate, hold, store and administer any and all physical properties (real, personal or mixed), rights, privileges, immunities, benefits and any other thing of value, designated or needful for utilization in furnishing, providing or supplying the aforementioned services, utilities, buildings and facilities; to finance and refinance and to enter into contracts of purchase, lease-purchase or other interest in or operation and maintenance of said properties, and revenues thereof, and to comply with the terms and conditions of any such contracts, leases or other contracts entered into in connection with the acquisition, equipping, maintenance and disposal of any of said property; and to relinquish, dispose of, rent or otherwise make provisions for properties owned or controlled by the Trust, but no longer needful for Trust purposes.

(7) To acquire, construct, reconstruct, extend, lease, purchase, install, equip, maintain, repair, enlarge, remodel and operate any property, improvements, buildings and other facilities of every nature for use by the State of Oklahoma, the United States of America, or the Beneficiary, or for use by authorities or agencies of the State of Oklahoma, the United States of America or the Beneficiary or for the use of corporations, individuals, partnerships, associations or proprietary companies for industrial development; to plan, establish, develop, construct and enlarge railroad and railway facilities, trucking, air transportation, public or mass transportation, and all phases of transportation relating to commerce; improve, extend, replace, reconstruct, repair, operate and maintain railroad rights-of-way, trucking, air transportation, public or mass transportation projects, and related facilities; maintain, equip, operate, lease, furnish, provide, supply, regulate, hold, store and administer property, buildings, improvements and facilities of every nature, within the territorial boundaries of the Beneficiary which may be useful in securing, developing and maintaining such facilities, functions or activities.

(8) To perform, on behalf of the Beneficiary, all functions, activities and powers authorized by industrial and economic development statutes as they from time to time exist.

(9) To provide funds for the cost of financing, refinancing, acquiring, constructing, purchasing, equipping, maintaining, leasing, repairing, improving, extending, enlarging, remodeling, holding, storing, operating and administering any or all aforesaid property, improvements, buildings, facilities and all properties (real, personal or mixed) necessary or desirable for executing and fulfilling the Trust purposes, as set forth in this instrument, and all other charges, costs and expenses necessarily incurred in connection therewith and in so doing, to incur indebtedness, either unsecured or secured by all or any part of the Trust Estate and its revenues.

(10) To expend all funds coming into the hands of the Trustees as revenue or otherwise for the payment of any indebtedness incurred by the Trustees for the purposes specified herein, and in the payment of the aforesaid costs and expenses, and in

payment of any other obligation properly chargeable against the Trust Estate, and to distribute the residue and remainder of such funds to the Beneficiary.

ARTICLE V
Duration of Trust

This Trust shall have duration for the term of duration of the Beneficiary and until such time as its purposes shall have been fully fulfilled and all indebtedness of the Authority is paid, or until it shall be terminated as hereinafter provided.

ARTICLE VI
The Trust Estate

The Trust Estate shall consist of:

(1) The funds and property presently in the hands of the Trustees or to be hereafter acquired or constructed by the Trustees and dedicated by the Trustor, the Beneficiary and others to be used for trust purposes.

(2) Any and all leasehold rights heretofore or hereafter remised to the Trustees by the Beneficiary, and others as authorized and empowered by law.

(3) Any and all money, property (real, personal or mixed), rights, choses in action, contracts, leases, privileges, immunities, licenses, franchises, benefits, Mortgages, Mortgage Loans, collateral and all other things of value heretofore or hereafter coming into the hands of the Trustees under this Trust Indenture.

(4) Cash in the sum of $10.00 paid by the Trustor to the Trustees, receipt of which is hereby specifically acknowledged by the Trustees.

ARTICLE VII
The Trustees

(1) The Trustees of this Trust shall be citizens and residents of the Beneficiary, who are the persons presently constituting the Mayor and members of the City Council of the Beneficiary, and the persons who shall be their successors as Mayor, and members of said City Council of said Beneficiary, and each such successor in office shall, upon taking the Oath of Office, but without any further act, deed or conveyance, automatically become Trustees of this Trust and become fully vested with all the estate, properties, rights, powers, duties and obligations of his predecessor hereunder with like effect as if originally named as a Trustee herein.

(2) The person who shall be the Mayor of the Beneficiary, shall become automatically the Chairman of the Trustees and shall preside at all meetings and perform other duties designated by the Trustees. The Trustees shall designate the time and place of all regular meetings. All actions by the Trustees pursuant to the provisions of this Trust Indenture shall be approved by the affirmative vote of at least a majority of the Trustees qualified to act as such under the provisions of this Trust Indenture. The person who shall be the Mayor Pro Tem of the Beneficiary, shall become automatically the Vice-Chairman who shall act in the place of the Chairman during the latter's absence or incapacity to act. In case of the absence of both the Chairman and the Vice-Chairman, the remaining Trustees shall elect one of their number to act as Chairman until the return of the Chairman or Vice-Chairman.

(3) The person who shall be the City Clerk of the Beneficiary shall act as Secretary of the Trustees. The person who shall be the Deputy City Clerk of the Beneficiary shall act as Assistant Secretary of the Trustees. The Secretary or Assistant Secretary shall keep minutes of all meetings of the Trustees and shall maintain complete and accurate records of all their financial transactions, all such minutes, books and records to be on file in the office of the Trust. All meetings of the Trustees shall be open to the public, and the books, records and minutes of the Trustees shall be considered as public records and available for inspection at all times by any interested party.

(4) The person who shall be the City Finance Director of the Beneficiary shall act as Treasurer of the Trustees. The duties of the Treasurer shall be prescribed by the Trustees.

(5) The person who shall be the City Manager of the Beneficiary shall act as General Manager for the Trust Estate, and the Trustees may employ such other clerical, professional, legal and technical assistance as may be deemed necessary in the discretion of the Trustees to properly operate the business of the Trust, and may fix their duties, terms of employment and compensation from the Trust Estate. All Trustees shall serve without compensation, but shall be reimbursed for actual expenses incurred in the performance of their duties hereunder. Said General Manager shall administer the business of the Trust Estate as directed from time to time by the Trustees.

(6) The Trustees are authorized to contract, in connection with the incurrence of any funded indebtedness secured by the Trust Estate and/or its revenues, or any part of either or both, that in the event of a default in the fulfillment of any contractual obligation undertaken on behalf of the Trust Estate or in the payment of any indebtedness incurred on behalf of the Trust Estate, that a Temporary Trustee or Trustees or Receiver shall be appointed to succeed to the rights, powers and duties of the Trustees then in office. Any such contract, if made, may set forth the terms and conditions under which such Temporary Trustee or Trustees or Receiver may be appointed to operate the Trust Estate and may provide for compensation to be paid, and may provide for such appointment to be vacated and permanent Trustees to be

automatically reinstated upon termination of all defaults by which their appointment was authorized.

(7) Bonds or other evidences of indebtedness to be issued by the Trustees shall not constitute an indebtedness or obligation of the State or the Beneficiary nor personal obligations of the Trustees, but shall constitute obligations of the Trust only, payable solely from the Trust Estate.

(8) The Trustees, the State, and the Beneficiary shall not be charged personally with any liability whatsoever by reason of any act or omission committed or suffered in good faith or in the exercise of their honest discretion in the performance of such Trust or in the operation of the Trust Estate; but any act or liability for any omission or obligation of the Trustees in the execution of such Trust, or in the operation of the Trust Estate, shall extend to the whole of the Trust Estate or so much thereof as may be necessary to discharge such liability or obligation.

(9) Notwithstanding any other provision of this Trust Indenture which shall appear to provide otherwise, no Trustee or Trustees shall have the power or authority to bind or obligate any other Trustee, or the Beneficiary, in his or its capacity, nor can the Beneficiary bind or obligate the Trust or any individual Trustee.

(10) The Trust shall cause to be prepared annually at the close of each fiscal year of the Trust an audit of the funds, financial affairs and transactions of the Trust including, but not limited to, all fees, salaries and expenditures in exact amounts and specifying to whom such expenditures were paid. Such audit is to be certified with an unqualified opinion of an independent, certified public account. A copy of the annual audit of the Trust shall be filed within the time period and in conformity with the provisions of Oklahoma law related thereto. Unless hereafter changed by specific resolution of the Trustees, the fiscal year of the Trust shall be July 1 to June 30 of the following year. All expense incurred in connection with the annual audits shall be paid from the Trust Estate.

(11) Every person becoming a Trustee shall first take the Oath of Office required of an elected public officer. The Oath of Office shall be administered by any person authorized to administer oaths in the State, and shall be filed with the Clerk or Deputy Clerk of the Beneficiary. Every officer and employee who handles funds of the Trust shall furnish a good and sufficient fidelity bond in an amount and with surety as may be specified and approved by the Trustees; the Trustees may, but shall not be obligated to, obtain bonds relating to the performance of their duties as Trustees. Such bonds shall be in a surety company authorized to transact surety business in the State and the cost thereof shall be paid from the Trust Estate.

ARTICLE VIII
Powers and Duties of the Trustees

To accomplish the purposes of the Trust, the Trustees shall have, in addition to the usual powers incident to their office and the powers granted to them otherwise by law or in other parts of this Trust Indenture, the following rights, powers, duties, authority, discretion and privileges, all to be exercised on behalf of and in the name of the Authority:

(1) To sue and be sued.

(2) To have a seal and alter same at pleasure.

(3) To make and execute contracts and all other instruments necessary or convenient for the exercise of its powers and functions hereunder.

(4) To make and alter by-laws for its obligations and internal management as provided herein.

(5) To make and alter rules and regulations pertaining to any loan or other program developed by the Authority.

(6) To acquire, lease, convey, or otherwise hold and dispose of real and personal property for its Trust purposes; provided that, no purchaser at any sale or lessee under a lease made by the Trustees shall be bound to inquire into the expediency, propriety, validity or necessity of such sale or lease or to see or be liable for the application of the purchase or rental monies arising therefrom.

(7) To enter into contracts for sale of Bonds, Notes or other evidences of indebtedness, interim Notes or Bonds or other obligations of the Trust and to issue the same for any of the purposes of the Trust authorized hereby including, but not limited to: the acquisition, construction, reconstruction, equipping or otherwise financing facilities discussed in Article IV hereof or for any other lawfully permitted facilities which may be secured with Mortgages, security interests or other collateral satisfactory to the Trustees; making Mortgage loans or purchasing Mortgage notes secured by Mortgages on dwellings; acquiring real or personal property or facilities at foreclosure of any loan or obligation or authorized to be acquired pursuant to the terms of this Trust Indenture or other purposes authorized under any instrument securing any indebtedness of the Trust; refunding or advance refunding any outstanding indebtedness of the Trust; creating any reserves or replacement funds, loan funds or other funds or accounts deemed advisable by the Trustees in the furtherance of the Trust purposes or in connection with the securing of any of the Trust's debts or in the administration of Trust programs; and for any other purpose authorized by law and/or by Article IV hereof; and for those purposes the Trustees may:

    (a) Sell all Bonds, Notes or other evidences of indebtedness or obligations of the Trust at public or private sale in whole or in installments or series and on

such terms and conditions and in such manner as is prescribed by law and as the Trustees shall deem to be in the best interest of the Trust Estate; and

(b) Appoint and compensate attorneys, paying agencies and corporate trustees in connection with the issuance of any such Bonds, Notes, evidences of indebtedness or other obligations of the Trust; and

(c) Pay all expenses incident to the creation of any indebtedness or the issuance of any Bonds, Notes or other evidences of indebtedness including, but not limited to, printing expenses, feasibility studies, special consultants, travel expenses or reproduction expenses; and

(d) Create any reserve fund and any and all other funds and accounts as the Authority shall deem necessary or desirable in connection with the issuance of any Bonds, Notes or other evidences of indebtedness.

Any such indebtedness shall be deemed to be incurred or issued on behalf of the Beneficiary and may be general or special obligations of the Trust as the Trustees may from time to time determine.

(8) To purchase or redeem their Bonds, Notes or other evidences of indebtedness in whole or in part prior to the stated maturity thereof as specified in any instrument authorizing the issuance or securing the payment of any such indebtedness.

(9) To pledge any or all of the Trust's revenues or assets to secure the payment of any of its indebtedness.

(10) To enter into agreements with or participate in any programs of the Beneficiary, the State of Oklahoma, or any agency or instrumentality thereof, the United States of America, or any agency or instrumentality thereof.

(11) To enter into and execute, purchase, lease or otherwise acquire property, real, personal or mixed, contracts, leases, rights, privileges, benefits, choses in action or other things of value and to pay for the same in cash, with bonds or other evidences of indebtedness or otherwise.

(12) To fix, demand and collect charges, rentals and fees for the services and facilities of the Trust and to discontinue the furnishing of services and facilities to, and foreclose on any collateral of, any person, firm, or corporation, or public instrumentality delinquent in the payment of any indebtedness to the Trust; to purchase and sell such supplies, goods and commodities as are incident to the operation of its properties.

(13) To make and perform contracts of every kind including, management contracts, with any person, firm, corporation, association, joint venture, trusteeship, municipality, government, sovereignty or other entity; and without limitation as to amount, to draw, make, accept, endorse, assume, guarantee, account, execute and issue

promissory notes, drafts, bills of exchange, acceptances, warranties, bonds, debentures and other negotiable or non-negotiable instruments, obligations and evidences of unsecured indebtedness, or of indebtedness secured by mortgage, deed of trust or otherwise upon any or all income of the Trust, in the same manner and to the same extent as a natural person might or could do. To collect and receive any property, collateral, money, rents, or income of any sort and distribute the same or any portion thereof for the furtherance of the authorized Trust purposes set out herein.

(14) To exercise or to request of, arrange or contract with the Beneficiary or any governmental unit, agency or political subdivision thereof for the exercise of the power of eminent domain as necessary in establishing, operating, administering and maintaining any Trust facilities, systems, projects or programs.

(15) To expend all funds coming into the hands of the Trustees as revenue or otherwise for the payment of any indebtedness incurred by the Trustees for purposes specified herein, and in the payment of the aforesaid costs and expenses, and in payment of any other obligation properly chargeable against the Trust Estate, to from time to time transfer any surplus funds to the Beneficiary as the Authority in its sole discretion may determine and, upon termination of the Trust, to distribute the residue and remainder of such funds to the Beneficiary.

(16) To contract for services with firms or persons or other units and entities of government or private entities or agencies to carry out the purposes of the Trust; to apply for, contract for, receive and expend for its purposes, funds or grants from any governmental or non-governmental agency or entity, the Beneficiary, the State, the Federal Government or any agency or department thereof, or from any other source.

(17) To receive funds, money, property, collateral, services, rights and choses in action from any source to finance the programs and operations of the Trust; to receive grants, gifts, contributions and donations to carry out the purposes for which the Trust is formed; to receive and accept from any Federal, State or private agencies or entities, grants or loans for or in aid of the construction of any facility or system and to receive and accept aid or contributions of money, labor or any other valuable things from any source.

(18) To plan, coordinate, implement, administer or otherwise carry out public works or other projects or programs for public purposes for the benefit of the Beneficiary.

(19) To make, or commit to make, or participate in the making of Mortgage Loans whether for construction, for acquisition, financing or purchasing of housing.

(20) To invest monies of the Authority not required for immediate use, including proceeds from the sale of any Bonds or Notes, in accordance with the laws of the State.

(21) To sell any Mortgages or other personal property acquired by the Authority at public or private sale and at such price or prices as it shall determine.

(22) To renegotiate, refinance or foreclose, or contract for the foreclosure of any Mortgage, security interest or other obligation in default; to waive any default or consent to the modification of the terms of any Mortgage; to commence any action to protect or enforce any right conferred upon it by any law, Mortgage, security interest, contract or other agreement, and to bid for and purchase such property at any foreclosure or at any other sale, or acquire or take possession of any such property; to operate, manage, rehabilitate, improve, lease, dispose of, and otherwise deal with such property, in such manner as may be necessary to protect the interests of the Trust and the holders of its Bonds, Notes or other obligations.

(23) To renegotiate or refinance any loan in default; waive any default or consent to the modification of the terms of any loan, and commence any action or proceedings to protect or enforce any right conferred upon it by law, loan agreement, contract or other agreement.

(24) To make and execute contracts and appoint agents for the administration or servicing of any loan made or acquired by the Trust and pay the reasonable value of services rendered to the Trust pursuant to such contracts.

(25) To sell any loans made or acquired by the Trust at public or private sale and at such price or prices and on such terms as the Trust shall determine.

(26) To collect and pay reasonable fees and charges in connection with making, committing to make, purchasing or committing to purchase and servicing its Mortgage Loans, Notes, Bonds, commitments and other evidences of indebtedness.

(27) To procure insurance against any type loss in such amounts, and from such insurers, as it may deem necessary or desirable.

(28) To consent, whenever it shall be deemed necessary or desirable in the fulfillment of its Trust purposes, to the modification of the rate of interest, time of payment of any installment of principal or interest, or any other terms of any Mortgage Loan, Mortgage Loan commitment, construction loan, temporary loan, contract or agreement of any kind to which the Trust is a party.

(29) To do any and all things necessary or convenient to carry out its purposes and exercise the powers given and granted herein, and to do all other acts in their judgment necessary or desirable, for the proper and advantageous management, investment and distribution of the Trust Estate and income therefrom.

(30) To exercise exclusive management and control of the properties of the Trust Estate.

(31) To contract for the furnishing of any services or the performance of any duties that they may deem necessary or proper and pay for the same as they see fit.

(32) To select depositories for the funds and securities of this Trust.

(33) To compromise any debts or claims of or against the Trust Estate, and adjust any dispute in relation to such debts or claims against the Trust Estate upon any evidence deemed by the Trustees to be sufficient. The Trustees may bring any suit or action which in their judgment is necessary or proper to protect the interest of the Trust Estate, or to enforce any claim, demand or contract for the Trust; and they shall defend, in their discretion, any suit against the Trust, or the Trustees or employees, agents or servants thereof. They may compromise and settle any suit or action, and discharge the same out of assets of the Trust Estate, together with court costs and attorney's fees. All such expenditures shall be treated as expenses of executing this Trust.

(34) To do each and all things necessary to implement the purposes of this Trust as set out herein, and to that end Article IV "Purposes of Trust" is incorporated in its entirety under this "Powers" Article for the purpose of insuring that all appropriate power is granted to the Trustees to accomplish the purposes hereof without inhibition.

ARTICLE IX
Supervisory Control

The Trust created hereby and the Trustees appointed hereunder are subject to such supervision and control as may be determined from time to time by the Legislature of the State or by regulations that may be issued by departments or agencies of the United States of America, to insure the tax exempt status of any Bonds, Notes or other evidences of indebtedness issued by the Authority.

ARTICLE X
Beneficiary of Trust

(1) The Beneficiary of this Trust shall be the municipality designated in Article III herein, under and pursuant to Title 60, Oklahoma Statutes 2001, Sections 176 to 180.4, inclusive, as amended and supplemented, and other applicable statutes of the State presently in force and effect.

(2) The Beneficiary shall have no legal title, claim or right to the Trust Estate, its income, or to any part thereof or to demand or require any partition or distribution thereof. Neither shall the Beneficiary have any authority, power or right whatsoever, to do or transact any business for, or on behalf of or binding upon the Trustees or upon the Trust Estate, nor the right to control or direct the actions of the Trustees pertaining to the Trust Estate or any part thereof, except as herein provided. The Beneficiary shall be entitled solely to the benefits of this Trust as administered

by the Trustees hereunder, and at the termination of the Trust, as provided herein, and only then, the Beneficiary shall receive the residue of the Trust Estate.

ARTICLE XI
Adoption and Amendment of By-Laws; Amendment and Termination of Trust

This Trust Indenture may be amended by an affirmative vote of at least two-thirds (2/3) of all Trustees and any such proposed amendment shall be further approved by the affirmative vote of two-thirds (2/3) of the governing body of the Beneficiary before becoming effective.

The Trustees, by an affirmative vote of a majority of all Trustees, may adopt, alter and amend By-Laws of the Trust.

PROVIDED, HOWEVER, that this Trust Indenture shall not be subject to revocation, alteration, amendment, revision, modification or termination in any manner which would be adverse to the interest of the holders of any evidence of indebtedness of the Trust without the consent of holders of indebtedness who would be adversely affected, which consent may be given by less than all of such holders, if so provided in any resolution, indenture or agreement relating to such indebtedness.

This Trust shall terminate -

(1) When the purposes set out in Article IV of this instrument shall have been fully executed; or

(2) In the manner provided by Oklahoma law. Provided, however, that this Trust shall not be terminated by voluntary action while there be outstanding indebtedness or fixed obligations of the Trustees, unless all owners of such indebtedness or obligations shall have consented in writing to such termination.

Upon the termination of this Trust, the Trustees shall proceed to wind up the affairs of this Trust, and after payment of all debts, expenses and obligations out of the monies and properties of the Trust Estate to the extent thereof, the Trustees shall distribute the residue of the money and properties of the Trust Estate to the Beneficiary hereunder. Upon final distribution, the powers, duties and authority of the Trustees hereunder shall terminate.

ARTICLE XII

The Trustees accept the Trust herein created and provided for, and agree to carry out the provisions of this Trust Indenture on their part to be performed.

IN WITNESS WHEREOF, the Trustor and the Trustees have hereunto set their hands on the day and year indicated.

Harold Haralson, Trustor

Harold Haralson, Trustee

Rachel Butler, Trustee

Doug Cubberley, Trustee

David Hopper, Trustee

Dan Quinn, Trustee

Cindy Rosenthal, Trustee

Jim Stanley, Trustee

Richard Stawicki, Trustee

Bob Thompson, Trustee

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STATE OF OKLAHOMA)
)SS
COUNTY OF CLEVELAND)

BEFORE ME, the undersigned, a Notary Public in and for the above County and State, on the 11th day of July, 2006, appeared Harold Haralson, and further known to me to be the identical person who subscribed said person's name to the foregoing instrument, as Trustor, and acknowledged to me that said person executed the same as said person's free and voluntary act and deed, for the uses and purposes therein mentioned and set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year aforesaid.

NOTARY PUBLIC 02017428 IN AND FOR STATE OF OKLAHOMA
OFFICIAL SEAL
Brenda D. Hall
Cleveland County
Commission Expires Nov. 2, 2006

Brenda D. Hall
Notary Public

(SEAL)

My commission expires 11/02/2006
Commission No. 02017428

STATE OF OKLAHOMA)
)SS
COUNTY OF CLEVELAND)

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on the 11th day of July, 2006, personally appeared Harold Haralson, Rachel Butler, Doug Cubberley, David Hopper, Dan Quinn, Cindy Rosenthal, Jim Stanley, Richard Stawicki, and Bob Thompson, and further known to me to be the identical persons who subscribed their names to the foregoing instrument, as Trustees, and acknowledged to me that they executed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned and set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year aforesaid.

NOTARY PUBLIC 02017428 IN AND FOR STATE OF OKLAHOMA
OFFICIAL SEAL
Brenda D. Hall
Cleveland County
Commission Expires Nov. 2, 2006

Brenda D. Hall
Notary Public

(SEAL)

My commission expires 11/02/2006
Commission No. 02017428

STATE OF OKLAHOMA)
)SS
COUNTY OF CLEVELAND)

ACCEPTANCE

KNOW ALL MEN BY THESE PRESENTS:

That the City Council of The City of Norman, State of Oklahoma, hereby accepts the beneficial interest in the Trust created and recreated by the within and foregoing Trust Indenture, for and on behalf of said City in all respects in accordance with the terms of said Trust Indenture.

WITNESS my hand as Mayor of said City, attested by the Clerk of said City, pursuant to direction of the City Council of said City, this 11th day of July, 2006.

THE CITY OF NORMAN, OKLAHOMA

Harold Haralson
Mayor

ATTEST:

Mary Hatley
City Clerk

(SEAL)

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TRUST INDENTURE
CREATING THE
NORMAN TAX INCREMENT FINANCE AUTHORITY

KNOW ALL MEN BY THESE PRESENTS:

This Trust Indenture dated as of the 11th day of July, 2006, by Harold Haralson, hereinafter referred to as the Trustor, and Harold Haralson, Rachel Butler, Doug Cubberley, David Hopper, Dan Quinn, Cindy Rosenthal, Jim Stanley, Richard Stawicki, and Bob Thompson, and their respective successors as provided herein, to be known as the Trustees of the Norman Tax Increment Finance Authority, who shall be and are hereinafter referred to as Trustees of the said Authority, hereinafter referred to as "Authority" or "Trust", hereby creates and establishes a public trust for the use and benefit of The City of Norman, Oklahoma (referred to herein as the "City" and the "Beneficiary") pursuant to the terms of Title 60, Okla. Stats. 2001, Sections 176 *et seq.* and prescribes the terms thereof as follows:

NOW, THEREFORE, in consideration of the payment by the Trustor to the Trustees of the sum of Ten Dollars ($10.00), receipt of which is hereby acknowledged, the mutual covenants herein set forth, and other valuable considerations, the said Trustees agree to hold, manage, invest, assign, convey and distribute as herein provided, authorized and directed, such property as Trustor, or others may heretofore or from time to time hereafter assign, transfer, lease, convey, give, bequeath, devise or deliver unto this Trust or the Trustees hereof.

TO HAVE AND HOLD such property and the proceeds, rents, profits, and increases thereon unto said Trustees and said Trustees' successors and assigns, but nevertheless in trust, for the use and benefit of The City of Norman, State of Oklahoma, such City being hereby designated and hereinafter referred to as "Beneficiary" and upon the trusts, terms and conditions hereinafter stated.

ARTICLE I
Creation of Trust

The undersigned Trustor recreates, creates and establishes a Trust for the use and benefit of the Beneficiary for the public purposes hereinafter set forth, under the provisions of Title 60, Oklahoma Statutes 2001, Sections 176 to 180.4, inclusive, as amended and supplemented, the Oklahoma Trust Act and other applicable statutes and laws of the State of Oklahoma.

The undersigned Trustor hereby forever irrevocably conveys, relinquishes and assigns to the Trustees of the Authority any and all right, title and interest he may have in and under this Trust Indenture and the trust created hereunder, including, without limitation, the right to consent to and approve any further changes, amendments or supplements to this Trust Indenture.

ARTICLE II
Name and Effective Date of Trust

The Trustees of this Trust shall conduct all business and execute or authorize the execution of all instruments in the name of this Trust, which shall be the "Norman Tax Increment Finance Authority" and otherwise perform the duties and functions required in the execution of this Trust, and hereby authorize the Chairman or Vice Chairman and the Secretary or Assistant Secretary of the Trust to execute instruments on behalf of the Trust as directed by duly enacted resolutions of the Trust. This Trust Indenture shall be in full force and effect from and after the date of execution by the Trustees of the Trust and acceptance of the beneficial interest herein by the Beneficiary.

ARTICLE III
Definitions

"Act" shall mean the Oklahoma Public Trust Act, being Title 60, Oklahoma Statutes 2001, Sections 176 to 180.4, as amended and supplemented.

"Authority" shall mean the Norman Tax Increment Finance Authority created pursuant to this Trust Indenture, and the Trustees thereof, acting on behalf of and in the name of said Authority.

"Beneficiary" shall mean The City of Norman, State of Oklahoma, acting by and through its City Council.

"Bonds" or "Notes" shall mean respectively the bonds and notes of the Authority authorized to be issued under this Indenture.

"By-Laws" shall mean the By-Laws, if any, duly adopted by the Authority as the same may be amended from time to time.

"Governmental Agency" shall mean the United States of America and the State or any department, division, public corporation, public agency, political subdivision or other public instrumentality of either.

"Lending Institution" shall mean any bank or trust company, Federal National Mortgage Association, mortgage banker, mortgage company, national banking association, savings bank, savings and loan association and any other financial institution or Governmental Agency or person.

"Mortgage" shall mean a mortgage, mortgage deed, deed of trust, security agreement or other instrument creating a lien on a fee interest in real and/or personal property or a leasehold on such fee interest.

"Mortgage Loan" means an interest bearing obligation secured by a Mortgage.

"State" shall mean the State of Oklahoma.

"Trust Indenture" shall mean this Trust Indenture dated as of July 11, 2006. 26-4

"Trustees" shall mean the Trustees of the Authority.

ARTICLE IV
Purposes of Trust

The purposes of this Trust are:

(1) To assist the Beneficiary, the State of Oklahoma, its Governmental Agencies, and private entities, agencies and citizens in implementing provisions of the Local Development Act, Title 62, Oklahoma Statutes, Section 850, et. seq., (the "Local Development Act") which shall serve to implement and execute Section 6C of Article X of the Oklahoma Constitution as approved by the voters of the State of Oklahoma on November 6, 1990, as amended by the voters of the State of Oklahoma on November 2, 2004, and as may be further amended from time to time, by:

(a) Providing for the granting of incentives and exemptions from taxation within certain areas, placing restrictions thereon, and limiting the time period for the exemption, as authorized by the Local Development Act;

(b) Providing for apportionment of an increment of local taxes and fees, placing restrictions thereon, and limiting the time period for the apportionment, as authorized by the Local Development Act; and

(c) Providing for the planning, financing, and carrying out of development and redevelopment within certain areas, as authorized by the Local Development Act.

Nothing herein shall be construed in a manner contrary to or inconsistent with the provisions of said constitutional provision, and the Local Development Act.

(2) To assist the Beneficiary, the State of Oklahoma, Governmental Agencies, municipalities and private entities, agencies and citizens in making the most efficient use of all of their economic resources and powers in accord with the needs and benefit of the State of Oklahoma and the Beneficiary in order to lessen the burdens on government and to stimulate economic growth and development, specifically including, but not limited to, the power to conduct studies and prepare comprehensive plans relating to the future economic growth and development of the Beneficiary; to inventory the services, facilities and resources of the Beneficiary; to promote, stimulate, encourage and finance the growth and development of the utility, agricultural, commercial, health care and industrial resources of the Beneficiary, all in order to achieve maximum utilization of the Beneficiary's human, economic and natural resources and tourist attractions; to foster and promote an improved industrial climate within the Beneficiary and to otherwise promote its general economic welfare and prosperity and to finance any and all programs,

utilities, facilities or resources promoting or intending to promote any of the foregoing and, without restriction, in furtherance of the foregoing general objectives, the following specific powers or purposes, to wit:

(a) To promote and develop any and all utility and public works projects or facilities of any type or description including, but not limited to, those for water, sewer, electric, solid waste, natural gas or other public utilities of any type or description.

(b) To promote, develop and finance projects or facilities relating to agriculture, farming, ranching and agri-business of any sort or description including, but not limited to, any land or personal property related thereto, or projects relating to cattle, poultry, irrigation equipment and systems, or other agri-projects of any other sort or description.

(c) To promote, finance and develop commercial and industrial projects or facilities and to exercise all of the powers, privileges and prerogatives of industrial trusts within this State.

(d) To promote, finance and develop hospitals, ambulance services and other health care facilities and any other medically related facilities including, but not limited to, medical and/or dental, optometric, osteopathic or chiropractic clinics, offices, laboratories, nursing homes, research facilities, geriatric facilities, retirement facilities, central service facilities and training facilities, extended care facilities, facilities for aged and/or disabled persons, day care facilities for children and all other types of facilities for serving the medical and physical needs of people.

(e) To promote, finance and develop projects or facilities relating to the development of energy of any sort or description including, but not limited to those relating to the development of oil, gas, coal, gravel, lead, zinc or other minerals or hydro-carbons, the financing of oil and gas equipment, refineries, drilling and pumping rigs and equipment, or other energy development of any sort or description and synthetic fuel facilities.

(f) To promote, finance and develop projects, facilities, services and industries pertaining to the development or improvement of: individual, commuting, airport and mass transportation; transportation generally; trucking; handling and shipping of goods; railroads, railroad rights-of-way; railroad equipment or rolling stock construction, repair or maintenance facilities; air transportation; public or mass transportation systems, facilities and equipment, and the financing of automobiles, trucks and vehicles of every sort and description; and other methods and modes of transporting people, goods and equipment of whatsoever kind or character, within the boundaries of the Beneficiary and to provide additional employment or increase transportation efficiency which will benefit and strengthen the economy of the Beneficiary.

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(g) To promote, finance and develop recreational, sports, cultural, tourism, entertainment and communication media projects or facilities including, but not limited to, mass-media broadcasting facilities such as radio, television and cable television equipment and facilities.

(h) To plan, establish, develop, construct, finance, enlarge, remodel, acquire, improve, alter, extend, maintain, equip, operate, lease, furnish and regulate any facilities related to any of the foregoing and, if desired, to lease such facilities and to operate the same in connection therewith and to do, perform, own, acquire, construct or engage in or finance any other enterprise or activity, project or facility to such extent and in such manner as now is or may be considered a proper and lawful function of public trust entities within the State of Oklahoma.

(3) To promote the development of adequate housing within the territorial limits of the Beneficiary whether single family dwellings or multi-family dwellings:

(a) By making or committing to make or participating in the making of loans to non-profit sponsors of housing;

(b) By making or committing to make or participating in the making of loans to persons upon terms and conditions requiring such owners to use the proceeds of such loans to construct, acquire, rehabilitate or improve housing and such additional terms and conditions as may be set by the Authority;

(c) By participating in all Government Agency programs relating to housing and housing projects;

(d) By participating in housing programs of all kinds to assist in providing safe and sanitary housing to the residents of the Beneficiary and surrounding community.

(4) To provide funds and assistance for the purposes set out in this Indenture which include, among others:

(a) the expansion of the supply of funds in the Beneficiary available for new Mortgage Loans for housing; and

(b) the provision of the additional housing needed to remedy the shortage of such housing within the boundaries of the Beneficiary and to upgrade substandard housing within the boundaries of the Beneficiary so as to eliminate the existence of substandard dwellings.

(5) To hold, maintain and administer any leasehold rights in and to physical properties heretofore or hereafter demised to the Beneficiary or the Authority and to comply with the terms and conditions of any such lease.

(6) To acquire by lease, purchase, production, reduction to possession or otherwise, and to plan, establish, develop, construct, enlarge, improve, extend, maintain, equip, operate, furnish, provide, supply, regulate, hold, store and administer any and all physical properties (real, personal or mixed), rights, privileges, immunities, benefits and any other thing of value, designated or needful for utilization in furnishing, providing or supplying the aforementioned services, utilities, buildings and facilities; to finance and refinance and to enter into contracts of purchase, lease-purchase or other interest in or operation and maintenance of said properties, and revenues thereof, and to comply with the terms and conditions of any such contracts, leases or other contracts entered into in connection with the acquisition, equipping, maintenance and disposal of any of said property; and to relinquish, dispose of, rent or otherwise make provisions for properties owned or controlled by the Trust, but no longer needful for Trust purposes.

(7) To acquire, construct, reconstruct, extend, lease, purchase, install, equip, maintain, repair, enlarge, remodel and operate any property, improvements, buildings and other facilities of every nature for use by the State of Oklahoma, the United States of America, or the Beneficiary, or for use by authorities or agencies of the State of Oklahoma, the United States of America or the Beneficiary or for the use of corporations, individuals, partnerships, associations or proprietary companies for industrial development; to plan, establish, develop, construct and enlarge railroad and railway facilities, trucking, air transportation, public or mass transportation, and all phases of transportation relating to commerce; improve, extend, replace, reconstruct, repair, operate and maintain railroad rights-of-way, trucking, air transportation, public or mass transportation projects, and related facilities; maintain, equip, operate, lease, furnish, provide, supply, regulate, hold, store and administer property, buildings, improvements and facilities of every nature, within the territorial boundaries of the Beneficiary which may be useful in securing, developing and maintaining such facilities, functions or activities.

(8) To perform, on behalf of the Beneficiary, all functions, activities and powers authorized by industrial and economic development statutes as they from time to time exist.

(9) To provide funds for the cost of financing, refinancing, acquiring, constructing, purchasing, equipping, maintaining, leasing, repairing, improving, extending, enlarging, remodeling, holding, storing, operating and administering any or all aforesaid property, improvements, buildings, facilities and all properties (real, personal or mixed) necessary or desirable for executing and fulfilling the Trust purposes, as set forth in this instrument, and all other charges, costs and expenses necessarily incurred in connection therewith and in so doing, to incur indebtedness, either unsecured or secured by all or any part of the Trust Estate and its revenues.

(10) To expend all funds coming into the hands of the Trustees as revenue or otherwise for the payment of any indebtedness incurred by the Trustees for the purposes specified herein, and in the payment of the aforesaid costs and expenses, and in

payment of any other obligation properly chargeable against the Trust Estate, and to distribute the residue and remainder of such funds to the Beneficiary.

ARTICLE V
Duration of Trust

This Trust shall have duration for the term of duration of the Beneficiary and until such time as its purposes shall have been fully fulfilled and all indebtedness of the Authority is paid, or until it shall be terminated as hereinafter provided.

ARTICLE VI
The Trust Estate

The Trust Estate shall consist of:

(1) The funds and property presently in the hands of the Trustees or to be hereafter acquired or constructed by the Trustees and dedicated by the Trustor, the Beneficiary and others to be used for trust purposes.

(2) Any and all leasehold rights heretofore or hereafter remised to the Trustees by the Beneficiary, and others as authorized and empowered by law.

(3) Any and all money, property (real, personal or mixed), rights, choses in action, contracts, leases, privileges, immunities, licenses, franchises, benefits, Mortgages, Mortgage Loans, collateral and all other things of value heretofore or hereafter coming into the hands of the Trustees under this Trust Indenture.

(4) Cash in the sum of $10.00 paid by the Trustor to the Trustees, receipt of which is hereby specifically acknowledged by the Trustees.

ARTICLE VII
The Trustees

(1) The Trustees of this Trust shall be citizens and residents of the Beneficiary, who are the persons presently constituting the Mayor and members of the City Council of the Beneficiary, and the persons who shall be their successors as Mayor, and members of said City Council of said Beneficiary, and each such successor in office shall, upon taking the Oath of Office, but without any further act, deed or conveyance, automatically become Trustees of this Trust and become fully vested with all the estate, properties, rights, powers, duties and obligations of his predecessor hereunder with like effect as if originally named as a Trustee herein.

(2) The person who shall be the Mayor of the Beneficiary, shall become automatically the Chairman of the Trustees and shall preside at all meetings and perform other duties designated by the Trustees. The Trustees shall designate the time and place of all regular meetings. All actions by the Trustees pursuant to the provisions of this Trust Indenture shall be approved by the affirmative vote of at least a majority of the Trustees qualified to act as such under the provisions of this Trust Indenture. The person who shall be the Mayor Pro Tem of the Beneficiary, shall become automatically the Vice-Chairman who shall act in the place of the Chairman during the latter's absence or incapacity to act. In case of the absence of both the Chairman and the Vice-Chairman, the remaining Trustees shall elect one of their number to act as Chairman until the return of the Chairman or Vice-Chairman.

(3) The person who shall be the City Clerk of the Beneficiary shall act as Secretary of the Trustees. The person who shall be the Deputy City Clerk of the Beneficiary shall act as Assistant Secretary of the Trustees. The Secretary or Assistant Secretary shall keep minutes of all meetings of the Trustees and shall maintain complete and accurate records of all their financial transactions, all such minutes, books and records to be on file in the office of the Trust. All meetings of the Trustees shall be open to the public, and the books, records and minutes of the Trustees shall be considered as public records and available for inspection at all times by any interested party.

(4) The person who shall be the City Finance Director of the Beneficiary shall act as Treasurer of the Trustees. The duties of the Treasurer shall be prescribed by the Trustees.

(5) The person who shall be the City Manager of the Beneficiary shall act as General Manager for the Trust Estate, and the Trustees may employ such other clerical, professional, legal and technical assistance as may be deemed necessary in the discretion of the Trustees to properly operate the business of the Trust, and may fix their duties, terms of employment and compensation from the Trust Estate. All Trustees shall serve without compensation, but shall be reimbursed for actual expenses incurred in the performance of their duties hereunder. Said General Manager shall administer the business of the Trust Estate as directed from time to time by the Trustees.

(6) The Trustees are authorized to contract, in connection with the incurrence of any funded indebtedness secured by the Trust Estate and/or its revenues, or any part of either or both, that in the event of a default in the fulfillment of any contractual obligation undertaken on behalf of the Trust Estate or in the payment of any indebtedness incurred on behalf of the Trust Estate, that a Temporary Trustee or Trustees or Receiver shall be appointed to succeed to the rights, powers and duties of the Trustees then in office. Any such contract, if made, may set forth the terms and conditions under which such Temporary Trustee or Trustees or Receiver may be appointed to operate the Trust Estate and may provide for compensation to be paid, and may provide for such appointment to be vacated and permanent Trustees to be

automatically reinstated upon termination of all defaults by which their appointment was authorized.

(7) Bonds or other evidences of indebtedness to be issued by the Trustees shall not constitute an indebtedness or obligation of the State or the Beneficiary nor personal obligations of the Trustees, but shall constitute obligations of the Trust only, payable solely from the Trust Estate.

(8) The Trustees, the State, and the Beneficiary shall not be charged personally with any liability whatsoever by reason of any act or omission committed or suffered in good faith or in the exercise of their honest discretion in the performance of such Trust or in the operation of the Trust Estate; but any act or liability for any omission or obligation of the Trustees in the execution of such Trust, or in the operation of the Trust Estate, shall extend to the whole of the Trust Estate or so much thereof as may be necessary to discharge such liability or obligation.

(9) Notwithstanding any other provision of this Trust Indenture which shall appear to provide otherwise, no Trustee or Trustees shall have the power or authority to bind or obligate any other Trustee, or the Beneficiary, in his or its capacity, nor can the Beneficiary bind or obligate the Trust or any individual Trustee.

(10) The Trust shall cause to be prepared annually at the close of each fiscal year of the Trust an audit of the funds, financial affairs and transactions of the Trust including, but not limited to, all fees, salaries and expenditures in exact amounts and specifying to whom such expenditures were paid. Such audit is to be certified with an unqualified opinion of an independent, certified public account. A copy of the annual audit of the Trust shall be filed within the time period and in conformity with the provisions of Oklahoma law related thereto. Unless hereafter changed by specific resolution of the Trustees, the fiscal year of the Trust shall be July 1 to June 30 of the following year. All expense incurred in connection with the annual audits shall be paid from the Trust Estate.

(11) Every person becoming a Trustee shall first take the Oath of Office required of an elected public officer. The Oath of Office shall be administered by any person authorized to administer oaths in the State, and shall be filed with the Clerk or Deputy Clerk of the Beneficiary. Every officer and employee who handles funds of the Trust shall furnish a good and sufficient fidelity bond in an amount and with surety as may be specified and approved by the Trustees; the Trustees may, but shall not be obligated to, obtain bonds relating to the performance of their duties as Trustees. Such bonds shall be in a surety company authorized to transact surety business in the State and the cost thereof shall be paid from the Trust Estate.

ARTICLE VIII
Powers and Duties of the Trustees

To accomplish the purposes of the Trust, the Trustees shall have, in addition to the usual powers incident to their office and the powers granted to them otherwise by law or in other parts of this Trust Indenture, the following rights, powers, duties, authority, discretion and privileges, all to be exercised on behalf of and in the name of the Authority:

(1) To sue and be sued.

(2) To have a seal and alter same at pleasure.

(3) To make and execute contracts and all other instruments necessary or convenient for the exercise of its powers and functions hereunder.

(4) To make and alter by-laws for its obligations and internal management as provided herein.

(5) To make and alter rules and regulations pertaining to any loan or other program developed by the Authority.

(6) To acquire, lease, convey, or otherwise hold and dispose of real and personal property for its Trust purposes; provided that, no purchaser at any sale or lessee under a lease made by the Trustees shall be bound to inquire into the expediency, propriety, validity or necessity of such sale or lease or to see or be liable for the application of the purchase or rental monies arising therefrom.

(7) To enter into contracts for sale of Bonds, Notes or other evidences of indebtedness, interim Notes or Bonds or other obligations of the Trust and to issue the same for any of the purposes of the Trust authorized hereby including, but not limited to: the acquisition, construction, reconstruction, equipping or otherwise financing facilities discussed in Article IV hereof or for any other lawfully permitted facilities which may be secured with Mortgages, security interests or other collateral satisfactory to the Trustees; making Mortgage loans or purchasing Mortgage notes secured by Mortgages on dwellings; acquiring real or personal property or facilities at foreclosure of any loan or obligation or authorized to be acquired pursuant to the terms of this Trust Indenture or other purposes authorized under any instrument securing any indebtedness of the Trust; refunding or advance refunding any outstanding indebtedness of the Trust; creating any reserves or replacement funds, loan funds or other funds or accounts deemed advisable by the Trustees in the furtherance of the Trust purposes or in connection with the securing of any of the Trust's debts or in the administration of Trust programs; and for any other purpose authorized by law and/or by Article IV hereof; and for those purposes the Trustees may:

(a) Sell all Bonds, Notes or other evidences of indebtedness or obligations of the Trust at public or private sale in whole or in installments or series and on

such terms and conditions and in such manner as is prescribed by law and as the Trustees shall deem to be in the best interest of the Trust Estate; and

(b) Appoint and compensate attorneys, paying agencies and corporate trustees in connection with the issuance of any such Bonds, Notes, evidences of indebtedness or other obligations of the Trust; and

(c) Pay all expenses incident to the creation of any indebtedness or the issuance of any Bonds, Notes or other evidences of indebtedness including, but not limited to, printing expenses, feasibility studies, special consultants, travel expenses or reproduction expenses; and

(d) Create any reserve fund and any and all other funds and accounts as the Authority shall deem necessary or desirable in connection with the issuance of any Bonds, Notes or other evidences of indebtedness.

Any such indebtedness shall be deemed to be incurred or issued on behalf of the Beneficiary and may be general or special obligations of the Trust as the Trustees may from time to time determine.

(8) To purchase or redeem their Bonds, Notes or other evidences of indebtedness in whole or in part prior to the stated maturity thereof as specified in any instrument authorizing the issuance or securing the payment of any such indebtedness.

(9) To pledge any or all of the Trust's revenues or assets to secure the payment of any of its indebtedness.

(10) To enter into agreements with or participate in any programs of the Beneficiary, the State of Oklahoma, or any agency or instrumentality thereof, the United States of America, or any agency or instrumentality thereof.

(11) To enter into and execute, purchase, lease or otherwise acquire property, real, personal or mixed, contracts, leases, rights, privileges, benefits, choses in action or other things of value and to pay for the same in cash, with bonds or other evidences of indebtedness or otherwise.

(12) To fix, demand and collect charges, rentals and fees for the services and facilities of the Trust and to discontinue the furnishing of services and facilities to, and foreclose on any collateral of, any person, firm, or corporation, or public instrumentality delinquent in the payment of any indebtedness to the Trust; to purchase and sell such supplies, goods and commodities as are incident to the operation of its properties.

(13) To make and perform contracts of every kind including, management contracts, with any person, firm, corporation, association, joint venture, trusteeship, municipality, government, sovereignty or other entity; and without limitation as to amount, to draw, make, accept, endorse, assume, guarantee, account, execute and issue

promissory notes, drafts, bills of exchange, acceptances, warranties, bonds, debentures and other negotiable or non-negotiable instruments, obligations and evidences of unsecured indebtedness, or of indebtedness secured by mortgage, deed of trust or otherwise upon any or all income of the Trust, in the same manner and to the same extent as a natural person might or could do. To collect and receive any property, collateral, money, rents, or income of any sort and distribute the same or any portion thereof for the furtherance of the authorized Trust purposes set out herein.

(14) To exercise or to request of, arrange or contract with the Beneficiary or any governmental unit, agency or political subdivision thereof for the exercise of the power of eminent domain as necessary in establishing, operating, administering and maintaining any Trust facilities, systems, projects or programs.

(15) To expend all funds coming into the hands of the Trustees as revenue or otherwise for the payment of any indebtedness incurred by the Trustees for purposes specified herein, and in the payment of the aforesaid costs and expenses, and in payment of any other obligation properly chargeable against the Trust Estate, to from time to time transfer any surplus funds to the Beneficiary as the Authority in its sole discretion may determine and, upon termination of the Trust, to distribute the residue and remainder of such funds to the Beneficiary.

(16) To contract for services with firms or persons or other units and entities of government or private entities or agencies to carry out the purposes of the Trust; to apply for, contract for, receive and expend for its purposes, funds or grants from any governmental or non-governmental agency or entity, the Beneficiary, the State, the Federal Government or any agency or department thereof, or from any other source.

(17) To receive funds, money, property, collateral, services, rights and choses in action from any source to finance the programs and operations of the Trust; to receive grants, gifts, contributions and donations to carry out the purposes for which the Trust is formed; to receive and accept from any Federal, State or private agencies or entities, grants or loans for or in aid of the construction of any facility or system and to receive and accept aid or contributions of money, labor or any other valuable things from any source.

(18) To plan, coordinate, implement, administer or otherwise carry out public works or other projects or programs for public purposes for the benefit of the Beneficiary.

(19) To make, or commit to make, or participate in the making of Mortgage Loans whether for construction, for acquisition, financing or purchasing of housing.

(20) To invest monies of the Authority not required for immediate use, including proceeds from the sale of any Bonds or Notes, in accordance with the laws of the State.

(21) To sell any Mortgages or other personal property acquired by the Authority at public or private sale and at such price or prices as it shall determine.

(22) To renegotiate, refinance or foreclose, or contract for the foreclosure of any Mortgage, security interest or other obligation in default; to waive any default or consent to the modification of the terms of any Mortgage; to commence any action to protect or enforce any right conferred upon it by any law, Mortgage, security interest, contract or other agreement, and to bid for and purchase such property at any foreclosure or at any other sale, or acquire or take possession of any such property; to operate, manage, rehabilitate, improve, lease, dispose of, and otherwise deal with such property, in such manner as may be necessary to protect the interests of the Trust and the holders of its Bonds, Notes or other obligations.

(23) To renegotiate or refinance any loan in default; waive any default or consent to the modification of the terms of any loan, and commence any action or proceedings to protect or enforce any right conferred upon it by law, loan agreement, contract or other agreement.

(24) To make and execute contracts and appoint agents for the administration or servicing of any loan made or acquired by the Trust and pay the reasonable value of services rendered to the Trust pursuant to such contracts.

(25) To sell any loans made or acquired by the Trust at public or private sale and at such price or prices and on such terms as the Trust shall determine.

(26) To collect and pay reasonable fees and charges in connection with making, committing to make, purchasing or committing to purchase and servicing its Mortgage Loans, Notes, Bonds, commitments and other evidences of indebtedness.

(27) To procure insurance against any type loss in such amounts, and from such insurers, as it may deem necessary or desirable.

(28) To consent, whenever it shall be deemed necessary or desirable in the fulfillment of its Trust purposes, to the modification of the rate of interest, time of payment of any installment of principal or interest, or any other terms of any Mortgage Loan, Mortgage Loan commitment, construction loan, temporary loan, contract or agreement of any kind to which the Trust is a party.

(29) To do any and all things necessary or convenient to carry out its purposes and exercise the powers given and granted herein, and to do all other acts in their judgment necessary or desirable, for the proper and advantageous management, investment and distribution of the Trust Estate and income therefrom.

(30) To exercise exclusive management and control of the properties of the Trust Estate.

(31) To contract for the furnishing of any services or the performance of any duties that they may deem necessary or proper and pay for the same as they see fit.

(32) To select depositories for the funds and securities of this Trust.

(33) To compromise any debts or claims of or against the Trust Estate, and adjust any dispute in relation to such debts or claims against the Trust Estate upon any evidence deemed by the Trustees to be sufficient. The Trustees may bring any suit or action which in their judgment is necessary or proper to protect the interest of the Trust Estate, or to enforce any claim, demand or contract for the Trust; and they shall defend, in their discretion, any suit against the Trust, or the Trustees or employees, agents or servants thereof. They may compromise and settle any suit or action, and discharge the same out of assets of the Trust Estate, together with court costs and attorney's fees. All such expenditures shall be treated as expenses of executing this Trust.

(34) To do each and all things necessary to implement the purposes of this Trust as set out herein, and to that end Article IV "Purposes of Trust" is incorporated in its entirety under this "Powers" Article for the purpose of insuring that all appropriate power is granted to the Trustees to accomplish the purposes hereof without inhibition.

ARTICLE IX
Supervisory Control

The Trust created hereby and the Trustees appointed hereunder are subject to such supervision and control as may be determined from time to time by the Legislature of the State or by regulations that may be issued by departments or agencies of the United States of America, to insure the tax exempt status of any Bonds, Notes or other evidences of indebtedness issued by the Authority.

ARTICLE X
Beneficiary of Trust

(1) The Beneficiary of this Trust shall be the municipality designated in Article III herein, under and pursuant to Title 60, Oklahoma Statutes 2001, Sections 176 to 180.4, inclusive, as amended and supplemented, and other applicable statutes of the State presently in force and effect.

(2) The Beneficiary shall have no legal title, claim or right to the Trust Estate, its income, or to any part thereof or to demand or require any partition or distribution thereof. Neither shall the Beneficiary have any authority, power or right whatsoever, to do or transact any business for, or on behalf of or binding upon the Trustees or upon the Trust Estate, nor the right to control or direct the actions of the Trustees pertaining to the Trust Estate or any part thereof, except as herein provided. The Beneficiary shall be entitled solely to the benefits of this Trust as administered

by the Trustees hereunder, and at the termination of the Trust, as provided herein, and only then, the Beneficiary shall receive the residue of the Trust Estate.

ARTICLE XI
Adoption and Amendment of By-Laws; Amendment and Termination of Trust

This Trust Indenture may be amended by an affirmative vote of at least two-thirds (2/3) of all Trustees and any such proposed amendment shall be further approved by the affirmative vote of two-thirds (2/3) of the governing body of the Beneficiary before becoming effective.

The Trustees, by an affirmative vote of a majority of all Trustees, may adopt, alter and amend By-Laws of the Trust.

PROVIDED, HOWEVER, that this Trust Indenture shall not be subject to revocation, alteration, amendment, revision, modification or termination in any manner which would be adverse to the interest of the holders of any evidence of indebtedness of the Trust without the consent of holders of indebtedness who would be adversely affected, which consent may be given by less than all of such holders, if so provided in any resolution, indenture or agreement relating to such indebtedness.

This Trust shall terminate -

(1) When the purposes set out in Article IV of this instrument shall have been fully executed; or

(2) In the manner provided by Oklahoma law. Provided, however, that this Trust shall not be terminated by voluntary action while there be outstanding indebtedness or fixed obligations of the Trustees, unless all owners of such indebtedness or obligations shall have consented in writing to such termination.

Upon the termination of this Trust, the Trustees shall proceed to wind up the affairs of this Trust, and after payment of all debts, expenses and obligations out of the monies and properties of the Trust Estate to the extent thereof, the Trustees shall distribute the residue of the money and properties of the Trust Estate to the Beneficiary hereunder. Upon final distribution, the powers, duties and authority of the Trustees hereunder shall terminate.

ARTICLE XII

The Trustees accept the Trust herein created and provided for, and agree to carry out the provisions of this Trust Indenture on their part to be performed.

IN WITNESS WHEREOF, the Trustor and the Trustees have hereunto set their hands on the day and year indicated.

Harold Haralson, Trustor

Harold Haralson, Trustee

Rachel Butler, Trustee

Doug Cubberley, Trustee

David Hopper, Trustee

Dan Quinn, Trustee

Cindy Rosenthal, Trustee

Jim Stanley, Trustee

Richard Stawicki, Trustee

Bob Thompson, Trustee

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STATE OF OKLAHOMA)
)SS
COUNTY OF CLEVELAND)

BEFORE ME, the undersigned, a Notary Public in and for the above County and State, on the 11th day of July, 2006, appeared Harold Haralson, and further known to me to be the identical person who subscribed said person's name to the foregoing instrument, as Trustor, and acknowledged to me that said person executed the same as said person's free and voluntary act and deed, for the uses and purposes therein mentioned and set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year aforesaid.

NOTARY PUBLIC 02017428 IN AND FOR STATE OF OKLAHOMA
OFFICIAL SEAL
Brenda D. Hall
Cleveland County
Commission Expires Nov. 2, 2006

Brenda D. Hall
Notary Public

(SEAL)

My commission expires 11/02/2006
Commission No. 02017428

STATE OF OKLAHOMA)
)SS
COUNTY OF CLEVELAND)

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on the 11th day of July, 2006, personally appeared Harold Haralson, Rachel Butler, Doug Cubberley, David Hopper, Dan Quinn, Cindy Rosenthal, Jim Stanley, Richard Stawicki, and Bob Thompson, and further known to me to be the identical persons who subscribed their names to the foregoing instrument, as Trustees, and acknowledged to me that they executed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned and set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year aforesaid.

NOTARY PUBLIC 02017428 IN AND FOR STATE OF OKLAHOMA
OFFICIAL SEAL
Brenda D. Hall
Cleveland County
Commission Expires Nov. 2, 2006

Brenda D. Hall
Notary Public

(SEAL)

My commission expires 11/02/2006
Commission No. 02017428

STATE OF OKLAHOMA)
)SS
COUNTY OF CLEVELAND)

ACCEPTANCE

KNOW ALL MEN BY THESE PRESENTS:

That the City Council of The City of Norman, State of Oklahoma, hereby accepts the beneficial interest in the Trust created and recreated by the within and foregoing Trust Indenture, for and on behalf of said City in all respects in accordance with the terms of said Trust Indenture.

WITNESS my hand as Mayor of said City, attested by the Clerk of said City, pursuant to direction of the City Council of said City, this 11th day of July, 2006.

THE CITY OF NORMAN, OKLAHOMA

Harold Haralson
Mayor

ATTEST:

Mary Kathryn Holloway
City Clerk

(SEAL)

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TRUST INDENTURE
CREATING THE
NORMAN TAX INCREMENT FINANCE AUTHORITY

KNOW ALL MEN BY THESE PRESENTS:

This Trust Indenture dated as of the 11th day of July, 2006, by Harold Haralson, hereinafter referred to as the Trustor, and Harold Haralson, Rachel Butler, Doug Cubberley, David Hopper, Dan Quinn, Cindy Rosenthal, Jim Stanley, Richard Stawicki, and Bob Thompson, and their respective successors as provided herein, to be known as the Trustees of the Norman Tax Increment Finance Authority, who shall be and are hereinafter referred to as Trustees of the said Authority, hereinafter referred to as "Authority" or "Trust", hereby creates and establishes a public trust for the use and benefit of The City of Norman, Oklahoma (referred to herein as the "City" and the "Beneficiary") pursuant to the terms of Title 60, Okla. Stats. 2001, Sections 176 *et seq.* and prescribes the terms thereof as follows:

NOW, THEREFORE, in consideration of the payment by the Trustor to the Trustees of the sum of Ten Dollars ($10.00), receipt of which is hereby acknowledged, the mutual covenants herein set forth, and other valuable considerations, the said Trustees agree to hold, manage, invest, assign, convey and distribute as herein provided, authorized and directed, such property as Trustor, or others may heretofore or from time to time hereafter assign, transfer, lease, convey, give, bequeath, devise or deliver unto this Trust or the Trustees hereof.

TO HAVE AND HOLD such property and the proceeds, rents, profits, and increases thereon unto said Trustees and said Trustees' successors and assigns, but nevertheless in trust, for the use and benefit of The City of Norman, State of Oklahoma, such City being hereby designated and hereinafter referred to as "Beneficiary" and upon the trusts, terms and conditions hereinafter stated.

ARTICLE I
Creation of Trust

The undersigned Trustor recreates, creates and establishes a Trust for the use and benefit of the Beneficiary for the public purposes hereinafter set forth, under the provisions of Title 60, Oklahoma Statutes 2001, Sections 176 to 180.4, inclusive, as amended and supplemented, the Oklahoma Trust Act and other applicable statutes and laws of the State of Oklahoma.

The undersigned Trustor hereby forever irrevocably conveys, relinquishes and assigns to the Trustees of the Authority any and all right, title and interest he may have in and under this Trust Indenture and the trust created hereunder, including, without limitation, the right to consent to and approve any further changes, amendments or supplements to this Trust Indenture.

ARTICLE II
Name and Effective Date of Trust

The Trustees of this Trust shall conduct all business and execute or authorize the execution of all instruments in the name of this Trust, which shall be the "Norman Tax Increment Finance Authority" and otherwise perform the duties and functions required in the execution of this Trust, and hereby authorize the Chairman or Vice Chairman and the Secretary or Assistant Secretary of the Trust to execute instruments on behalf of the Trust as directed by duly enacted resolutions of the Trust. This Trust Indenture shall be in full force and effect from and after the date of execution by the Trustees of the Trust and acceptance of the beneficial interest herein by the Beneficiary.

ARTICLE III
Definitions

"Act" shall mean the Oklahoma Public Trust Act, being Title 60, Oklahoma Statutes 2001, Sections 176 to 180.4, as amended and supplemented.

"Authority" shall mean the Norman Tax Increment Finance Authority created pursuant to this Trust Indenture, and the Trustees thereof, acting on behalf of and in the name of said Authority.

"Beneficiary" shall mean The City of Norman, State of Oklahoma, acting by and through its City Council.

"Bonds" or "Notes" shall mean respectively the bonds and notes of the Authority authorized to be issued under this Indenture.

"By-Laws" shall mean the By-Laws, if any, duly adopted by the Authority as the same may be amended from time to time.

"Governmental Agency" shall mean the United States of America and the State or any department, division, public corporation, public agency, political subdivision or other public instrumentality of either.

"Lending Institution" shall mean any bank or trust company, Federal National Mortgage Association, mortgage banker, mortgage company, national banking association, savings bank, savings and loan association and any other financial institution or Governmental Agency or person.

"Mortgage" shall mean a mortgage, mortgage deed, deed of trust, security agreement or other instrument creating a lien on a fee interest in real and/or personal property or a leasehold on such fee interest.

"Mortgage Loan" means an interest bearing obligation secured by a Mortgage.

"State" shall mean the State of Oklahoma.

"Trust Indenture" shall mean this Trust Indenture dated as of July 11, 2006. 26-4

"Trustees" shall mean the Trustees of the Authority.

ARTICLE IV
Purposes of Trust

The purposes of this Trust are:

(1) To assist the Beneficiary, the State of Oklahoma, its Governmental Agencies, and private entities, agencies and citizens in implementing provisions of the Local Development Act, Title 62, Oklahoma Statutes, Section 850, et. seq., (the "Local Development Act") which shall serve to implement and execute Section 6C of Article X of the Oklahoma Constitution as approved by the voters of the State of Oklahoma on November 6, 1990, as amended by the voters of the State of Oklahoma on November 2, 2004, and as may be further amended from time to time, by:

(a) Providing for the granting of incentives and exemptions from taxation within certain areas, placing restrictions thereon, and limiting the time period for the exemption, as authorized by the Local Development Act;

(b) Providing for apportionment of an increment of local taxes and fees, placing restrictions thereon, and limiting the time period for the apportionment, as authorized by the Local Development Act; and

(c) Providing for the planning, financing, and carrying out of development and redevelopment within certain areas, as authorized by the Local Development Act.

Nothing herein shall be construed in a manner contrary to or inconsistent with the provisions of said constitutional provision, and the Local Development Act.

(2) To assist the Beneficiary, the State of Oklahoma, Governmental Agencies, municipalities and private entities, agencies and citizens in making the most efficient use of all of their economic resources and powers in accord with the needs and benefit of the State of Oklahoma and the Beneficiary in order to lessen the burdens on government and to stimulate economic growth and development, specifically including, but not limited to, the power to conduct studies and prepare comprehensive plans relating to the future economic growth and development of the Beneficiary; to inventory the services, facilities and resources of the Beneficiary; to promote, stimulate, encourage and finance the growth and development of the utility, agricultural, commercial, health care and industrial resources of the Beneficiary, all in order to achieve maximum utilization of the Beneficiary's human, economic and natural resources and tourist attractions; to foster and promote an improved industrial climate within the Beneficiary and to otherwise promote its general economic welfare and prosperity and to finance any and all programs,

utilities, facilities or resources promoting or intending to promote any of the foregoing and, without restriction, in furtherance of the foregoing general objectives, the following specific powers or purposes, to wit:

(a) To promote and develop any and all utility and public works projects or facilities of any type or description including, but not limited to, those for water, sewer, electric, solid waste, natural gas or other public utilities of any type or description.

(b) To promote, develop and finance projects or facilities relating to agriculture, farming, ranching and agri-business of any sort or description including, but not limited to, any land or personal property related thereto, or projects relating to cattle, poultry, irrigation equipment and systems, or other agri-projects of any other sort or description.

(c) To promote, finance and develop commercial and industrial projects or facilities and to exercise all of the powers, privileges and prerogatives of industrial trusts within this State.

(d) To promote, finance and develop hospitals, ambulance services and other health care facilities and any other medically related facilities including, but not limited to, medical and/or dental, optometric, osteopathic or chiropractic clinics, offices, laboratories, nursing homes, research facilities, geriatric facilities, retirement facilities, central service facilities and training facilities, extended care facilities, facilities for aged and/or disabled persons, day care facilities for children and all other types of facilities for serving the medical and physical needs of people.

(e) To promote, finance and develop projects or facilities relating to the development of energy of any sort or description including, but not limited to those relating to the development of oil, gas, coal, gravel, lead, zinc or other minerals or hydro-carbons, the financing of oil and gas equipment, refineries, drilling and pumping rigs and equipment, or other energy development of any sort or description and synthetic fuel facilities.

(f) To promote, finance and develop projects, facilities, services and industries pertaining to the development or improvement of: individual, commuting, airport and mass transportation; transportation generally; trucking; handling and shipping of goods; railroads, railroad rights-of-way; railroad equipment or rolling stock construction, repair or maintenance facilities; air transportation; public or mass transportation systems, facilities and equipment, and the financing of automobiles, trucks and vehicles of every sort and description; and other methods and modes of transporting people, goods and equipment of whatsoever kind or character, within the boundaries of the Beneficiary and to provide additional employment or increase transportation efficiency which will benefit and strengthen the economy of the Beneficiary.

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(g) To promote, finance and develop recreational, sports, cultural, tourism, entertainment and communication media projects or facilities including, but not limited to, mass-media broadcasting facilities such as radio, television and cable television equipment and facilities.

(h) To plan, establish, develop, construct, finance, enlarge, remodel, acquire, improve, alter, extend, maintain, equip, operate, lease, furnish and regulate any facilities related to any of the foregoing and, if desired, to lease such facilities and to operate the same in connection therewith and to do, perform, own, acquire, construct or engage in or finance any other enterprise or activity, project or facility to such extent and in such manner as now is or may be considered a proper and lawful function of public trust entities within the State of Oklahoma.

(3) To promote the development of adequate housing within the territorial limits of the Beneficiary whether single family dwellings or multi-family dwellings:

(a) By making or committing to make or participating in the making of loans to non-profit sponsors of housing;

(b) By making or committing to make or participating in the making of loans to persons upon terms and conditions requiring such owners to use the proceeds of such loans to construct, acquire, rehabilitate or improve housing and such additional terms and conditions as may be set by the Authority;

(c) By participating in all Government Agency programs relating to housing and housing projects;

(d) By participating in housing programs of all kinds to assist in providing safe and sanitary housing to the residents of the Beneficiary and surrounding community.

(4) To provide funds and assistance for the purposes set out in this Indenture which include, among others:

(a) the expansion of the supply of funds in the Beneficiary available for new Mortgage Loans for housing; and

(b) the provision of the additional housing needed to remedy the shortage of such housing within the boundaries of the Beneficiary and to upgrade substandard housing within the boundaries of the Beneficiary so as to eliminate the existence of substandard dwellings.

(5) To hold, maintain and administer any leasehold rights in and to physical properties heretofore or hereafter demised to the Beneficiary or the Authority and to comply with the terms and conditions of any such lease.

(6) To acquire by lease, purchase, production, reduction to possession or otherwise, and to plan, establish, develop, construct, enlarge, improve, extend, maintain, equip, operate, furnish, provide, supply, regulate, hold, store and administer any and all physical properties (real, personal or mixed), rights, privileges, immunities, benefits and any other thing of value, designated or needful for utilization in furnishing, providing or supplying the aforementioned services, utilities, buildings and facilities; to finance and refinance and to enter into contracts of purchase, lease-purchase or other interest in or operation and maintenance of said properties, and revenues thereof, and to comply with the terms and conditions of any such contracts, leases or other contracts entered into in connection with the acquisition, equipping, maintenance and disposal of any of said property; and to relinquish, dispose of, rent or otherwise make provisions for properties owned or controlled by the Trust, but no longer needful for Trust purposes.

(7) To acquire, construct, reconstruct, extend, lease, purchase, install, equip, maintain, repair, enlarge, remodel and operate any property, improvements, buildings and other facilities of every nature for use by the State of Oklahoma, the United States of America, or the Beneficiary, or for use by authorities or agencies of the State of Oklahoma, the United States of America or the Beneficiary or for the use of corporations, individuals, partnerships, associations or proprietary companies for industrial development; to plan, establish, develop, construct and enlarge railroad and railway facilities, trucking, air transportation, public or mass transportation, and all phases of transportation relating to commerce; improve, extend, replace, reconstruct, repair, operate and maintain railroad rights-of-way, trucking, air transportation, public or mass transportation projects, and related facilities; maintain, equip, operate, lease, furnish, provide, supply, regulate, hold, store and administer property, buildings, improvements and facilities of every nature, within the territorial boundaries of the Beneficiary which may be useful in securing, developing and maintaining such facilities, functions or activities.

(8) To perform, on behalf of the Beneficiary, all functions, activities and powers authorized by industrial and economic development statutes as they from time to time exist.

(9) To provide funds for the cost of financing, refinancing, acquiring, constructing, purchasing, equipping, maintaining, leasing, repairing, improving, extending, enlarging, remodeling, holding, storing, operating and administering any or all aforesaid property, improvements, buildings, facilities and all properties (real, personal or mixed) necessary or desirable for executing and fulfilling the Trust purposes, as set forth in this instrument, and all other charges, costs and expenses necessarily incurred in connection therewith and in so doing, to incur indebtedness, either unsecured or secured by all or any part of the Trust Estate and its revenues.

(10) To expend all funds coming into the hands of the Trustees as revenue or otherwise for the payment of any indebtedness incurred by the Trustees for the purposes specified herein, and in the payment of the aforesaid costs and expenses, and in

payment of any other obligation properly chargeable against the Trust Estate, and to distribute the residue and remainder of such funds to the Beneficiary.

ARTICLE V
Duration of Trust

This Trust shall have duration for the term of duration of the Beneficiary and until such time as its purposes shall have been fully fulfilled and all indebtedness of the Authority is paid, or until it shall be terminated as hereinafter provided.

ARTICLE VI
The Trust Estate

The Trust Estate shall consist of:

(1) The funds and property presently in the hands of the Trustees or to be hereafter acquired or constructed by the Trustees and dedicated by the Trustor, the Beneficiary and others to be used for trust purposes.

(2) Any and all leasehold rights heretofore or hereafter remised to the Trustees by the Beneficiary, and others as authorized and empowered by law.

(3) Any and all money, property (real, personal or mixed), rights, choses in action, contracts, leases, privileges, immunities, licenses, franchises, benefits, Mortgages, Mortgage Loans, collateral and all other things of value heretofore or hereafter coming into the hands of the Trustees under this Trust Indenture.

(4) Cash in the sum of $10.00 paid by the Trustor to the Trustees, receipt of which is hereby specifically acknowledged by the Trustees.

ARTICLE VII
The Trustees

(1) The Trustees of this Trust shall be citizens and residents of the Beneficiary, who are the persons presently constituting the Mayor and members of the City Council of the Beneficiary, and the persons who shall be their successors as Mayor, and members of said City Council of said Beneficiary, and each such successor in office shall, upon taking the Oath of Office, but without any further act, deed or conveyance, automatically become Trustees of this Trust and become fully vested with all the estate, properties, rights, powers, duties and obligations of his predecessor hereunder with like effect as if originally named as a Trustee herein.

(2) The person who shall be the Mayor of the Beneficiary, shall become automatically the Chairman of the Trustees and shall preside at all meetings and perform other duties designated by the Trustees. The Trustees shall designate the time and place of all regular meetings. All actions by the Trustees pursuant to the provisions of this Trust Indenture shall be approved by the affirmative vote of at least a majority of the Trustees qualified to act as such under the provisions of this Trust Indenture. The person who shall be the Mayor Pro Tem of the Beneficiary, shall become automatically the Vice-Chairman who shall act in the place of the Chairman during the latter's absence or incapacity to act. In case of the absence of both the Chairman and the Vice-Chairman, the remaining Trustees shall elect one of their number to act as Chairman until the return of the Chairman or Vice-Chairman.

(3) The person who shall be the City Clerk of the Beneficiary shall act as Secretary of the Trustees. The person who shall be the Deputy City Clerk of the Beneficiary shall act as Assistant Secretary of the Trustees. The Secretary or Assistant Secretary shall keep minutes of all meetings of the Trustees and shall maintain complete and accurate records of all their financial transactions, all such minutes, books and records to be on file in the office of the Trust. All meetings of the Trustees shall be open to the public, and the books, records and minutes of the Trustees shall be considered as public records and available for inspection at all times by any interested party.

(4) The person who shall be the City Finance Director of the Beneficiary shall act as Treasurer of the Trustees. The duties of the Treasurer shall be prescribed by the Trustees.

(5) The person who shall be the City Manager of the Beneficiary shall act as General Manager for the Trust Estate, and the Trustees may employ such other clerical, professional, legal and technical assistance as may be deemed necessary in the discretion of the Trustees to properly operate the business of the Trust, and may fix their duties, terms of employment and compensation from the Trust Estate. All Trustees shall serve without compensation, but shall be reimbursed for actual expenses incurred in the performance of their duties hereunder. Said General Manager shall administer the business of the Trust Estate as directed from time to time by the Trustees.

(6) The Trustees are authorized to contract, in connection with the incurrence of any funded indebtedness secured by the Trust Estate and/or its revenues, or any part of either or both, that in the event of a default in the fulfillment of any contractual obligation undertaken on behalf of the Trust Estate or in the payment of any indebtedness incurred on behalf of the Trust Estate, that a Temporary Trustee or Trustees or Receiver shall be appointed to succeed to the rights, powers and duties of the Trustees then in office. Any such contract, if made, may set forth the terms and conditions under which such Temporary Trustee or Trustees or Receiver may be appointed to operate the Trust Estate and may provide for compensation to be paid, and may provide for such appointment to be vacated and permanent Trustees to be

automatically reinstated upon termination of all defaults by which their appointment was authorized.

(7) Bonds or other evidences of indebtedness to be issued by the Trustees shall not constitute an indebtedness or obligation of the State or the Beneficiary nor personal obligations of the Trustees, but shall constitute obligations of the Trust only, payable solely from the Trust Estate.

(8) The Trustees, the State, and the Beneficiary shall not be charged personally with any liability whatsoever by reason of any act or omission committed or suffered in good faith or in the exercise of their honest discretion in the performance of such Trust or in the operation of the Trust Estate; but any act or liability for any omission or obligation of the Trustees in the execution of such Trust, or in the operation of the Trust Estate, shall extend to the whole of the Trust Estate or so much thereof as may be necessary to discharge such liability or obligation.

(9) Notwithstanding any other provision of this Trust Indenture which shall appear to provide otherwise, no Trustee or Trustees shall have the power or authority to bind or obligate any other Trustee, or the Beneficiary, in his or its capacity, nor can the Beneficiary bind or obligate the Trust or any individual Trustee.

(10) The Trust shall cause to be prepared annually at the close of each fiscal year of the Trust an audit of the funds, financial affairs and transactions of the Trust including, but not limited to, all fees, salaries and expenditures in exact amounts and specifying to whom such expenditures were paid. Such audit is to be certified with an unqualified opinion of an independent, certified public account. A copy of the annual audit of the Trust shall be filed within the time period and in conformity with the provisions of Oklahoma law related thereto. Unless hereafter changed by specific resolution of the Trustees, the fiscal year of the Trust shall be July 1 to June 30 of the following year. All expense incurred in connection with the annual audits shall be paid from the Trust Estate.

(11) Every person becoming a Trustee shall first take the Oath of Office required of an elected public officer. The Oath of Office shall be administered by any person authorized to administer oaths in the State, and shall be filed with the Clerk or Deputy Clerk of the Beneficiary. Every officer and employee who handles funds of the Trust shall furnish a good and sufficient fidelity bond in an amount and with surety as may be specified and approved by the Trustees; the Trustees may, but shall not be obligated to, obtain bonds relating to the performance of their duties as Trustees. Such bonds shall be in a surety company authorized to transact surety business in the State and the cost thereof shall be paid from the Trust Estate.

ARTICLE VIII
Powers and Duties of the Trustees

To accomplish the purposes of the Trust, the Trustees shall have, in addition to the usual powers incident to their office and the powers granted to them otherwise by law or in other parts of this Trust Indenture, the following rights, powers, duties, authority, discretion and privileges, all to be exercised on behalf of and in the name of the Authority:

(1) To sue and be sued.

(2) To have a seal and alter same at pleasure.

(3) To make and execute contracts and all other instruments necessary or convenient for the exercise of its powers and functions hereunder.

(4) To make and alter by-laws for its obligations and internal management as provided herein.

(5) To make and alter rules and regulations pertaining to any loan or other program developed by the Authority.

(6) To acquire, lease, convey, or otherwise hold and dispose of real and personal property for its Trust purposes; provided that, no purchaser at any sale or lessee under a lease made by the Trustees shall be bound to inquire into the expediency, propriety, validity or necessity of such sale or lease or to see or be liable for the application of the purchase or rental monies arising therefrom.

(7) To enter into contracts for sale of Bonds, Notes or other evidences of indebtedness, interim Notes or Bonds or other obligations of the Trust and to issue the same for any of the purposes of the Trust authorized hereby including, but not limited to: the acquisition, construction, reconstruction, equipping or otherwise financing facilities discussed in Article IV hereof or for any other lawfully permitted facilities which may be secured with Mortgages, security interests or other collateral satisfactory to the Trustees; making Mortgage loans or purchasing Mortgage notes secured by Mortgages on dwellings; acquiring real or personal property or facilities at foreclosure of any loan or obligation or authorized to be acquired pursuant to the terms of this Trust Indenture or other purposes authorized under any instrument securing any indebtedness of the Trust; refunding or advance refunding any outstanding indebtedness of the Trust; creating any reserves or replacement funds, loan funds or other funds or accounts deemed advisable by the Trustees in the furtherance of the Trust purposes or in connection with the securing of any of the Trust's debts or in the administration of Trust programs; and for any other purpose authorized by law and/or by Article IV hereof; and for those purposes the Trustees may:

(a) Sell all Bonds, Notes or other evidences of indebtedness or obligations of the Trust at public or private sale in whole or in installments or series and on

such terms and conditions and in such manner as is prescribed by law and as the Trustees shall deem to be in the best interest of the Trust Estate; and

(b) Appoint and compensate attorneys, paying agencies and corporate trustees in connection with the issuance of any such Bonds, Notes, evidences of indebtedness or other obligations of the Trust; and

(c) Pay all expenses incident to the creation of any indebtedness or the issuance of any Bonds, Notes or other evidences of indebtedness including, but not limited to, printing expenses, feasibility studies, special consultants, travel expenses or reproduction expenses; and

(d) Create any reserve fund and any and all other funds and accounts as the Authority shall deem necessary or desirable in connection with the issuance of any Bonds, Notes or other evidences of indebtedness.

Any such indebtedness shall be deemed to be incurred or issued on behalf of the Beneficiary and may be general or special obligations of the Trust as the Trustees may from time to time determine.

(8) To purchase or redeem their Bonds, Notes or other evidences of indebtedness in whole or in part prior to the stated maturity thereof as specified in any instrument authorizing the issuance or securing the payment of any such indebtedness.

(9) To pledge any or all of the Trust's revenues or assets to secure the payment of any of its indebtedness.

(10) To enter into agreements with or participate in any programs of the Beneficiary, the State of Oklahoma, or any agency or instrumentality thereof, the United States of America, or any agency or instrumentality thereof.

(11) To enter into and execute, purchase, lease or otherwise acquire property, real, personal or mixed, contracts, leases, rights, privileges, benefits, choses in action or other things of value and to pay for the same in cash, with bonds or other evidences of indebtedness or otherwise.

(12) To fix, demand and collect charges, rentals and fees for the services and facilities of the Trust and to discontinue the furnishing of services and facilities to, and foreclose on any collateral of, any person, firm, or corporation, or public instrumentality delinquent in the payment of any indebtedness to the Trust; to purchase and sell such supplies, goods and commodities as are incident to the operation of its properties.

(13) To make and perform contracts of every kind including, management contracts, with any person, firm, corporation, association, joint venture, trusteeship, municipality, government, sovereignty or other entity; and without limitation as to amount, to draw, make, accept, endorse, assume, guarantee, account, execute and issue

promissory notes, drafts, bills of exchange, acceptances, warranties, bonds, debentures and other negotiable or non-negotiable instruments, obligations and evidences of unsecured indebtedness, or of indebtedness secured by mortgage, deed of trust or otherwise upon any or all income of the Trust, in the same manner and to the same extent as a natural person might or could do. To collect and receive any property, collateral, money, rents, or income of any sort and distribute the same or any portion thereof for the furtherance of the authorized Trust purposes set out herein.

(14) To exercise or to request of, arrange or contract with the Beneficiary or any governmental unit, agency or political subdivision thereof for the exercise of the power of eminent domain as necessary in establishing, operating, administering and maintaining any Trust facilities, systems, projects or programs.

(15) To expend all funds coming into the hands of the Trustees as revenue or otherwise for the payment of any indebtedness incurred by the Trustees for purposes specified herein, and in the payment of the aforesaid costs and expenses, and in payment of any other obligation properly chargeable against the Trust Estate, to from time to time transfer any surplus funds to the Beneficiary as the Authority in its sole discretion may determine and, upon termination of the Trust, to distribute the residue and remainder of such funds to the Beneficiary.

(16) To contract for services with firms or persons or other units and entities of government or private entities or agencies to carry out the purposes of the Trust; to apply for, contract for, receive and expend for its purposes, funds or grants from any governmental or non-governmental agency or entity, the Beneficiary, the State, the Federal Government or any agency or department thereof, or from any other source.

(17) To receive funds, money, property, collateral, services, rights and choses in action from any source to finance the programs and operations of the Trust; to receive grants, gifts, contributions and donations to carry out the purposes for which the Trust is formed; to receive and accept from any Federal, State or private agencies or entities, grants or loans for or in aid of the construction of any facility or system and to receive and accept aid or contributions of money, labor or any other valuable things from any source.

(18) To plan, coordinate, implement, administer or otherwise carry out public works or other projects or programs for public purposes for the benefit of the Beneficiary.

(19) To make, or commit to make, or participate in the making of Mortgage Loans whether for construction, for acquisition, financing or purchasing of housing.

(20) To invest monies of the Authority not required for immediate use, including proceeds from the sale of any Bonds or Notes, in accordance with the laws of the State.

(21) To sell any Mortgages or other personal property acquired by the Authority at public or private sale and at such price or prices as it shall determine.

(22) To renegotiate, refinance or foreclose, or contract for the foreclosure of any Mortgage, security interest or other obligation in default; to waive any default or consent to the modification of the terms of any Mortgage; to commence any action to protect or enforce any right conferred upon it by any law, Mortgage, security interest, contract or other agreement, and to bid for and purchase such property at any foreclosure or at any other sale, or acquire or take possession of any such property; to operate, manage, rehabilitate, improve, lease, dispose of, and otherwise deal with such property, in such manner as may be necessary to protect the interests of the Trust and the holders of its Bonds, Notes or other obligations.

(23) To renegotiate or refinance any loan in default; waive any default or consent to the modification of the terms of any loan, and commence any action or proceedings to protect or enforce any right conferred upon it by law, loan agreement, contract or other agreement.

(24) To make and execute contracts and appoint agents for the administration or servicing of any loan made or acquired by the Trust and pay the reasonable value of services rendered to the Trust pursuant to such contracts.

(25) To sell any loans made or acquired by the Trust at public or private sale and at such price or prices and on such terms as the Trust shall determine.

(26) To collect and pay reasonable fees and charges in connection with making, committing to make, purchasing or committing to purchase and servicing its Mortgage Loans, Notes, Bonds, commitments and other evidences of indebtedness.

(27) To procure insurance against any type loss in such amounts, and from such insurers, as it may deem necessary or desirable.

(28) To consent, whenever it shall be deemed necessary or desirable in the fulfillment of its Trust purposes, to the modification of the rate of interest, time of payment of any installment of principal or interest, or any other terms of any Mortgage Loan, Mortgage Loan commitment, construction loan, temporary loan, contract or agreement of any kind to which the Trust is a party.

(29) To do any and all things necessary or convenient to carry out its purposes and exercise the powers given and granted herein, and to do all other acts in their judgment necessary or desirable, for the proper and advantageous management, investment and distribution of the Trust Estate and income therefrom.

(30) To exercise exclusive management and control of the properties of the Trust Estate.

(31) To contract for the furnishing of any services or the performance of any duties that they may deem necessary or proper and pay for the same as they see fit.

(32) To select depositories for the funds and securities of this Trust.

(33) To compromise any debts or claims of or against the Trust Estate, and adjust any dispute in relation to such debts or claims against the Trust Estate upon any evidence deemed by the Trustees to be sufficient. The Trustees may bring any suit or action which in their judgment is necessary or proper to protect the interest of the Trust Estate, or to enforce any claim, demand or contract for the Trust; and they shall defend, in their discretion, any suit against the Trust, or the Trustees or employees, agents or servants thereof. They may compromise and settle any suit or action, and discharge the same out of assets of the Trust Estate, together with court costs and attorney's fees. All such expenditures shall be treated as expenses of executing this Trust.

(34) To do each and all things necessary to implement the purposes of this Trust as set out herein, and to that end Article IV "Purposes of Trust" is incorporated in its entirety under this "Powers" Article for the purpose of insuring that all appropriate power is granted to the Trustees to accomplish the purposes hereof without inhibition.

ARTICLE IX
Supervisory Control

The Trust created hereby and the Trustees appointed hereunder are subject to such supervision and control as may be determined from time to time by the Legislature of the State or by regulations that may be issued by departments or agencies of the United States of America, to insure the tax exempt status of any Bonds, Notes or other evidences of indebtedness issued by the Authority.

ARTICLE X
Beneficiary of Trust

(1) The Beneficiary of this Trust shall be the municipality designated in Article III herein, under and pursuant to Title 60, Oklahoma Statutes 2001, Sections 176 to 180.4, inclusive, as amended and supplemented, and other applicable statutes of the State presently in force and effect.

(2) The Beneficiary shall have no legal title, claim or right to the Trust Estate, its income, or to any part thereof or to demand or require any partition or distribution thereof. Neither shall the Beneficiary have any authority, power or right whatsoever, to do or transact any business for, or on behalf of or binding upon the Trustees or upon the Trust Estate, nor the right to control or direct the actions of the Trustees pertaining to the Trust Estate or any part thereof, except as herein provided. The Beneficiary shall be entitled solely to the benefits of this Trust as administered

by the Trustees hereunder, and at the termination of the Trust, as provided herein, and only then, the Beneficiary shall receive the residue of the Trust Estate.

ARTICLE XI
Adoption and Amendment of By-Laws; Amendment and Termination of Trust

This Trust Indenture may be amended by an affirmative vote of at least two-thirds (2/3) of all Trustees and any such proposed amendment shall be further approved by the affirmative vote of two-thirds (2/3) of the governing body of the Beneficiary before becoming effective.

The Trustees, by an affirmative vote of a majority of all Trustees, may adopt, alter and amend By-Laws of the Trust.

PROVIDED, HOWEVER, that this Trust Indenture shall not be subject to revocation, alteration, amendment, revision, modification or termination in any manner which would be adverse to the interest of the holders of any evidence of indebtedness of the Trust without the consent of holders of indebtedness who would be adversely affected, which consent may be given by less than all of such holders, if so provided in any resolution, indenture or agreement relating to such indebtedness.

This Trust shall terminate -

(1) When the purposes set out in Article IV of this instrument shall have been fully executed; or

(2) In the manner provided by Oklahoma law. Provided, however, that this Trust shall not be terminated by voluntary action while there be outstanding indebtedness or fixed obligations of the Trustees, unless all owners of such indebtedness or obligations shall have consented in writing to such termination.

Upon the termination of this Trust, the Trustees shall proceed to wind up the affairs of this Trust, and after payment of all debts, expenses and obligations out of the monies and properties of the Trust Estate to the extent thereof, the Trustees shall distribute the residue of the money and properties of the Trust Estate to the Beneficiary hereunder. Upon final distribution, the powers, duties and authority of the Trustees hereunder shall terminate.

ARTICLE XII

The Trustees accept the Trust herein created and provided for, and agree to carry out the provisions of this Trust Indenture on their part to be performed.

IN WITNESS WHEREOF, the Trustor and the Trustees have hereunto set their hands on the day and year indicated.

Harold Haralson, Trustor

Harold Haralson, Trustee

Rachel Butler, Trustee

Doug Cubberley, Trustee

David Hopper, Trustee

Dan Quinn, Trustee

Cindy Rosenthal, Trustee

Jim Stanley, Trustee

Richard Stawicki, Trustee

Bob Thompson, Trustee

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STATE OF OKLAHOMA)
)SS
COUNTY OF CLEVELAND)

BEFORE ME, the undersigned, a Notary Public in and for the above County and State, on the 11th day of July, 2006, appeared Harold Haralson, and further known to me to be the identical person who subscribed said person's name to the foregoing instrument, as Trustor, and acknowledged to me that said person executed the same as said person's free and voluntary act and deed, for the uses and purposes therein mentioned and set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year aforesaid.

NOTARY PUBLIC 02017428 IN AND FOR STATE OF OKLAHOMA
OFFICIAL SEAL
Brenda D. Hall
Cleveland County
Commission Expires Nov. 2, 2006
(SEAL)

Brenda D. Hall
Notary Public

My commission expires 11/02/2006
Commission No. 02017428

STATE OF OKLAHOMA)
)SS
COUNTY OF CLEVELAND)

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on the 11th day of July, 2006, personally appeared Harold Haralson, Rachel Butler, Doug Cubberley, David Hopper, Dan Quinn, Cindy Rosenthal, Jim Stanley, Richard Stawicki, and Bob Thompson, and further known to me to be the identical persons who subscribed their names to the foregoing instrument, as Trustees, and acknowledged to me that they executed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned and set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year aforesaid.

NOTARY PUBLIC 02017428 IN AND FOR STATE OF OKLAHOMA
OFFICIAL SEAL
Brenda D. Hall
Cleveland County
Commission Expires Nov. 2, 2006
(SEAL)

Brenda D. Hall
Notary Public

My commission expires 11/02/2006
Commission No. 02017428

STATE OF OKLAHOMA)
)SS
COUNTY OF CLEVELAND)

ACCEPTANCE

KNOW ALL MEN BY THESE PRESENTS:

That the City Council of The City of Norman, State of Oklahoma, hereby accepts the beneficial interest in the Trust created and recreated by the within and foregoing Trust Indenture, for and on behalf of said City in all respects in accordance with the terms of said Trust Indenture.

WITNESS my hand as Mayor of said City, attested by the Clerk of said City, pursuant to direction of the City Council of said City, this 11th day of July, 2006.

THE CITY OF NORMAN, OKLAHOMA

Harold Haralson
Mayor

ATTEST:

Mary Hatley
City Clerk

(SEAL)

26-20

POSTED BY BRENDA HALL
DEPUTY CITY CLERK
ON JULY 6, 2006

CITY COUNCIL AGENDA
NORMAN UTILITIES AUTHORITY AGENDA
NORMAN MUNICIPAL AUTHORITY AGENDA

Municipal Building Council Chambers
201 West Gray

July 11, 2006
6:30 p.m.

1. Roll Call

2. Pledge of Allegiance

3. ITEM: CONSENT DOCKET

INFORMATION: This item is placed on the agenda so that the City Council, by unanimous consent, can designate those routine agenda items that they wish to be approved or acknowledged by one motion. If any item proposed does not meet with approval of all Councilmembers, that item will be heard in regular order. Staff recommends that Item 4 through Item 26 be placed on the consent docket.

ACTION NEEDED: 1. Motion to place Item ____ through Item ____ on the Consent Docket by unanimous vote.

ACTION TAKEN: _____

ACTION NEEDED: 2. Acting as the City Council, Norman Utilities Authority, and Norman Municipal Authority, motion to approve or acknowledge all items on the Consent Docket subject to any conditions included in the individual action needed by item.

ACTION TAKEN: _____

4. ITEM: APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL MINUTES OF JULY 5, 2006
NORMAN UTILITIES AUTHORITY MINUTES OF JULY 5, 2006
NORMAN MUNICIPAL AUTHORITY MINUTES OF JULY 5, 2006

ACTION NEEDED: Acting as the City Council, Norman Utilities Authority, and Norman Municipal Authority, motion to approve the minutes; and, if approved, direct the filing thereof.

ACTION TAKEN: _____

Item 5, continued:

INFORMATION: The above-described ordinances are submitted for Introduction and adoption upon First Reading by title, and subsequent thereto, for submission for City Council's final consideration in its meeting of July 25, 2006. Copies of advisory memoranda; ordinances; site development plans; location maps; Staff Reports; comments from Greenbelt Commission; Predevelopment Meeting summaries; spreadsheet comparison of permit fees; permit fee comparison for permits other than one and two family; e-mail from Joseph Long/Norman Homebuilders Association; and legislatively notated copies of Ordinance No. O-0506-62 and O-0607-1 are included in the Agenda Book.

ACTION NEEDED: Motion to Introduce and adopt the ordinances upon First Reading by title.

ACTION TAKEN: _____

6. ITEM: CONSIDERATION OF THE MAYOR'S APPOINTMENT AS FOLLOWS:

ENFORCEMENT AUTHORITY
TERM: 09-01-06 TO 09-01-09: WILLIAM MATTOON, 3113 MILLBURY ROAD

INFORMATION: In accordance with the Mayor's request, the above-described item is submitted for City Council's consideration. William Mattoon is a reappointment.

ACTION NEEDED: Motion to confirm or reject the appointment.

ACTION TAKEN: _____

7. ITEM: SUBMISSION OF A FINAL REPORT FROM THE ENFORCEMENT AUTHORITY.

INFORMATION: In accordance with the requirements of Section 7.5-26(7) of the Code of the City of Norman, the above-described report is due within 90 days after the general election. Therefore, the report is submitted for City Council's consideration in order that acknowledgment of the receipt of the report may be noted in the minutes as a matter of permanent record. Copies of the report and minutes are included in the Agenda Book.

ACTION NEEDED: Motion to acknowledge receipt of the report; and direct the filing thereof.

ACTION TAKEN: _____

10. ITEM: CONSIDERATION OF ACCEPTANCE OF THE FOLLOWING DONATED EASEMENTS FOR THE LINDSEY AVENUE WIDENING PROJECT BETWEEN OAKHURST AVENUE AND 24TH AVENUE S.E.:

EASEMENT NO.	GRANTOR	EASEMENT
E-0607-1 AND E-0607-2	JAMES C. AND REBECCA I. LIGON	PERMANENT AND TEMPORARY PUBLIC ROAD-WAY, DRAINAGE, AND UTILITY
E-0607-3	HIGHLAND PARK CONDOMINIUM HOMES, HOME OWNER'S ASSOCIATION, INC.	TEMPORARY PUBLIC ROAD-WAY, DRAINAGE, AND UTILITY
E-0607-5	CAA DEVELOPMENT CORPORATION	TEMPORARY PUBLIC ROAD-WAY, DRAINAGE AND UTILITY
E-0607-6 AND E-0607-7	GAIL ARMSTRONG, GARY ARMSTRONG, AND JAY CERVI	TEMPORARY DRIVEWAY CONSTRUCTION, PUBLIC ROAD-WAY, DRAINAGE, AND UTILITY
E-0607-8	GAIL AND JOSEPHINE ARMSTRONG	TEMPORARY PUBLIC ROAD-WAY, DRAINAGE, AND UTILITY

INFORMATION: As part of the 2005 bond election, a new signal will be installed at Oakhurst Avenue and Lindsey Street and Lindsey Street will be widened to five lanes from Oakhurst Avenue to 24th Avenue S.E. This project requires obtaining several easements to make the necessary improvements. The above-referenced easements have been offered to the City by donation. The City Attorney and Public Works Staff have examined the easements and found them to be in order and proper as to form. Based upon the fact the easements have been dedicated to the City of Norman for roadway improvements in the above-mentioned project, Staff recommends acceptance of the easements. Copies of advisory memoranda, easements, and location maps are included in the Agenda Book.

ACTION NEEDED: Motion to accept or reject the easements; and, if accepted, direct the filing of the permanent easements with the Cleveland County Clerk and the temporary easements with the City Clerk.

ACTION TAKEN: _____

13. ITEM: CONSIDERATION OF A FINAL PLAT FOR FOREST LUMBER ADDITION, SECTION 1, ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN, AND APPROVAL OF DEFERRED CONSTRUCTION OF STREET IMPROVEMENTS FOR ROCK CREEK ROAD.

LOCATION: Generally located north and east of the intersection of West Rock Creek Road and 12th Avenue N.W.

INFORMATION:

1. Owner. Forest Lumber Company.

2. Developer. Forest Lumber Company.

3. Engineer. Spear and McCaleb Company, P.C.

HISTORY:

1. Refer to the Planning Commission Staff Report, August 11, 2005.

2. August 11, 2005. Planning Commission, on a vote of 6-0, recommended to City Council that the final plat for Forest Lumber Addition, Section 1, and the deferral of street improvements for Rock Creek Road be approved.

IMPROVEMENT PROGRAM:

1. Refer to the Planning Commission Staff Report, August 11, 2005.

2. Streets. Staff recommends deferral of the street improvements for Rock Creek Road based upon the fact that the additional widening would not function for its intended use due to lack of connecting facilities.

3. Subdivision Bond. A subdivision bond has been submitted as surety for the completion of public improvements. Sidewalks have been constructed.

PUBLIC DEDICATIONS:

1. Refer to the Planning Commission Staff Report, August 11, 2005.

SUPPLEMENTAL MATERIAL: Copies of an advisory memorandum; location map; preliminary plat; final site plan, final plat; Staff Report recommending approval; pertinent excerpts from the Planning Commission minutes; and engineer's estimate are included in the Agenda Book.

ACTION NEEDED: Motion to approve or reject the final plat and deferral of street improvements for Rock Creek Road; and, if approved, accept the public dedications contained within the plat; authorize the Mayor to sign the final plat, subdivision bonds, and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements and receipt of a fee in the amount of $80,954.60 for deferral of street improvements for Rock Creek Road within ten (10) days after approval; and direct the filing of the final plat.

ACTION TAKEN: _____

15. ITEM: ADDENDUM NO. TWO TO CONTRACT NO. K-9798-44: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE ABSENTEE SHAWNEE HOUSING AUTHORITY FOR A COOPERATIVE AGREEMENT ADDING TWO ADDITIONAL UNITS OF MUTUAL SELF HELP HOUSING.

INFORMATION: City Council, in its meeting of September 23, 1997, approved Contract No. K-9798-44 with the Absentee Shawnee Housing Authority (Authority) to build or acquire twenty units of Mutual Self Help Housing. On November 25, 1997, Addendum No. One was approved to add one additional unit of Mutual Self Help Housing for a total of twenty-one units. Addendum No. Two will add two additional units the Authority has purchased which were not included in the original agreement. The addendum has been examined by the City Attorney and found to be in order and proper as to form. Staff recommends approval of the addendum. Copies of an advisory memorandum and addendum are included in the Agenda Book.

ACTION NEEDED: Motion to approve or reject Addendum No. Two to Contract No. K-9798-44 with the Absentee Shawnee Housing Authority; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

16. ITEM: CONSIDERATION BY THE NORMAN UTILITIES AUTHORITY TO APPROVE OPTION A AS OUTLINED IN ATTACHMENT B OF CONTRACT NO. K-0405-159 WITH RJN GROUP, INC., IN THE AMOUNT OF $9,800.00 FOR THE REALIGNMENT OF THE WOODCREST INTERCEPTOR AND BUDGET APPROPRIATION.

INFORMATION: On June 28, 2005, the Norman Utilities Authority approved Contract No. K-0405-159 with RJN Group, Inc., for the design of improvements to the Woodcrest Interceptor including design of sewer replacements in the existing alignments only. Five optional costs for sewer realignments were included if found to be beneficial to Norman; however, the costs were not included in the original contract. During the preliminary design of the project it was determined that a realignment of the Woodcrest Interceptor at one location would be beneficial and allow for a reduced length of sewer line to be installed resulting in cost savings. The above-described item is submitted for City Council's consideration. Copies of an advisory memorandum, Attachment B to contract, location map, and purchase requisition are included in the Agenda Book.

ACTION NEEDED: Acting as the Norman Utilities Authority, motion to approve or reject Option A as outlined in Attachment B of Contract No. K-0405-159 in the amount of $9,800.00 for the realignment of the Woodcrest Interceptor; and, if approved, appropriate $9,800.00 from the Sewer Excise Tax Fund (322-0000-253.00-00) to Project No. WW0120, Woodcrest Interceptor Design (322-9048-432.62-01).

ACTION TAKEN: _____

19. ITEM: AMENDMENT NO. ONE TO CONTRACT NO. K-0506-80: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND CHARLES DEWBERRY IN THE AMOUNT OF $7,000.00 PER MONTH TO EXTEND CONSTRUCTION INSPECTION SERVICES FOR THE UNIVERSITY OF OKLAHOMA (OU) WATERLINE PROJECT AND THE LOWER AND UPPER WESTSIDE INTERCEPTOR PROJECTS THROUGH JULY 11, 2007.

INFORMATION: The City of Norman Utilities Division has one construction inspector representing Norman on a continual basis to inspect sewer maintenance projects and other projects as time allows. Currently the Norman Utilities Authority has more projects underway than one person can effectively handle. The Norman Utilities Authority, in its meeting of October 11, 2005, approved Contract No. K-0506-80 with Charles Dewberry for construction inspection services for the Upper Westside Interceptor Open Trench Project and the Brookhaven Interceptor Project. The Upper Westside Project remains to be completed by December, 2006. The original contract was for nine months and is due to expire. Amendment No. One will extend the contract an additional twelve months to continue construction inspection services for three ongoing projects. The amendment has been examined by the City Attorney and found to be in order and proper as to form. Staff recommends approval of the amendment. Copies of an advisory memorandum, spreadsheet, amendment, and purchase order are included in the Agenda Book.

ACTION NEEDED: Acting as the Norman Utilities Authority, motion to approve or reject Amendment No. One to Contract No. K-0506-80 with Charles Dewberry in the amount of $7,000.00 per month extending the contract through July 11, 2007; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

Item 20, continued:

CONTRACT NO. K-0607-11: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND FULL CIRCLE SENIOR ADULT DAY CENTER, INC., IN THE AMOUNT OF $3,130.00 AND ADOPTION OF RESOLUTION NO. R-0607-7 AS AGREED UPON UNDER THE 32ND YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.

CONTRACT NO. K-0607-12: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND INDEPENDENT LIVING SERVICES FOR YOUTH, INC., IN THE AMOUNT OF $3,000.00 AND ADOPTION OF RESOLUTION NO. R-0607-8 AGREED UPON UNDER THE 32ND YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.

CONTRACT NO. K-0607-13: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND COMMUNITY AFTER SCHOOL PROGRAM, INC., IN THE AMOUNT OF $5,000.00 AS AGREED UPON UNDER THE 32ND YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.

CONTRACT NO. K-0607-14: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND UNITED WAY OF NORMAN, INC., IN THE AMOUNT OF $2,500.00 AND ADOPTION OF RESOLUTION NO. R-0607-9 AS AGREED UPON UNDER THE 32ND YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.

CONTRACT NO. K-0607-15: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND AMONG FRIENDS ACTIVITY CENTER, INC., IN THE AMOUNT OF $2,500.00 AND ADOPTION OF RESOLUTION NO. R-0607-10 AS AGREED UPON UNDER THE 32ND YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.

CONTRACT NO. K-0607-16: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND METROPOLITAN FAIR HOUSING COUNCIL, INC., IN THE AMOUNT OF $15,000.00 AS AGREED UPON UNDER THE 32ND YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.

CONTRACT NO. K-0607-17: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND COMMUNITY SERVICES BUILDING, INC., IN THE AMOUNT OF $25,866.00 AND ADOPTION OF RESOLUTION NO. R-0607-12 AS AGREED UPON UNDER THE 32ND YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.

CONTRACT NO. K-0607-18: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND MARY ABBOTT CHILDREN'S HOUSE, INC., IN THE AMOUNT OF $15,000.00 AS AGREED UPON UNDER THE 32ND YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.

Item 20, continued:

ACTION NEEDED: 2. Motion to approve or reject Contract No. K-0607-3 with Metro Transit Norman; and, if approved, authorize the execution of the contract and direct payment in the amount of $25,000.00.

ACTION TAKEN: _____

ACTION NEEDED: 3. Motion to approve or reject Contract No. K-0607-5 with Meals on Wheels of Norman, Inc.; and, if approved, authorize the execution of the contract and direct payment in the amount of $15,000.00.

ACTION TAKEN: _____

ACTION NEEDED: 4. Motion to approve or reject Contract No. K-0607-6 with Bethesda Alternative, Inc.; and, if approved, authorize the execution of the contract and direct payment in the amount of $5,000.00.

ACTION TAKEN: _____

ACTION NEEDED: 5. Motion to approve or reject Contract No. K-0607-7 with Center for Children and Families, Inc.; and, if approved, authorize the execution of the contract, direct payment in the amount of $8,000.00, and adopt Resolution No. R-0607-4.

ACTION TAKEN: _____

ACTION NEEDED: 6. Motion to approve or reject Contract No. K-0607-8 with Food and Shelter for Friends, Inc.; and, if approved, authorize the execution of the contract, direct payment in the amount of $9,000.00, and adopt Resolution No. R-0607-5.

ACTION TAKEN: _____

ACTION NEEDED: 7. Motion to approve or reject Contract No. K-0607-9 with Options Program, Moore-Norman Technology Center Foundation, Inc., and, if approved, authorize the execution of the contract and direct payment in the amount of $6,000.00.

ACTION TAKEN: _____

Item 20, continued:

ACTION NEEDED: 14. Motion to approve or reject Contract No. K-0607-16 with Metropolitan Fair Housing and, if approved, authorize the execution of the contract and direct payment in the amount of $15,000.00.

ACTION TAKEN: _____

ACTION NEEDED: 15. Motion to approve or reject Contract No. K-0607-17 with Community Services Building, Inc.; and, if approved, authorize the execution of the contract, direct payment in the amount of $25,866.00, and adopt Resolution No. R-0607-12.

ACTION TAKEN: _____

ACTION NEEDED: 16. Motion to approve or reject Contract No. K-0607-18 with the Mary Abbott Children's House, Inc.; and, if approved, authorize the execution of the contract and direct payment in the amount of $15,000.00.

ACTION TAKEN: _____

ACTION NEEDED: 17. Motion to approve or reject Contract No. K-0607-19 with Thunderbird Clubhouse, Inc.; and, if approved, authorize the execution of the contract and direct payment in the amount of $11,900.00.

ACTION TAKEN: _____

ACTION NEEDED: 18. Motion to approve or reject Contract No. K-0607-20 with the Progressive Independence, Inc; and, if approved, authorize the execution of the contract, direct payment in the amount of $7,500.00, and adopt Resolution No. R-0607-13.

ACTION TAKEN: _____

ACTION NEEDED: 19. Motion to approve or reject Contract No. K-0607-21 with East Main Place, Inc.; and, if approved, authorize the execution of the contract and direct payment in the amount of $13,000.00.

ACTION TAKEN: _____

ACTION NEEDED: 20. Motion to approve or reject Contract No. K-0607-31 with Norman Affordable Housing Corporation acting as a CHDO in the amount of $84,536.00; and, if approved, authorize the execution of the contract and direct payment in the amount of $84,536.00.

ACTION TAKEN: _____

23. ITEM: CONTRACT NO. K-0607-26: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF COMMERCE IN THE AMOUNT OF $20,000.00 FOR THE SALVATION ARMY PORTION OF THE EMERGENCY SHELTER GRANT PROGRAM.

CONTRACT NO. K-0607-27: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE SALVATION ARMY IN THE AMOUNT OF $20,000.00 AS PART OF THE EMERGENCY SHELTER GRANT PROGRAM.

INFORMATION: In its meeting of January 24, 2006, City Council approved a proposal from the Salvation Army regarding their application for the Emergency Grant Program through the Oklahoma Department of Commerce. Because of time constraints the Council was unable to approve the application and requested that Staff oversee the process. The Oklahoma Department of Commerce has issued Contract No. K-0607-26 to provide funding to the Salvation Army in the amount of $20,000.00. The above-described contract has been examined by the City Attorney and found to be in order and proper as to form. Staff recommends approval of the contract. Copies of an advisory memorandum, contracts, and purchase requisition are included in the Agenda Book.

ACTION NEEDED: 1. Motion to approve or reject Contract No. K-0607-26 with the Department of Commerce in the amount of $20,000.00 for the Salvation Army portion of the Emergency Shelter Grant Program; and, if approved, authorize the execution of the contract and direct transmittal to the Oklahoma Department of Commerce.

ACTION TAKEN: _____

ACTION NEEDED: 2. Motion to approve or reject Contract No. K-0607-27 with the Salvation Army in the amount of $20,000.00 as part of the Emergency Shelter Grant Program; and, if approved, authorize the execution of the contract.

ACTION TAKEN: _____

27. ITEM: ORDINANCE NO. O-0506-76: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING CHAPTER 16 OF THE CODE OF THE CITY OF NORMAN BY AMENDING THE CITY OF NORMAN ENGINEERING DESIGN CRITERIA AND STANDARD SPECIFICATIONS AND CONSTRUCTION DRAWINGS FOR STREETS, STORM DRAINAGE, WATER LINES, AND SANITARY SEWERS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

INFORMATION: City Council, in its meeting of June 27, 2006, Introduced and adopted Ordinance No. O-0506-76 upon First Reading by title. Copies of an advisory memorandum, Ordinance No. O-0506-76, and pertinent excerpts from Engineering Design Criteria and Standard Specifications and Construction Drawings are included in the Agenda Book.

ACTION NEEDED: 1. Motion to adopt or reject Ordinance No. O-0506-76 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: 2. Motion to adopt or reject Ordinance No. O-0506-76 upon Final Reading as a whole.

ACTION TAKEN: _____

28. Miscellaneous Discussion: This is an opportunity for citizens to address City Council. Remarks should be directed to the Council as a whole and limited up to five minutes or less.

29. Adjournment.

2006 CALENDAR YEAR
SCHEDULE OF REGULAR MEETINGS

Amended

Norman City Council
Norman Utilities Authority and Norman Municipal Authority

DATE	TIME	LOCATION
01-10-06	6:30 PM	201 West Gray, Council Chambers
01-24-06	6:30 PM	201 West Gray, Council Chambers
02-14-06 Budget Retreat	6:30 PM	201 West Gray, Council Chambers
02-18-06 8:30 AM 02-28-06	6:30 PM 2-15-06 Amended	201 West Gray, Council Chambers S.S.
03-14-06	6:30 PM	201 West Gray, Council Chambers
03-30-06 CC Confr. 03-28-06	5:30 PM 3-23-06 Amended 6:30 PM	201 West Gray, Council Chambers
04-01-06 8:30 AM 04-11-06	3-23-06 Amended 6:30 PM	2207 Goddard Fire Sta. No. 7 201 West Gray, Council Chambers
04-25-06	6:30 PM	201 West Gray, Council Chambers
04-27-06 5:30 Study Session 05-09-06	6:30 PM	SS room 201 West Gray, Council Chambers
05-23-06	6:30 PM	201 West Gray, Council Chambers
06-06-06 3:00PM - Special Mtg 5:30 Jt. CC/ECAB 06-13-06	6:30 PM	201 W. Gray - SS Amended 6-01-06 M 201 West Gray, Council Chambers
06-20-06 CC Retreat	5:30 PM	Study Session
06-27-06	6:30 PM	201 West Gray, Council Chambers

To be completed by person filing notice:

Name: Marilyn LeFlore
Title: Admin. Tech. III
Address: 201 West Gray
Norman, OK 73069
Phone No.: (405) 366-5406

The Council meets for Study Session as needed, generally on the 1st & 3rd Tuesday in the Municipal Building Executive Conference Room, 201 West Gray, at 5:30 p.m. Council Conferences, Town Meetings, and Retreats are held as needed, generally in the Municipal Building, 201 West Gray.

Filed in the office of the Municipal Clerk at 4:45 a.m./p.m. on 11-9-05

Signed: Mary Hatley
City Clerk

* Must be filed prior to December 15, 2005.

2006 CALENDAR YEAR
SCHEDULE OF REGULAR MEETINGS
Norman City Council
Norman Utilities Authority and Norman Municipal Authority

DATE	TIME		LOCATION
07-05-06	6:00 PM	Special Mtg.	201 West Gray, Council Chambers
07-11-06	6:30 PM		201 West Gray, Council Chambers
07-25-06	6:30 PM		201 West Gray, Council Chambers
08-08-06	6:30 PM		201 West Gray, Council Chambers
08-22-06	6:30 PM		201 West Gray, Council Chambers
09-12-06	6:30 PM		201 West Gray, Council Chambers
09-26-06	6:30 PM		201 West Gray, Council Chambers
10-10-06	6:30 PM		201 West Gray, Council Chambers
10-24-06	6:30 PM		201 West Gray, Council Chambers
11-07-06	6:30 PM		201 West Gray, Council Chambers
11-21-06	6:30 PM		201 West Gray, Council Chambers
12-12-06	6:30 PM		201 West Gray, Council Chambers
12-19-06	6:30 PM		201 West Gray, Council Chambers

To be completed by person filing notice:

Name: Marilyn LeFlore
Title: Admin. Tech. III
Address: 201 West Gray
Norman, OK 73069
Phone No.: (405) 366-5406

The Council meets for Study Session as needed, generally on the 1st & 3rd Tuesday in the Municipal Building Executive Conference Room, 201 West Gray, at 5:30 p.m. Council Conferences, Town Meetings, and Retreats are held as needed, generally in the Municipal Building, 201 West Gray.

Filed in the office of the Municipal Clerk at 4:45 a.m./p.m. on 11-9-05

Signed: Mary Hatley
City Clerk

*Must be filed prior to December 15, 2005.

6-07-2012 Version

Doc#:R 2012 29022
Bk:RB 5034 1128-1148
Filed:07-31-2012 04:03:00 PM BB MT
Cleveland County, OK

53/I

TRUST INDENTURE CREATING THE NORMAN ECONOMIC DEVELOPMENT AUTHORITY

KNOW ALL MEN BY THESE PRESENTS:

This Trust Indenture dated as of the 12th day of June, 2012, by Cindy Rosenthal, hereinafter referred to as the Trustor, and Cindy Rosenthal, Roger Gallagher, Tom Kovach, Hal Ezzell, Carol Dillingham, David Spaulding, Linda Lockett, Jim Griffith, and Dan Quinn and their respective successors as provided herein, to be known as the Trustees of the Norman Economic Development Authority, who shall be and are hereinafter referred to as Trustees of said Authority, hereinafter referred to as "Authority" or "Trust", hereby creates and establishes a public trust for the use and benefits of The City of Norman, Oklahoma (referred to herein as the "City" and the "Beneficiary") pursuant to the terms of Title 60, Okla. Stats. 2001, Sections 176 *et seq.* and prescribes the terms thereof as follows:

NOW THEREFORE, in consideration of the payment by the Trustor to the Trustees of the sum of Ten Dollars ($10.00), receipt of which is hereby acknowledged, the mutual covenants herein set forth, and other valuable considerations, the said Trustees agree to hold, manage, invest, assign, convey and distribute as herein provided, authorized and directed, such property as Trustor, or others may heretofore or from time to time hereafter assign, transfer, lease, convey, give, bequeath, devise or deliver unto this Trust or the Trustees hereof.

TO HAVE AND HOLD such property and the proceeds, rents, profits, and increases thereon unto said Trustees and said Trustees' successors and assigns, but nevertheless in trust, for the use and benefit of the City of Norman, State of Oklahoma, such City being hereby designated and hereinafter referred to as "Beneficiary" and upon the trusts, terms and conditions hereinafter stated.

ARTICLE I
Creation of Trust

The undersigned Trustor recreates, creates and establishes a Trust for the use and benefit of the Beneficiary for the public purposes hereinafter set forth, under the provisions of Title 60, Oklahoma Statutes 2001, Sections 176 to 180.4, inclusive, as amended and supplemented, the Oklahoma Trust Act and other applicable statutes and laws of the State of Oklahoma.

The undersigned Trustor hereby forever irrevocably conveys, relinquishes and assigns to the Trustees of the Authority any and all right, title and interest he may have in and under this Trust Indenture and the trust created hereunder, including, without limitation, the right to consent to and approve any further changes, amendments or supplements to this Trust Indenture.

ARTICLE II
Name and Effective Date of Trust

The Trustees of this Trust shall conduct all business and execute or authorize the execution of all instruments in the name of this Trust, which shall be the "Norman Economic Development Authority" and otherwise perform the duties and functions required in the execution of this Trust, and hereby authorize the Chairman or Vice Chairman and the Secretary or Assistant Secretary of the Trust to execute instruments on behalf of the Trust as directed by duly enacted resolutions of the Trust. This Trust Indenture shall be in full force and effect from and after the date of execution by the Trustees of the Trust and acceptance of the beneficial interest herein by the Beneficiary.

ARTICLE III
Definitions

"Act" shall mean the Oklahoma Public Trust, being Title 60, Oklahoma Statutes 2001, Sections 176 to 180.4, as amended and supplemented.

"Authority" shall mean the Economic Development Trust Authority created pursuant to this Trust Indenture, and the Trustees thereof, acting on behalf of and in the name of said Authority.

"Beneficiary" shall mean The City of Norman, State of Oklahoma, acting by and through its City Council.

"Bonds" or "Notes" shall mean respectively the bonds and notes of the Authority to be issued under this Indenture.

"By-Laws" shall mean the By-Laws, if any, duly adopted by the Authority as the same may be amended from time to time.

"Governmental Agency" shall mean the United States of America and the State or any department, division, public corporation, public agency, political subdivision or other public instrumentality of either.

"Lending Institution" shall mean any bank or trust company, Federal National Mortgage Association, mortgage banker, mortgage company, national banking association, savings bank, savings and loan association and any other financial institution or Governmental Agency or person.

"Mortgage" shall mean a mortgage, mortgage deed, deed of trust, security agreement or other instrument creating a lien on a fee interest in real and/or personal property or a leasehold on such fee interest.

"Mortgage Loan" means an interest bearing obligation secured by a Mortgage.

"State" shall mean the State of Oklahoma.

"Trust Indenture" shall mean this Trust Indenture dated as of June 12, 2012.

"Trustees" shall mean the Trustees of the Authority.

ARTICLE IV
Purposes of Trust

The purposes of this Trust are:

(1) To assist the Beneficiary, the State of Oklahoma, its Governmental Agencies, and private entities, agencies, and citizens in making the most efficient use of all of their economic resources and powers in accord with the needs and benefit of the State of Oklahoma and the Beneficiary in order to lesson the burdens on government and to stimulate economic growth and development, specifically including, but not limited to, the power to conduct studies and prepare comprehensive plans relating to the future economic growth and development of the Beneficiary; to inventory the services, facilities and resources of the Beneficiary; to promote, stimulate, encourage, and finance the growth and development of the utility, agricultural, and industrial resources of the Beneficiary, all in order to achieve maximum utilization of the Beneficiary's human, economic and natural resources and tourist attractions; to foster and promote an improved industrial climate within the Beneficiary and to otherwise promote its general economic welfare and prosperity and to finance any and all programs, utilities, facilities or resources promoting or intending to promote any of the foregoing and, without restriction, in furtherance of the foregoing general objectives, the following specific powers or purposes, to wit:

a. To promote and develop any and all utility and public works projects or facilities of any type or description including, but not limited to, those for water, sewer, electric, solid waste, natural gas or other public utilities of any type or description.

b. To promote, develop and finance projects or facilities relating to agriculture, farming, ranching and agri-business of any sort or description including, but not limited to, any land or personal property related thereto, or projects relating to cattle, poultry, irrigation equipment and systems, or other agri-projects of any other sort of description.

c. To promote, finance, and develop commercial and industrial projects or facilities and to exercise all of the powers, privileges, and prerogatives of industrial trusts within this State.

d. To promote, finance and develop projects or facilities relating to the development of energy of any sort or description including, but not limited to those relating to the development of oil, gas, coal, gravel, lead, zinc or other minerals or hydro-carbons, the financing of oil and gas equipment refineries, drilling and pumping rigs and equipment, or other energy development of any sort or description and synthetic fuel facilities.

e. To promote, finance and develop projects, facilities, services and industries pertaining to the development or improvement of: individual, commuting, airport and mass transportation; transportation generally; trucking; handling and shipping of goods; railroads, railroad rights-of-way; railroad equipment or rolling stock construction, repair or maintenance facilities; air transportation, public or mass transportation systems, facilities and equipment, and the financing of automobiles, trucks and vehicles of every sort and description; and other methods and modes of transporting people, goods and equipment of whatsoever kind or character, within the boundaries of the Beneficiary and to provide additional employment or increase transportation efficiency which will benefit and strengthen the economy of the Beneficiary.

f. To promote, finance and develop recreational, sports, cultural, tourism, entertainment and communication media projects or facilities including, but not limited to mass-media broadcasting facilities such as radio, television and cable television equipment and facilities.

g. To plan, establish, develop, construct, finance, enlarge, remodel, acquire, improve, alter, extend, maintain, equip, operate, lease, furnish and regulate any facilities related to any of the foregoing and, if desired, to lease such facilities and to operate the same in connection therewith and to do, perform, own, acquire, construct or engage in or finance any other enterprise or activity, project or facility to such extent and in such manner as now is or may be considered a proper and lawful function of public trust entities within the State of Oklahoma.

(2) To promote the development of adequate housing within the territorial limits of the Beneficiary whether single family dwellings or multi-family dwellings:

a. By making or committing to make or participating in the making of loans to non-profit sponsors of housing;

b. By making or committing to make or participating in the making of loans to persons upon terms and conditions requiring such owners to use the proceeds of such loans to construct, acquire, rehabilitate or improve housing and such additional terns and conditions as may be set by the Authority;

c. By participating in all Government Agency programs relating to housing and housing projects;

d. By participating in housing programs of all kinds to assist in providing safe and sanitary housing to the residents of the Beneficiary and surrounding community.

(3) To provide funds and assistance for the purposes set out in this Indenture which include, among others:

a. The expansion of the supply of funds in the Beneficiary available for new Mortgage Loans for housing; and

b. The provision of the additional housing needed to remedy the shortage of such housing within the boundaries of the Beneficiary and to upgrade substandard housing within the boundaries of the Beneficiary so as to eliminate the existence of substandard dwellings.

(4) To hold, maintain, and administer any leasehold rights in and to physical properties heretofore or hereafter demised to the Beneficiary or the Authority and to comply with the terms and conditions of any such lease.

(5) To acquire by lease, purchase, production, reduction to possession or otherwise, and to plan, establish, develop, construct, enlarge, improve, extend, maintain, equip, operate, furnish, provide, supply, regulate, hold, store and administer any and all physical properties (real, personal or mixed), rights, privileges, immunities, benefits and any other thing of value, designated or needful for utilization in furnishing, providing or supplying the aforementioned services, utilities, buildings and facilities; to finance and refinance and to enter into contracts of purchase, lease-purchase or other interest in or operation and maintenance of said property, and revenues thereof, and to comply with the terms and conditions of any such contracts, leases or other contracts entered into in connection with the acquisition, equipping, maintenance and disposal of any said property; and to relinquish, dispose of, rent or otherwise make provisions for properties owned or controlled by the Trust, but no longer needful for Trust purposes.

(6) To acquire, construct, reconstruct, extend, lease, purchase, install, equip, maintain, repair, enlarge, remodel and operate any property, improvements, buildings and other facilities of every nature for use by the State of Oklahoma, the United States of America, or the Beneficiary, or for use by authorities or agencies of the State of Oklahoma, the United States of America or the Beneficiary or for the use of corporations, individuals, partnerships, associations or proprietary companies for industrial development; to plan, establish, develop construct and enlarge railroad and railway facilities, trucking, air transportation, public or mass transportation, and all phases of transportation relating to commerce; improve, extend, replace, reconstruct, repair, operate and maintain railroad rights-of-way, trucking, air transportation, public or mass transportation projects, and related facilities; maintain, equip, operate, lease, furnish, provide, supply, regulate, hold, store and administer property, buildings, improvements and facilities of every nature, within the territorial boundaries of the Beneficiary which may be useful in securing, developing and maintaining such facilities, functions or activities.

(7) To perform, on behalf of the Beneficiary, all functions, activities, and powers authorized by industrial and economic development statutes as they from time to time exist.

(8) To provide funds for the cost of financing, refinancing, acquiring, constructing, purchasing, equipping, maintaining, leasing, repairing, improving, extending, enlarging, remodeling, holding, storing, operating and administering any or all aforesaid property, improvements, buildings, facilities and all properties (real, personal or mixed) necessary or desirable for executing and fulfilling the Trust purposes, as set forth in this instrument,

and all other charges, costs and expenses necessarily incurred in connection therewith and in so doing, to incur indebtedness, either unsecured or secured by all or any part of the Trust Estate and its revenues.

(9) To expend all funds coming into the hands of the Trustees as revenue or otherwise for the payment of any indebtedness incurred by the Trustees for the purposes specified herein, and in the payment of the aforesaid costs and expenses, and in payment of any other obligation properly chargeable against the Trust Estate, and to distribute the residue and remainder of such funds to the Beneficiary.

ARTICLE V
Duration of the Trust

This Trust shall have duration for the term of duration of the Beneficiary and until such time as its purposes shall have been fully fulfilled and all indebtedness of the Authority is paid, or until it shall be terminated as hereinafter provided.

ARTICLE VI
The Trust Estate

The Trust Estate shall consist of:

(1) The funds and property presently in the hands of the Trustees or to be hereafter acquired or constructed by the Trustees and dedicated by the Trustor, the Beneficiary and others to be used for trust purposes.

(2) Any and all leasehold rights heretofore or hereafter remised to the Trustees by the Beneficiary, and others as authorized and empowered by law.

(3) Any and all money, property (real, personal or mixed), rights, choses in action, contracts, leases, privileges, immunities, licenses, franchises, benefits, mortgages, collateral and all other things of value heretofore or hereafter coming into the hands of the Trustees under this Trust Indenture.

(4) Cash in the sum of $10.00 paid by the Trustor to the Trustees, receipt of which is hereby specifically acknowledged by the Trustees.

ARTICLE VII
The Trustees

(1) The Trustees of this Trust shall be the duly elected/appointed Residents/Councilmembers of Norman, Oklahoma and their successors. Each successor in office shall without any further act, deed or conveyance, automatically becomes a Trustee of this Trust and becomes fully vested with all the estate,

properties, rights, powers, duties and obligations of his predecessor hereunder with like effect as if originally named as a Trustee herein.

(2) The Trustees shall elect the person who shall serve as Chair of the Authority. The person who shall be the Chair of the Authority shall preside at all meetings and perform other duties designated by the Trustees and shall serve until a successor be duly elected and qualified. The Trustees shall designate the time and place of all regular meetings. All actions by the Trustees pursuant to the provisions of this Indenture shall be approved by the affirmative vote of at least a majority of the Trustees qualified to act as such under the provisions of this Indenture; provided, if a greater affirmative percentage vote is required by law, such legally required greater affirmative percentage vote shall be required for vote on that particular matter in order that the laws of the State of Oklahoma may be fully complied with in all respects. The Trustees shall elect one of their members who shall serve as the Vice Chair, and who shall act in the place of the Chair during the latter's absence or incapacity to act and such person shall serve until the Chair's successor be duly elected and qualified.

(3) The duly acting City Clerk shall serve as Secretary of the Authority, and the Trustees may select one or more Assistant Secretaries of the Authority. The Secretary (and in his/her absence, an Assistant Secretary) shall keep minutes of all meetings of the Authority and shall maintain complete and accurate records of all their financial transactions, all such minutes, books and records to be on file in the office of the Authority. All meetings of the Authority shall be open to the public, and conducted in conformity with the provisions of Oklahoma law related to open meetings, and the books, records and minutes of the Authority shall be considered as public records and available for inspection at all times by any interested party in conformity with applicable provisions of the Oklahoma Open Records Act.

(4) The City Finance Director shall serve as Treasurer of the Authority and the Trustees may select one or more Assistant Treasurers of the Authority.

(5) The Trustees may appoint a General Manager and/or Executive Director for the Trust Estate, and the Trustees may employ such other clerical, professional, legal and technical assistance as may be deemed necessary in the discretion of the Trustees to properly operate the business of the Trust Estate, and may fix their duties, terms of employment and compensation from the Trust Estate. All Trustees shall serve without compensation but shall be reimbursed for actual expenses incurred in the performance of their duties hereunder. In the event a General Manager and/or Executive Director for the Trust Estate is appointed by the Trustees, the said General Manager and/or Executive Director shall administer the business of the Trust Estate as directed from time to time by the Trustees. The General Manager and/or Executive Director may not be a Trustee.

(6) The Authority is authorized to contract, in connection with the incurring of any funded indebtedness secured by the Trust Estate and/or its revenues, or any part of

either or both, that in the event of a default in the fulfillment of any contract obligation undertaken on behalf of the Trust Estate or in the payment of any indebtedness incurred on behalf of the Trust Estate, that a Temporary Trustee or Trustees or Receiver shall be appointed to succeed to the rights, powers and duties of the Trustees then in office. Any such contract, if made, shall set out the terms and conditions under which such Temporary Trustee or Trustees or Receiver shall be appointed, and operate the Trust Estate and provide for compensation to be paid, and appointment to be vacated and permanent Trustees to be automatically reinstated upon termination of all defaults by which their appointment was authorized.

(7) Bonds or other evidence of indebtedness to be issued by the Authority shall not constitute an indebtedness of the State or the Beneficiary or personal obligations of the Trustees of the Trust, but shall constitute obligations of the Authority payable solely from the Trust Estate.

(8) The Trustees, the State, and the Beneficiary hereof shall not be charged personally with any liability whatsoever by reason of any act or omission committed or suffered in good faith or in the exercise of their honest discretion in the performance of such Trust or in the operations of the Trust Estate; but any act or liability for any omission or obligation of the Trustees in the execution of such Trust, or in the operation of the Trust Estate, shall extend to the whole of the Trust Estate or so much thereof as may be necessary to discharge such liability or obligation.

(9) Notwithstanding any other provision of this Indenture which shall appear to provide otherwise, no Trustee or Trustees shall have the power or authority to bind or obligate any other Trustee, or the Beneficiary, in his or its capacity, nor can the Beneficiary bind or obligate the Trust or any individual Trustee.

(10) The Trust shall cause to be prepared annually at the close of each fiscal year of the Trust, an audit of the funds, financial affairs and transactions of the Trust, including but not limited to all fees, salaries and expenditures in exact amounts and listing to whom paid. Such audit is to be certified with an unqualified opinion of an independent, certified public accountant. A copy of such annual audit shall be filed within the time period and in conformity with the provisions of Oklahoma law related thereto. Unless hereafter changed by resolution of the Trustees, the fiscal year of the Trust shall be identical with the fiscal year of the Beneficiary. The cost of the foregoing audits shall be paid from the Trust Estate.

(11) Every person becoming a Trustee first shall take the oath of office required of an elected public officer. The oath of office shall be administered by any person authorized to administer oaths in the State, and shall be filed with the proper authorities and in the manner prescribed by the Act (and/or as otherwise prescribed by the laws of the State of Oklahoma). Every non-Trustee officer and/or employee who handles funds of the Trust shall furnish a good and sufficient fidelity bond in an amount and with surety as may be specified by law and as specified and approved by the Trustees; the Trustees may, but shall not be obligated to, obtain bonds relating to

the performance of their duties as Trustees. Such bonds shall be in a surety company authorized to transact surety business in the State of Oklahoma and the cost thereof shall be paid from funds of the Trust.

ARTICLE VIII
Powers and Duties of the Trustees

To accomplish the purposes of the Trust, the Trustees shall have, in addition to the usual powers incident to their office and the powers granted to them otherwise by law or in other parts of this Trust Indenture, the following rights, powers, duties, authority, discretion and privileges, all to be exercised on behalf of and in the name of the Authority:

(1) To sue and be sued.

(2) To have a seal and alter same at pleasure.

(3) To make and execute contracts and all other instruments necessary or convenient for the exercise of its powers and functions hereunder.

(4) To make and alter by-laws for its obligations and internal management as provided herein.

(5) To make and alter rules and regulations pertaining to any loan or other program developed by the Authority.

(6) To acquire, lease, convey, or otherwise hold and dispose of real and personal property for its Trust purposes; provided that, no purchaser at any sale or lessee under a lease made by the Trustees shall be bound to inquire into the expediency, propriety, validity or necessity of such sale or lease or to see or be liable for the application of the purchase or rental monies arising therefrom.

(7) To enter into contracts for sale of Bonds, Notes or other evidences of indebtedness, interim Notes or Bonds or other obligations of the Trust and to issue the same for any of the purposes of the Trust authorized hereby including, but not limited to: the acquisition, construction, reconstruction, equipping or otherwise financing facilities discussed in Article IV hereof or for any other lawfully permitted facilities which may be secured with Mortgages, security interests or other collateral satisfactory to the Trustees; making Mortgage loans or purchasing Mortgage notes secured by Mortgages on dwellings; acquiring real or personal property or facilities at foreclosure of any loan or obligation or authorized to be acquired pursuant to the terms of this Trust Indenture or other purposes authorized under any instrument securing any indebtedness of the Trust; refunding or advance refunding any outstanding indebtedness of the Trust; creating any reserves or replacement funds, loan funds or other funds or accounts deemed advisable by the Trustees in the furtherance of the Trust purposes or in connection with the securing of any of the Trust's debts or in the administration of Trust programs; and for any other purpose authorized by law and/or by Article IV hereof; and for those purposes the Trustees may:

a. Sell all Bonds, Notes or other evidences of indebtedness or obligations of the Trust at public or private sale in whole or in installments or series and on such terms and conditions and in such manner as is prescribed by law and as the Trustees shall deem to be in the best interest of the Trust Estate; and

b. Appoint and compensate attorneys, paying agencies and corporate trustees in connection with the issuance of any such Bonds, Notes, evidences of indebtedness or other obligations of the Trust; and

c. Pay all expenses incident to the creation of any indebtedness or the issuance of any Bonds, Notes or other evidences of indebtedness including, but not limited to, printing expenses, feasibility studies, special consultants, travel expenses or reproduction expenses; and

d. Create any reserve fund and any and all other funds and accounts as the Authority shall deem necessary or desirable in connection with the issuance of any Bonds, Notes or other evidences of indebtedness.

Any such indebtedness shall be deemed to be incurred or issued on behalf of the Beneficiary and may be general or special obligations of the Trust as the Trustees may from time to time determine.

(8) To purchase or redeem their Bonds, Notes or other evidences of indebtedness in whole or in part prior to the stated maturity thereof as specified in any instrument authorizing the issuance or securing the payment of any such indebtedness.

(9) To pledge any or all of the Trust's revenues or assets to secure the payment of any of its indebtedness.

(10) To enter into agreements with or participate in any programs of the Beneficiary, the State of Oklahoma, or any agency or instrumentality thereof, the United States of America, or any agency or instrumentality thereof.

(11) To enter into and execute, purchase, lease or otherwise acquire property, real, personal or mixed, contracts, leases, rights, privileges, benefits, choses in action or other things of value and to pay for the same in cash, with bonds or other evidences of indebtedness or otherwise.

(12) To fix, demand and collect charges, rentals and fees for the services and facilities of the Trust and to discontinue the furnishing of services and facilities to, and foreclose on any collateral of, any person, firm, or corporation, or public instrumentality delinquent in the payment of any indebtedness to the Trust; to purchase and sell such supplies, goods and commodities as are incident to the operation of its properties.

(13) To make and perform contracts of every kind including, management contracts, with any person, firm, corporation, association, joint venture, trusteeship, municipality, government, sovereignty or other entity; and without limitation as to amount, to draw, make, accept, endorse, assume, guarantee, account, execute and issue promissory notes, drafts, bills of

exchange, acceptances, warranties, bonds, debentures and other negotiable or non-negotiable instruments, obligations and evidences of unsecured indebtedness, or of indebtedness secured by mortgage, deed of trust or otherwise upon any or all income of the Trust, in the same manner and to the same extent as a natural person might or could do. To collect and receive any property, collateral, money, rents, or income of any sort and distribute the same or any portion thereof for the furtherance of the authorized Trust purposes set out herein.

(14) To exercise or to request of, arrange or contract with the Beneficiary or any governmental unit, agency or political subdivision thereof for the exercise of the power of eminent domain as necessary in establishing, operating, administering and maintaining any Trust facilities, systems, projects or programs.

(15) To expend all funds coming into the hands of the Trustees as revenue or otherwise for the payment of any indebtedness incurred by the Trustees for purposes specified herein, and in the payment of the aforesaid costs and expenses, and in payment of any other obligation properly chargeable against the Trust Estate, to from time to time transfer any surplus funds to the Beneficiary as the Authority in its sole discretion may determine and, upon termination of the Trust, to distribute the residue and remainder of such funds to the Beneficiary.

(16) To contract for services with firms or persons or other units and entities of government or private entities or agencies to carry out the purposes of the Trust; to apply for, contract for, receive and expend for its purposes, funds or grants from any governmental or non-governmental agency or entity, the Beneficiary, the State, the Federal Government or any agency or department thereof, or from any other source.

(17) To receive funds, money, property, collateral, services, rights and choses in action from any source to finance the programs and operations of the Trust; to receive grants, gifts, contributions and donations to carry out the purposes for which the Trust is formed; to receive and accept from any Federal, State or private agencies or entities, grants or loans for or in aid of the construction of any facility or system and to receive and accept aid or contributions of money, labor or any other valuable things from any source.

(18) To plan, coordinate, implement, administer or otherwise carry out public works or other projects or programs for public purposes for the benefit of the Beneficiary.

(19) To make, or commit to make, or participate in the making of Mortgage Loans whether for construction, for acquisition, financing or purchasing of housing.

(20) To invest monies of the Authority not required for immediate use, including proceeds from the sale of any Bonds or Notes, in accordance with the laws of the State.

(21) To sell any mortgages or other personal property acquired by the Authority at public or private sale and at such price or prices as it shall determine.

(22) To renegotiate, refinance or foreclose, or contract for the foreclosure of any Mortgage, security interest or other obligation in default; to waive any default or consent to the modification of the terms of any Mortgage; to commence any action to protect or enforce any right conferred upon it by any law, Mortgage, security interest, contract or other agreement, and to bid for and purchase such property at any foreclosure or at any other sale, or acquire or take possession of any such property; to operate, manage, rehabilitate, improve, lease, dispose of, and otherwise deal with such property, in such manner as may be necessary to protect the interests of the Trust and the holders of its Bonds, Notes or other obligations.

(23) To renegotiate or refinance any loan in default; waive any default or consent to the modification of the terms of any loan, and commence any action or proceedings to protect or enforce any right conferred upon it by law, loan agreement, contract or other agreement.

(24) To make and execute contracts and appoint agents for the administration or servicing of any loan made or acquired by the Trust and pay the reasonable value of services rendered to the Trust pursuant to such contracts.

(25) To sell any loans made or acquired by the Trust at public or private sale and at such price or prices and on such terms as the Trust shall determine.

(26) To collect and pay reasonable fees and charges in connection with making, committing to make, purchasing or committing to purchase and servicing its Mortgage Loans, Notes, Bonds, commitments and other evidences of indebtedness.

(27) To procure insurance against any type loss in such amounts, and from such insurers, as it may deem necessary or desirable.

(28) To consent, whenever it shall be deemed necessary or desirable in the fulfillment of its Trust purposes, to the modification of the rate of interest, time of payment of any installment of principal or interest, or any other terms of any Mortgage Loan, Mortgage Loan commitment, construction loan, temporary loan, contract or agreement of any kind to which the Trust is a party.

(29) To do any and all things necessary or convenient to carry out its purposes and exercise the powers given and granted herein, and to do all other acts in their judgment necessary or desirable, for the proper and advantageous management, investment and distribution of the Trust Estate and income therefrom.

(30) To exercise exclusive management and control of the properties of the Trust Estate.

(31) To contract for the furnishing of any services or the performance of any duties that they may deem necessary or proper and pay for the same as they see fit.

(32) To select depositories for the funds and securities of this Trust.

(33) To compromise any debts or claims of or against the Trust Estate, and adjust any dispute in relation to such debts or claims against the Trust Estate upon any evidence deemed by the

Trustees to be sufficient. The Trustees may bring any suit or action which in their judgment is necessary or proper to protect the interest of the Trust Estate, or to enforce any claim, demand or contract for the Trust; and they shall defend, in their discretion, any suit against the Trust, or the Trustees or employees, agents or servants thereof. They may compromise and settle any suit or action, and discharge the same out of assets of the Trust Estate, together with court costs and attorney's fees. All such expenditures shall be treated as expenses of executing this Trust.

(34) To do each and all things necessary to implement the purposes of this Trust as set out herein, and to that end Article IV "Purposes of Trust" is incorporated in its entirety under this "Powers" Article for the purpose of insuring that all appropriate power is granted to the Trustees to accomplish the purposes hereof without inhibition.

ARTICLE IX
Supervisory Control

The Trust created hereby and the Trustees appointed hereunder are subject to such supervision and control as may be determined from time to time by the Legislature of the State or by regulations that may be issued by departments or agencies of the United States of America, to insure the tax exempt status of any Bonds, Notes or other evidences of indebtedness issued by the Authority.

ARTICLE X
Beneficiary of Trust

(1) The Beneficiary of this Trust shall be the City of Norman, Oklahoma, under and pursuant to Title 60, Oklahoma Statutes 2001, Sections 176 to 180.4, inclusive, as amended and supplemented, and other applicable statutes of the State presently in force and effect.

(2) The Beneficiary shall have no legal title, claim or right to the Trust Estate, its income, or to any part thereof or to demand or require any partition or distribution thereof. Neither shall the Beneficiary have any authority, power or right whatsoever, to do or transact any business for, or on behalf of or binding upon the Trustees or upon the Trust Estate, nor the right to control or direct the actions of the Trustees pertaining to the Trust Estate or any part thereof, except as herein provided. The Beneficiary shall be entitled solely to the benefits of this Trust as administered by the Trustees hereunder, and at the termination of the Trust, as provided herein, and only then, the Beneficiary shall receive the residue of the Trust Estate.

(3) The Trust is solely and exclusively for public purposes; and it is solely for the benefit, betterment and the furtherance of the public purposes of the City of Norman, Oklahoma, and its inhabitants and citizens; and all assets, property, moneys, income, gain or other things of value now owned by the Trust, or that may at any time come into control or direction of the Trust or its Trustees, or any interest the Trust may have or hereinafter

acquire therein, be and the same are hereby exclusively and perpetually dedicated solely to the public interests of the City of Norman, and to the public purposes for which the Trust was created and all pursuant to the public purposes and functions of the Beneficiary of the Trust, the City of Norman, Oklahoma.

(4) The Beneficiary will have access at all times to the books and records of the Trust.

ARTICLE XI
Adoption and Amendment of By-Laws; Amendment and Termination of Trust

This Trust Indenture may be amended by an affirmative vote of at least two-thirds (2/3) of all Trustees and any such proposed amendment shall be further approved by the affirmative vote of two-thirds (2/3) of the governing body of the Beneficiary before becoming effective.

The Trustees, by an affirmative vote of a majority of all Trustees, may adopt, alter and amend By-Laws of the Trust.

PROVIDED, HOWEVER, that this Trust Indenture shall not be subject to revocation, alteration, amendment, revision, modification or termination in any manner which would be adverse to the interest of the holders of any evidence of indebtedness of the Trust without the consent of holders of indebtedness who would be adversely affected, which consent may be given by less than all of such holders, if so provided in any resolution, indenture or agreement relating to such indebtedness.

This Trust shall terminate -

(1) When the purposes set out in Article IV of this instrument shall have been fully executed; or

(2) In the manner provided by Oklahoma law. Provided, however, that this Trust shall not be terminated by voluntary action while there be outstanding indebtedness or fixed obligations of the Trustees, unless all owners of such indebtedness or obligations shall have consented in writing to such termination.

Upon the termination of this Trust, the Trustees shall proceed to wind up the affairs of this Trust, and after payment of all debts, expenses and obligations out of the monies and properties of the Trust Estate to the extent thereof, the Trustees shall distribute the residue of the money and properties of the Trust Estate to the Beneficiary hereunder. Upon final distribution, the powers, duties and authority of the Trustees hereunder shall terminate.

ARTICLE XII

The Trustees accept the Trust herein created and provided for, and agree to carry out the provisions of this Trust Indenture on their part to be performed.

[Remainder of Page Left Blank Intentionally]

IN WITNESS WHEREOF, the Trustor and the Trustees have hereunto set their hands on the day and year indicated.

Cindy Rosenthal, Trustor

Cindy Rosenthal, Trustee

Roger Gallagher, Trustee

Tom Kovach, Trustee

Hal Ezzell, Trustee

Carol Dillingham, Trustee

David Spaulding, Trustee

Jim Griffith, Trustee

Linda Lockett, Trustee

Dan Quinn, Trustee

[Remainder of Page Intentionally Left Blank]

STATE OF OKLAHOMA)
)SS
COUNTY OF OKLAHOMA)

BEFORE ME, the undersigned, a Notary Public in and for the above County and State, on the 12th day of June 2012, appeared Cindy Rosenthal, and further known to me to be the identical person who subscribed said person's name to the foregoing instrument, as Trustor, and acknowledged to me that said person executed the same as said person's free and voluntary act and deed, for the uses and purposes therein mentioned and set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year aforesaid.

Brenda D. Hall
Notary Public

(SEAL)

My commission expires 11-2-14
Commission No. 02017428

STATE OF OKLAHOMA)
)SS
COUNTY OF OKLAHOMA)

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on the 12th day of June 2012, personally appeared Cindy Rosenthal, Roger Gallagher, Tom Kovach, Hal Ezzell, Carol Dillingham, Dave Spaulding, Jim Griffith, Linda Lockett, and Dan Quinn and further known to me to be the identical persons who subscribed their names to the foregoing instrument, as Trustees, and acknowledged to me that they executed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned and set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year aforesaid.

Brenda D. Hall
Notary Public

(SEAL)

My commission expires 11-2-14
Commission No. 02017428

STATE OF OKLAHOMA)
)SS
COUNTY OF OKLAHOMA)

ACCEPTANCE

KNOW ALL MEN BY THESE PRESENTS:

That the City Council of the City of Norman, State of Oklahoma, hereby accepts the beneficial interest in the Trust created by the within and foregoing Trust Indenture, for and on behalf of said City in all respects in accordance with the terms of said Trust Indenture.

WITNESS my hand as Mayor of said City, attested by the City Clerk of said City, pursuant to direction of the City Council of said City, this 12th day of June, 2012.

CITY OF NORMAN, OKLAHOMA

Mayor Pro Tem

ATTEST:

City Clerk

(SEAL)

CERTIFICATE
OF
CITY COUNCIL ACTION

I, the undersigned, hereby certify that I am the duly qualified and acting City Clerk of The City of Norman, Oklahoma.

I further certify that the City Council of The City of Norman, Oklahoma, held a Regular Meeting at 6:30 o'clock p.m., on 12th day of June, 2012, in the Council Chambers, 201 West Gray in Norman, Oklahoma, after due notice was given in full compliance with the Oklahoma Open Meeting Act.

I further certify that attached hereto is a full and complete copy of a Resolution No. R-1112-139 that was passed and approved by said City Council at said meeting as the same appears in the official records of my office and that said Resolution is currently in effect and has not been repealed or amended as of this date.

I further certify that below is listed those Council Members present and absent at said meeting; those making and seconding the motion that said Resolution be passed and approved; and those voting for and against such motion:

PRESENT:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
ABSENT:	None
MOTION MADE BY:	Councilmember Kovach
MOTION SECONDED BY:	Councilmember Dillingham
AYE:	Councilmembers Dillingham, Ezzell, Griffith, Kovach, Lockett, Quinn
NAY:	Councilmembers Gallagher, Spaulding, Mayor Rosenthal

WITNESS MY HAND THIS 12th DAY OF June, 2012.

CITY OF NORMAN CORPORATE SEAL OKLAHOMA

THE CITY OF NORMAN, OKLAHOMA

Brenda Hall

City Clerk

R-1112-139

Resolution

A RESOLUTION ACCEPTING BENEFICIAL INTEREST IN THE TRUST CREATED BY A TRUST INDENTURE CREATING THE NORMAN ECONOMIC DEVELOPMENT AUTHORITY FOR AND ON BEHALF OF THE CITY OF NORMAN, OKLAHOMA, IN ALL RESPECTS IN ACCORDANCE WITH THE TERMS OF SAID TRUST INDENTURE.

§1 WHEREAS, the creation of a trust authority dedicated to fostering economic development in Norman was identified as a priority by the City Council Business and Community Affairs Committee during its August 4, 2011 meeting; and

§ 2. WHEREAS, the creation of such a trust authority and the terms of the trust indenture were discussed during meetings of the Business and Community Affairs Committee on October 6, 2011, November 3, 2011, December 1, 2011, February 2, 2012, March 1, 2012 and June 7, 2012; and

§ 3. WHEREAS, the creation of such an economic development trust authority and the terms of the trust indenture were discussed by City Council during a Special Session held on March 27, 2012, and at a Public Forum held on May 29, 2012; and

§ 4. WHEREAS, there is a desire to move forward to create a Norman Economic Development Authority that is dedicated to fostering quality jobs and quality economic development benefitting the Norman community as a whole.~~; and~~

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 5. The Trust Indenture by and among Cindy Rosenthal, as Trustor, and Cindy Rosenthal, Roger Gallagher, Tom Kovach, Hal Ezzell, Carol Dillingam, David Spaulding, Linda Lockett, Jim Griffith, and Dan Quinn, as Trustees, dated the 12th day of June, 2012, creating the Norman Economic Development Authority (the "NEDA"), a copy of which will be filed in the office of the County Clerk of the Cleveland County, Oklahoma, is hereby approved and the City Council hereby accepts the beneficial interest in the Trust created therein for and on behalf of the City of Norman, Oklahoma. The Mayor or Vice-Mayor and City Clerk or Deputy City Clerk are authorized to execute a certificate to evidence said acceptance of beneficial interest.

§ 6. Pursuant to the provisions set forth in Title 60, Oklahoma Statutes, Sections 176 to 180.4, inclusive, as amended and supplemented, the Oklahoma Trust Act and other applicable laws and statutes of the State of Oklahoma, the Authority is hereby designated by the City to exercise all powers necessary or appropriate thereto pursuant to Title 60, Oklahoma Statutes, Sections 176 to 180.4 and the terms of the trust indenture.

APPROVED AND ADOPTED THIS 12th DAY OF June, 2012.

CITY OF NORMAN, OKLAHOMA

By: _____
Mayor Pro Tem

CITY OF NORMAN CORPORATE SEAL (SEAL) OKLAHOMA

ATTEST:

By: _____
City Clerk

TRUST INDENTURE
CREATING
THE NORMAN PARKING AND TRANSIT AUTHORITY

KNOW ALL MEN BY THESE PRESENTS:

This Trust Indenture dated as of the 9 day of December, 2025, by Stephen T. Holman, referred to as the Trustor, and Stephen T. Holman, David Gandesbery, Matthew Peacock, Robert Bruce, Helen Grant, Brandon Nofire, Joshua Hinkle, Kimberly Blodgett, and Scott Dixon and their respective successors as provided herein, to be known as the Trustees of the Norman Parking and Transit Authority, who shall be and are hereinafter referred to as Trustees of said Authority, hereinafter referred to as "Authority" or "Trust", hereby creates and establishes a public trust for the use and benefits of The City of Norman, Oklahoma (referred to herein as the "City") the ("Beneficiary") pursuant to the terms of Title 60, Okla. Stat. 2021, Sections 176 *et seq.* and prescribes the terms thereof as follows:

NOW THEREFORE, in consideration of the payment by the Trustor to the Trustees of the sum of Ten Dollars ($10.00), receipt of which is hereby acknowledged, the mutual covenants herein set forth, and other valuable considerations, the said Trustees agree to hold, manage, invest, assign, convey and distribute as herein provided, authorized and directed, such property as Trustor, or others may heretofore or from time to time hereafter assign, transfer, lease, convey, give, bequeath, devise or deliver unto this Trust or the Trustees hereof.

TO HAVE AND HOLD such property and the proceeds, rents, profits, and increases thereon unto said Trustees and said Trustees' successors and assigns, but nevertheless in trust, for the use and benefit of the City of Norman, State of Oklahoma, such City being hereby designated and hereinafter referred to as "Beneficiary" and upon the trusts, terms and conditions hereinafter stated.

ARTICLE I
Creation of Trust

The undersigned Trustor recreates, creates and establishes a Trust for the use and benefit of the Beneficiary for the public purposes hereinafter set forth, under the provisions of Title 60, Oklahoma Statutes 2021, Sections 176 to 180.4, inclusive, as amended and supplemented, the Oklahoma Trust Act and other applicable statutes and laws of the State of Oklahoma.

The undersigned Trustor hereby forever irrevocably conveys, relinquishes and assigns to the Trustees of the Authority any and all right, title and interest she may have in and under this Trust Indenture and the trust created hereunder, including, without limitation, the right to consent to and approve any further changes, amendments or supplements to this Trust Indenture.

ARTICLE II
Name and Effective Date of Trust

The Trustees of this Trust shall conduct all business and execute or authorize the execution of all instruments in the name of this Trust, which shall be the "Norman Parking and Transit Authority" and otherwise perform the duties and functions required in the execution of this Trust, and hereby authorize the Chairman or Vice Chairman and the Secretary or Assistant Secretary of the Trust to execute instruments on behalf of the Trust as directed by duly enacted resolutions of the Trust. This Trust Indenture shall be in full force and effect from and after the date of execution by the Trustees of the Trust and acceptance of the beneficial interest herein by the Beneficiary.

ARTICLE III
Definitions

"Act" shall mean the Oklahoma Public Trust, being Title 60, Oklahoma Statutes 2001, Sections 176 to 180.4, as amended and supplemented.

"Authority" shall mean the Norman Parking and Transit Authority created pursuant to this Trust Indenture, and the Trustees thereof, acting on behalf of and in the name of said Authority.

"Beneficiary" shall mean The City of Norman, State of Oklahoma, acting by and through its City Council.

"Bonds" or "Notes" shall mean respectively the bonds and notes of the Authority to be issued under this Indenture.

"By-Laws" shall mean the By-Laws, if any, duly adopted by the Authority as the same may be amended from time to time.

"Governmental Agency" shall mean the United States of America and the State or any department, division, public corporation, public agency, political subdivision or other public instrumentality of either.

"Lending Institution" shall mean any bank or trust company, Federal National Mortgage Association, mortgage banker, mortgage company, national banking association, savings bank, savings and loan association and any other financial institution or Governmental Agency or person.

"Mortgage" shall mean a mortgage, mortgage deed, deed of trust, security agreement or other instrument creating a lien on a fee interest in real and/or personal property or a leasehold on such fee interest.

"Mortgage Loan" means an interest bearing obligation secured by a Mortgage.

"State" shall mean the State of Oklahoma.

"Trust Indenture" shall mean this Trust Indenture dated as of December 9, 2025.

"Trustees" shall mean the Trustees of the Authority.

ARTICLE IV
Purposes of Trust

The purposes of this Trust are:

(1) To plan, establish, develop, construct, finance, enlarge, remodel, acquire, improve, alter, extend, maintain, equip, operate, lease, furnish and regulate any public parking and transit systems and facilities within the territorial boundaries of the City of Norman including but not limited to the purchase, lease, construction, installation, equipping, maintenance and operation of such buildings and other facilities necessary for the servicing of such public parking and transit systems and facilities or for the comfort and accommodation of patrons of such public parking and transit systems and facilities, or for other uses the Beneficiary may undertake as to public parking and transit and the buildings and facilities thereof.

(2) To hold, maintain, and administer any leasehold rights in and to physical properties heretofore or hereafter demised to the Beneficiary or the Authority and to comply with the terms and conditions of any such lease.

(3) To acquire by lease, purchase or otherwise, and to plan, establish, develop, construct, enlarge, improve, maintain, equip, operate and regulate any and all physical properties designated or needful for utilization in the furnishing and providing of services, in connection with public parking and transit systems and facilities properties, and to dispose of, rent or otherwise make provisions for properties owned or controlled by the Trust, but no longer needful for Trust purposes.

(4) To provide funds for the cost of financing, refinancing, acquiring, constructing, purchasing, equipping, maintaining, leasing, repairing, improving, and operating such public parking and transit systems and facilities and buildings and other improvements thereto, and all properties, real, personal or mixed, required for execution and fulfilling the Trust purposes as set forth in this instrument, and all other charges, costs and expenses necessarily incurred in connection therewith and in so doing, to incur indebtedness, either unsecured or secured by all or any part of the Trust Estate and its revenues.

(5) To expend all dedicated sales tax revenues from the Beneficiary's Public Transit Sales Tax or any other similarly dedicated sales tax for the explicit purposes set forth in such dedicated sales tax on behalf of the Beneficiary and in furtherance of Trust purposes.

(6) To expend all funds coming into the hands of the Trustees as revenue or otherwise for the payment of any indebtedness incurred by the Trustees for the purposes specified herein, and in the payment of the aforesaid costs and expenses, and in payment of any other obligation properly chargeable against the Trust Estate, and to distribute the residue and remainder of such funds to the Beneficiary.

(7) To enter into Memorandums of Understanding, Interlocal Agreements, or contracts with other public entities, including but not limited to, the Cleveland County Board of Commissioners, the City of Norman, State Agencies and other governmental entities within or outside of the State of Oklahoma.

ARTICLE V
Duration of the Trust

This Trust shall have duration for the term of duration of the Beneficiary and until such time as its purposes shall have been fully fulfilled and all indebtedness of the Authority is paid, or until it shall be terminated as hereinafter provided.

ARTICLE VI
The Trust Estate

The Trust Estate shall consist of:

(1) The funds and property presently in the hands of the Trustees or to be hereafter acquired or constructed by the Trustees and dedicated by the Trustor, the Beneficiary and others to be used for trust purposes.

(2) Any and all leasehold rights heretofore or hereafter remised to the Trustees by the Beneficiary, and others as authorized and empowered by law.

(3) Any and all money, property (real, personal or mixed), rights, choses in action, contracts, leases, privileges, immunities, licenses, franchises, benefits, mortgages, collateral and all other things of value heretofore or hereafter coming into the hands of the Trustees under this Trust Indenture.

(4) Cash in the sum of $10.00 paid by the Trustor to the Trustees, receipt of which is hereby specifically acknowledged by the Trustees.

ARTICLE VII
The Trustees

(1) The Trustees of this Trust shall be Stephen T. Holman, David Gandesbery, Matthew Peacock, Robert Bruce, Helen Grant, Brandon Nofire, Joshua Hinkle, Kimberly Blodgett, and Scott Dixon and their successors, appointed for terms that run concurrently with each

Trustee's term as councilmember. Each successor in office shall without any further act, deed or conveyance, automatically becomes a Trustee of this Trust and becomes fully vested with all the estate, properties, rights, powers, duties and obligations of his predecessor hereunder with like effect as if originally named as a Trustee herein.

(2) The Mayor of the City shall serve as Chair of the Authority. The person who shall be the Chair of the Authority shall preside at all meetings and perform other duties designated by the Trustees and shall serve until a successor be duly elected and qualified. The Trustees shall designate the time and place of all regular meetings. All actions by the Trustees pursuant to the provisions of this Indenture shall be approved by the affirmative vote of at least a majority of the Trustees qualified to act as such under the provisions of this Indenture; provided, if a greater affirmative percentage vote is required by law, such legally required greater affirmative percentage vote shall be required for vote on that particular matter in order that the laws of the State of Oklahoma may be fully complied with in all respects. The Mayor Pro Tem of the City shall serve as the Vice Chair, and who shall act in the place of the Chair during the latter's absence or incapacity to act and such person shall serve until the Chair's successor be duly elected and qualified.

(3) The duly acting City Clerk shall serve as Secretary of the Authority, and the Trustees may select one or more Assistant Secretaries of the Authority. The Secretary (and in his/her absence, an Assistant Secretary) shall keep minutes of all meetings of the Authority and shall maintain complete and accurate records of all their financial transactions, all such minutes, books and records to be on file in the office of the Authority. All meetings of the Authority shall be open to the public, and conducted in conformity with the provisions of Oklahoma law related to open meetings, and the books, records and minutes of the Authority shall be considered as public records and available for inspection at all times by any interested party in conformity with applicable provisions of the Oklahoma Open Records Act.

(4) The City Finance Director shall serve as Treasurer of the Authority and the Trustees may select one or more Assistant Treasurers of the Authority.

(5) The City Manager of the City of Norman shall serve as General Manager and/or Executive Director for the Trust Estate, and the Trustees may employ such other clerical, professional, legal and technical assistance as may be deemed necessary in the discretion of the Trustees to properly operate the business of the Trust Estate, and may fix their duties, terms of employment and compensation from the Trust Estate. All Trustees shall serve without compensation but shall be reimbursed for actual expenses incurred in the performance of their duties hereunder. The General Manager and/or Executive Director may not be a Trustee.

(6) The Authority is authorized to contract, in connection with the incurring of any funded indebtedness secured by the Trust Estate and/or its revenues, or any part of either or both, that in the event of a default in the fulfillment of any contract obligation undertaken on behalf of the Trust Estate or in the payment of any indebtedness incurred on behalf of the Trust Estate, that a Temporary Trustee or Trustees or Receiver shall be appointed to succeed

to the rights, powers and duties of the Trustees then in office. Any such contract, if made, shall set out the terms and conditions under which such Temporary Trustee or Trustees or Receiver shall be appointed, and operate the Trust Estate and provide for compensation to be paid, and appointment to be vacated and permanent Trustees to be automatically reinstated upon termination of all defaults by which their appointment was authorized.

(7) Bonds or other evidence of indebtedness to be issued by the Authority shall not constitute an indebtedness of the State or the Beneficiary or personal obligations of the Trustees of the Trust, but shall constitute obligations of the Authority payable solely from the Trust Estate.

(8) The Trustees, the State, and the Beneficiary hereof shall not be charged personally with any liability whatsoever by reason of any act or omission committed or suffered in good faith or in the exercise of their honest discretion in the performance of such Trust or in the operations of the Trust Estate; but any act or liability for any omission or obligation of the Trustees in the execution of such Trust, or in the operation of the Trust Estate, shall extend to the whole of the Trust Estate or so much thereof as may be necessary to discharge such liability or obligation.

(9) Notwithstanding any other provision of this Indenture which shall appear to provide otherwise, no Trustee or Trustees shall have the power or authority to bind or obligate any other Trustee, or the Beneficiary, in his or its capacity, nor can the Beneficiary bind or obligate the Trust or any individual Trustee.

(10) The Trust shall cause to be prepared annually at the close of each fiscal year of the Trust, an audit of the funds, financial affairs and transactions of the Trust, including but not limited to all fees, salaries and expenditures in exact amounts and listing to whom paid. Such audit is to be certified with an unqualified opinion of an independent, certified public accountant. A copy of such annual audit shall be filed within the time period and in conformity with the provisions of Oklahoma law related thereto. Unless hereafter changed by resolution of the Trustees, the fiscal year of the Trust shall be identical with the fiscal year of the Beneficiary. The default fiscal year shall be from July 1 to June 30. The cost of the foregoing audits shall be paid from the Trust Estate.

(11) Every person becoming a Trustee first shall take the oath of office required of an elected public officer. The oath of office shall be administered by any person authorized to administer oaths in the State, and shall be filed with the proper authorities and in the manner prescribed by the Act (and/or as otherwise prescribed by the laws of the State of Oklahoma). Every non-Trustee officer and/or employee who handles funds of the Trust shall furnish a good and sufficient fidelity bond in an amount and with surety as may be specified by law and as specified and approved by the Trustees; the Trustees may, but shall not be obligated to, obtain bonds relating to the performance of their duties as Trustees. Such bonds shall be in a surety company authorized to transact surety business in the State of Oklahoma and the cost thereof shall be paid from funds of the Trust.

ARTICLE VIII
Powers and Duties of the Trustees

To accomplish the purposes of the Trust, the Trustees shall have, in addition to the usual powers incident to their office and the powers granted to them otherwise by law or in other parts of this Trust Indenture, the following rights, powers, duties, authority, discretion and privileges, all to be exercised on behalf of and in the name of the Authority:

(1) To sue and be sued.

(2) To have a seal and alter same at pleasure.

(3) To make and execute contracts and all other instruments necessary or convenient for the exercise of its powers and functions hereunder.

(4) To make and alter by-laws for its obligations and internal management as provided herein.

(5) To make and alter rules and regulations pertaining to any loan or other program developed by the Authority.

(6) To plan, establish, develop, construct, finance, enlarge, remodel, acquire, improve, alter, extend, maintain, equip, operate, lease, furnish and regulate any public parking and transit systems and facilities designated pursuant to Paragraph One (1) of Article IV hereof as the Trustees shall determine necessary for the benefit and development of the Beneficiary.

(7) To enter into contracts for the acquisition and construction and enlargement and improvement of buildings, works, including but not limited to, single or multi-level parking areas above and below ground level, and facilities authorized to be acquired and constructed, enlarged and improvement, and equipment and vehicles necessary for the operation of transit and parking services pursuant to the terms of this Trust Indenture and in compliance herewith.

(8) To employ such architectural and engineering firm or firms as the Trustees deem necessary to prepare such preliminary or detailed studies, plans, specifications, cost estimates and feasibility reports as are required in the opinion of the Trustees. The cost of such engineering and architectural work shall be paid out of the proceeds of the sale of bonds or from such other funds as may be available therefor.

(9) To enter into contracts for sale of Bonds, Notes or other evidences of indebtedness, interim Notes or Bonds or other obligations of the Trust for the purpose of acquiring or constructing works and facilities and equipment and vehicles authorized to be acquired or constructed pursuant to the terms of this Trust Indenture and for that purpose may:

   a. Employ a financial advisor, or committee of advisors, to advise and assist the Trustees in the marketing of such bonds, notes or other evidences of indebtedness or obligations, and to present financial plans for the financing of the acquisition or construction of each project, and to recommend to, or consult with, the Trustees

concerning the terms and provisions of bond indentures and bond issues, and may pay appropriate compensation for such work and services performed in the furtherance of the project;

b. Sell all Bonds, Notes or other evidences of indebtedness or obligations of the Trust at public or private sale in whole or in installments or series and on such terms and conditions and in such manner as is prescribed by law and as the Trustees shall deem to be in the best interest of the Trust Estate; and

c. Appoint and compensate attorneys, paying agencies and corporate trustees in connection with the issuance of any such Bonds, Notes, evidences of indebtedness or other obligations of the Trust; and

d. Pay all expenses incident to the creation of any indebtedness or the issuance of any Bonds, Notes or other evidences of indebtedness including, but not limited to, printing expenses, feasibility studies, special consultants, travel expenses or reproduction expenses; and

e. Create any reserve fund and any and all other funds and accounts as the Authority shall deem necessary or desirable in connection with the issuance of any Bonds, Notes or other evidences of indebtedness.

Any such indebtedness shall be deemed to be incurred or issued on behalf of the Beneficiary and may be general or special obligations of the Trust as the Trustees may from time to time determine.

(10) To enter into and execute purchase, lease or otherwise acquire property, real, personal or mixed, contracts, leases, rights, privileges, benefits, choses in action, or other things of value and to pay for the same in cash, with bonds or other evidences of indebtedness or otherwise.

(11) To make and change investments, to convert real into personal property, and vice versa, to lease, improve, exchange or sell, at public or private sale, upon such terms as they deem proper, and to resell, at any time and as often as they deem advisable, any or all the property in the Trust, to refund outstanding bonded indebtedness and to execute therefor bonds, notes, or other evidences of indebtedness or obligations, and to secure the same by mortgage, lien, pledge, or otherwise; to purchase property from any person, firm, corporation or public Trust, and lease or sublease land and other property to and from the Beneficiary or others and construct, improve, repair, extend, remodel, and equip buildings, improvements, and other facilities thereon and to operate or lease or rent the same to individual, partnerships, associations, corporations and others, including the United States of America or the State of Oklahoma and agencies or authorities of the United States of America, or the State of Oklahoma, or of any municipality thereof, and also including all municipal or other political subdivisions of the State of Oklahoma as well as the Beneficiary hereof, and to do all things to accomplish the purposes set out in Article IV of this Trust Indenture, and procure funds necessary for such purpose by the sale of bonds or other evidences of indebtedness by mortgages, liens, pledges or other encumbrances of such real and personal property, buildings, improvements and other facilities owned or otherwise

acquired, leased or controlled by Trustees, and by rentals, income, receipts and profits therefrom, or from any other revenues associated with the ownership, operation or control of the property of the Trust; to lease or sublease any property of the Trust or of which the Trustees may become the owners or lessees.

(12) To fix, demand and collect charges, rentals and fees for the services and facilities of the Trust and to discontinue the furnishing of services and facilities to, and foreclose on any collateral of, any person, firm, or corporation, or public instrumentality delinquent in the payment of any indebtedness to the Trust; to purchase and sell such supplies, goods and commodities as are incident to the operation of its properties and parking and transit services.

(13) To make and perform contracts of every kind including management contracts, with any person, firm, corporation, association, joint venture, trusteeship, municipality, government, sovereignty or other entity; and without limitation as to amount, to draw, make, accept, endorse, assume, guarantee, account, execute and issue promissory notes, drafts, bills of exchange, acceptances, warranties, bonds, debentures and other negotiable or non-negotiable instruments, obligations and evidences of unsecured indebtedness, or of indebtedness secured by mortgage, deed of trust or otherwise upon any or all income of the Trust, in the same manner and to the same extent as a natural person might or could do. To collect and receive any property, collateral, money, rents, or income of any sort and distribute the same or any portion thereof for the furtherance of the authorized Trust purposes set out herein.

(14) The Trustees shall file with the Mayor and City Council a certified copy of the annual audit made of the funds, accounts, and fiscal affairs of the Trust at the time as may be required by Section 180.1, Title 60, Oklahoma Statutes Annotated, and any amendment or addition thereto.

(15) The governing body of the Beneficiary shall have the right to conduct or have conducted a complete audit of the funds, accounts and fiscal affairs of the Trust at any time at its discretion. The Trustees shall no later than June 1 of each year file with the Mayor and City Council an operating and capital budget(s) for the next fiscal year. The form of such operating budget shall be as provided by the City's Director of Finance.

(16) To exercise exclusive management and control of the properties of the Trust Estate.

(17) To contract for the furnishing of any services or the performance of any duties that they may deem necessary or proper and pay for the same as they see fit.

(18) To select depositories for the funds and securities of this Trust.

(19) To compromise any debts or claims of or against the Trust Estate, and adjust any dispute in relation to such debts or claims against the Trust Estate upon any evidence deemed by the Trustees to be sufficient. The Trustees may bring any suit or action which in their judgment is necessary or proper to protect the interest of the Trust Estate, or to enforce any claim, demand or contract for the Trust; and they shall defend, in their discretion, any suit against the Trust, or the Trustees or employees, agents or servants thereof. They may compromise

and settle any suit or action, and discharge the same out of assets of the Trust Estate, together with court costs and attorney's fees. All such expenditures shall be treated as expenses of executing this Trust.

(20) To do each and all things necessary to implement the purposes of this Trust as set out herein, and to that end Article IV "Purposes of Trust" is incorporated in its entirety under this "Powers" Article for the purpose of insuring that all appropriate power is granted to the Trustees to accomplish the purposes hereof without inhibition.

ARTICLE IX
Supervisory Control

The Trust created hereby and the Trustees appointed hereunder are subject to such supervision and control as may be determined from time to time by the Legislature of the State or by regulations that may be issued by departments or agencies of the United States of America, to insure the tax exempt status of any Bonds, Notes or other evidences of indebtedness issued by the Authority.

ARTICLE X
Beneficiary of Trust

(1) The Beneficiary of this Trust shall be the City of Norman, Oklahoma, under and pursuant to Title 60, Oklahoma Statutes 2021, Sections 176 to 180.4, inclusive, as amended and supplemented, and other applicable statutes of the State presently in force and effect.

(2) The Beneficiary shall have no legal title, claim or right to the Trust Estate, its income, or to any part thereof or to demand or require any partition or distribution thereof. Neither shall the Beneficiary have any authority, power or right whatsoever, to do or transact any business for, or on behalf of or binding upon the Trustees or upon the Trust Estate, nor the right to control or direct the actions of the Trustees pertaining to the Trust Estate or any part thereof, except as herein provided. The Beneficiary shall be entitled solely to the benefits of this Trust as administered by the Trustees hereunder, and at the termination of the Trust, as provided herein, and only then, the Beneficiary shall receive the residue of the Trust Estate.

(3) The Trust is solely and exclusively for public purposes; and it is solely for the benefit, betterment and the furtherance of the public purposes of the City of Norman, Oklahoma and its inhabitants and citizens; and all assets, property, moneys, income, gain or other things of value now owned by the Trust, or that may at any time come into control or direction of the Trust or its Trustees, or any interest the Trust may have or hereinafter acquire therein, be and the same are hereby exclusively and perpetually dedicated solely to the public interests of the City of Norman, and to the public purposes for which the Trust was created and all pursuant to the public purposes and functions of the Beneficiary of the Trust, the City of Norman, Oklahoma.

(4) The Beneficiary will have access at all times to the books and records of the Trust.

ARTICLE XI
Adoption and Amendment of By-Laws; Amendment and Termination of Trust

This Trust Indenture may be amended by an affirmative vote of at least two-thirds (2/3) of all Trustees and any such proposed amendment shall be further approved by the affirmative vote of two-thirds (2/3) of the governing body of the Beneficiary before becoming effective.

The Trustees, by an affirmative vote of a majority of all Trustees, may adopt, alter and amend By-Laws of the Trust.

PROVIDED, HOWEVER, that this Trust Indenture shall not be subject to revocation, alteration, amendment, revision, modification or termination in any manner which would be adverse to the interest of the holders of any evidence of indebtedness of the Trust without the consent of holders of indebtedness who would be adversely affected, which consent may be given by less than all of such holders, if so provided in any resolution, indenture or agreement relating to such indebtedness.

This Trust shall terminate -

(1) When the purposes set out in Article IV of this instrument shall have been fully executed; or

(2) In the manner provided by Oklahoma law. Provided, however, that this Trust shall not be terminated by voluntary action while there be outstanding indebtedness or fixed obligations of the Trustees, unless all owners of such indebtedness or obligations shall have consented in writing to such termination.

Upon the termination of this Trust, the Trustees shall proceed to wind up the affairs of this Trust, and after payment of all debts, expenses and obligations out of the monies and properties of the Trust Estate to the extent thereof, the Trustees shall distribute the residue of the money and properties of the Trust Estate to the Beneficiary hereunder. Upon final distribution, the powers, duties and authority of the Trustees hereunder shall terminate.

ARTICLE XII

The Trustees accept the Trust herein created and provided for, and agree to carry out the provisions of this Trust Indenture on their part to be performed.

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IN WITNESS WHEREOF, the Trustor and the Trustees have hereunto set their hands on the day and year indicated.

Stephen T. Holman, Trustor

Stephen T. Holman, Trustee

Matthew Peacock, Trustee

Helen Grant, Trustee

Joshua Hinkle, Trustee

Scott Dixon, Trustee

David Gandesbery, Trustee

Robert Bruce, Trustee

Brandon Nofire, Trustee

Kimberly Blodgett, Trustee

Date Signed: December 9, 2025

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STATE OF OKLAHOMA)
)SS
COUNTY OF OKLAHOMA)

BEFORE ME, the undersigned, a Notary Public in and for the above County and State, on the 9 day of December, 2025, appeared Stephen T. Holman, and further known to me to be the identical person who subscribed said person's name to the foregoing instrument, as Trustor, and acknowledged to me that said person executed the same as said person's free and voluntary act and deed, for the uses and purposes therein mentioned and set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year aforesaid.

NOTARY PUBLIC STATE OF OKLAHOMA
OFFICIAL SEAL
JAMIE MEYER
Commission # 23005588
Expires April 21, 2027

(SEAL)

Jamie Meyer
Notary Public

My commission expires 4-21-27
Commission No. 23005588

STATE OF OKLAHOMA)
)SS
COUNTY OF CLEVELAND)

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on the 9 day of December, 2025, personally appeared Stephen T. Holman, David Gandesbery, Matthew Peacock, Robert Bruce, Helen Grant, Brandon Nofire, Joshua Hinkle, Kimberly Blodgett, and Scott Dixon, and further known to me to be the identical person who subscribed their name to the foregoing instrument, as Trustee, and acknowledged to me that they executed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned and set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year aforesaid.

NOTARY PUBLIC IN AND FOR STATE OF OKLAHOMA
OFFICIAL SEAL
JAMIE MEYER
Commission # 23005588
Expires April 21, 2027

(SEAL)

Jamie Meyer
Notary Public

My commission expires 4-21-27
Commission No. 23005588

STATE OF OKLAHOMA)
)SS
COUNTY OF OKLAHOMA)

ACCEPTANCE

KNOW ALL MEN BY THESE PRESENTS:

That the City Council of the City of Norman, State of Oklahoma, hereby accepts the beneficial interest in the Trust created by the within and foregoing Trust Indenture, for and on behalf of said City in all respects in accordance with the terms of said Trust Indenture.

WITNESS my hand as Mayor of said City, attested by the City Clerk of said City, pursuant to direction of the City Council of said City, this 9 day of December, 2025.

CITY OF NORMAN, OKLAHOMA

Mayor

ATTEST:

City Clerk

(SEAL)

Applicable Charter and Code Provisions

Charter*

Article XX, Section 2: Planning Commission

Article IX, Section 1: Board of Park Commissioners

Article X: Norman Regional Hospital Authority

Code

Article 2- III, Boards and Commissions

Section 36-570, Board of Adjustment

* Note: All referenced Charter provisions can be found in Section 2 of the Handbook.

ARTICLE 2-III BOARDS AND COMMISSIONS
DIVISION 2-III-1 GENERALLY
DIVISION 2-III-2 ART IN PUBLIC PLACES PROGRAM
DIVISION 2-III-3 BOARD OF ADJUSTMENT
DIVISION 2-III-4 BOARD OF APPEALS
DIVISION 2-III-5 BOARD OF NORMAN REGIONAL HOSPITAL AUTHORITY
DIVISION 2-III-6 BOARD OF PARK COMMISSIONERS
DIVISION 2-III-7 ECONOMIC DEVELOPMENT ADVISORY BOARD
DIVISION 2-III-8 ENVIRONMENTAL CONTROL ADVISORY BOARD
DIVISION 2-III-9 RESERVED
DIVISION 2-III-10 HISTORIC DISTRICT COMMISSION
DIVISION 2-III-11 HUMAN RIGHTS COMMISSION
DIVISION 2-III-12 PLANNING COMMISSION
DIVISION 2-III-13 PUBLIC HOUSING AUTHORITY
DIVISION 2-III-14 PUBLIC LIBRARY BOARD
DIVISION 2-III-15 SOCIAL AND VOLUNTARY SERVICES COMMISSION
DIVISION 2-III-16 RESERVED
DIVISION 2-III-17 ANIMAL WELFARE OVERSIGHT COMMISSION

DIVISION 2-III-1 GENERALLY
2-301 Appointive Boards And Commissions; Appointments; Terms Of Office
2-302 Compensation
2-303 Ex Officio Members
2-304 Internal Organization
2-305 Qualification Of Members; Continuation In Office
2-306 Quorum; Voting
2-307 Meeting Notices

2-301 Appointive Boards And Commissions; Appointments; Terms Of Office

The appointed members of the following boards and commissions shall first be nominated by the Mayor and then confirmed by a majority of the Council and the number of appointive members of each respective body and their overall respective terms of office shall be as listed below:

(a) Board of Adjustment: seven persons for three-year terms.

(b) Norman Regional Hospital Authority: Eleven persons for three-year terms.

(c) Board of Park Commissioners: Nine persons for three-year terms;

(d) Environmental Control Advisory Board: Nine persons for three-year terms.

(e) Human Rights Commission: Nine persons for three-year terms.

(f) Library Board: Nine persons for three-year terms.

(g) City Planning Commission: Nine persons for three-year terms.

(h) Public Housing Authority: Five persons for three-year terms.

(i) Social and Voluntary Services Commission: Nine persons for three-year terms.

(j) Board of Appeals: Five persons and one alternate for three-year terms.

(k) Historic District Commission: Nine persons for three-year terms

(l) Economic Development Advisory Board: Seven persons for three-year terms.

(Code 1976, § 4-101; Ord. No. O-7475-31; Ord. No. O-7677-31; Ord. No. O-7879-20; Ord. No. O-8081-55; Ord. No. O-8081-69; Ord. No. O-8283-40; Ord. No. O-8384-136; Ord. No. O-8889-11; Ord. No. O-9091-23; Ord. No. O-9293-31; Ord. No. O-0001-39; Ord. No. O-1213-42, § 1)

HISTORY
Amended by Ord. O-1617-43 § 1 on 1/1/2017
Adopted by Ord. O-2223-23 on 2/28/2023
Amended by Ord. O-2425-14 on 2/25/2025
Amended by Ord. O-2526-11 on 9/23/2025
Amended by Ord. O-2526-23 on 12/9/2025

2-302 Compensation

Except as otherwise provided in this chapter, no member of an appointive board or commission shall receive any compensation, fee or expense, or reimbursement for his services to the City.

(Code 1976, § 4-102; Ord. No. O-7475-31)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

2-303 Ex Officio Members

The City Manager or his designee shall serve as an ex officio member to the following appointive boards and commissions:

(a) Board of Park Commissioners.

(b) Norman Regional Hospital Authority.

(c) Library Board.

(Code 1976, § 4-103; Ord. No. O-7475-31; Ord. No. O-8081-30)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

2-304 Internal Organization

(a) At such times as are necessary, each appointive board or commission shall adopt such rules and regulations for the orderly transaction of its business.

(b) Each appointive board or commission shall elect a Chairman, a Vice-Chairman, and shall elect a Secretary when minutes are required to be kept by this Code.

(c) The elected Chairman shall, with the approval of the board or commission, appoint such members to committees as that appointive board or commission deems necessary to carry out its duties and powers and to take whatever necessary action it may require.

(d) The City Manager may designate City staff members to provide support services to assist an appointive board or commission in the performance of their duties.

(Code 1976, § 4-104; Ord. No. O-7475-31)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

2-305 Qualification Of Members; Continuation In Office

(a) Except as otherwise provided in this chapter, members of appointive boards and commissions shall, at the time of their appointment:

(1) Be residents of the City, except for a maximum of two board members of the Norman Regional Hospital Authority, who may reside in another community in which the Norman Regional Hospital Authority has a facility;

(2) Be appointed with sole reference to their fitness and ability to perform those duties required of them;

(3) Not be members of the immediate family of any elected City official;

(4) Not be a full-time City employee;

(5) Not be a member of any other appointive board or commission referenced in this chapter, except that potential members of the Economic Development Advisory Board shall not be disqualified from Service on that Board due to service on other boards or commissions of the City;

(6) Not be confirmed by the Council in the same meeting in which that member is nominated, unless the presiding officer otherwise obtains the unanimous consent of the Council.

(b) Members shall continue in office during their term until such time that:

(1) Their term expires and their successor has been appointed and qualifies;

(2) They die;

(3) They resign;

(4) They are removed from office by majority action of Council;

(5) They attain status as a nonresident of the City, except for a maximum of two board members of the Norman Regional Hospital Authority, who may reside in another community in which the Norman Regional Hospital Authority has a facility;

(6) They are hired as a full-time employee of the City; or

(7) They absent themselves from three consecutive regular meetings, and such absences are shown by the official minutes of that board or commission.

(c) Members of appointive boards and commissions may serve only an interim appointment when a vacancy has been created per subsection (b) of this section.

(Code 1976, § 4-105; Ord. No. O-7475-31; Ord. No. O-7778-8; Ord. No. O-8283-53; Ord. No. O-1213-42, § 2)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023
Amended by Ord. O-2526-23 on 12/9/2025

2-306 Quorum; Voting

(a) The quorum of each appointive board or commission shall be that whole number equal to or exceeding the simple majority of those individuals authorized to be members of that respective board or commission.

(b) A concurring vote of a quorum shall be necessary to initiate or transact any action or business of any appointive board or commission.

(c) Except as otherwise provided, only the appointive members of appointive boards or commissions shall vote, and each shall have only one vote.

(Code 1976, § 4-106; Ord. No. O-7475-31)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

2-307 Meeting Notices

(a) All boards, commissions, committees, Council subcommittees and ad hoc committees of the City shall follow the provisions of the Open Meeting Act (25 O.S. § 301 et seq.) when posting meeting notices and agendas.

(b) All boards, commissions, committees, subcommittees and ad hoc committees of the City shall post meeting notices and agendas on the City website.

(Code 1976, § 4-107; Ord. No. O-1213-47, § 1)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

DIVISION 2-III-2 ART IN PUBLIC PLACES PROGRAM

2-308 General Provisions
2-309 Public Arts Board
2-310 Art In Public Places Fund
2-311 Donations Of Public Art

2-308 General Provisions

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023
Repealed by Ord. O-2223-54 on 7/11/2023

2-309 Public Arts Board

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023
Repealed by Ord. O-2223-54 on 7/11/2023

2-310 Art In Public Places Fund

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023
Repealed by Ord. O-2223-54 on 7/11/2023

2-311 Donations Of Public Art

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023
Repealed by Ord. O-2223-54 on 7/11/2023

DIVISION 2-III-3 BOARD OF ADJUSTMENT
2-312 Duties And Powers Of The Board Of Adjustment
2-313 Expenditure Of City Funds; Compensation, Reimbursement Of Expenses

2-312 Duties And Powers Of The Board Of Adjustment

(a) Upon proper application, the Board of Adjustment has the duty and the power to hear and decide appeals pertaining to NCC ch. 36 where:

(1) It is alleged that there is error in any order, requirement, decision, interpretation, or determination made by a City employee involving the application or necessity of compliance with the provisions of said NCC ch. 36;

(2) A special exception to the provisions of said NCC ch. 36 is sought respecting:

a. The extension of a district where the boundary line of a district divides a lot in single ownership as shown of record;

b. The reconstruction of a nonconforming building which has been partially or totally destroyed by fire or act of God, and the City has found some compelling public necessity requiring a continuance of the nonconforming use;

c. The interpretation of the provisions of said NCC ch. 36, when the street layout actually on the ground varies from that layout as shown on the map fixing the several districts, which map was attached to and made part of said chapter; or

d. The granting of exceptions to the off-street parking requirements of said NCC 36-548, when it is alleged that:

1. The size and shape of the lot to be built on is of such nature that off-street parking provisions could not be complied with;

2. The proposed use of the land is similar in nature to adjacent land uses; and

3. The proposed use would not create undue traffic congestion in the adjacent street;

(3) A variance is sought in the height, area and size of yards and open spaces, as provided in said NCC ch. 36.

(b) The Board of Adjustment shall keep the minutes of all its meetings, and such minutes shall contain the vote or abstention of each member of the Board, the members' absences, a record of all the Board's examinations and other official actions. Such minutes shall be public record and filed in the office of the City Clerk within ten days from the date of their approval.

(Code 1976, § 4-301; Ord. No. O-7475-31)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

2-313 Expenditure Of City Funds; Compensation, Reimbursement Of Expenses

(a) The Board of Adjustment shall neither authorize nor incur the expenditures of any City funds for any purpose except as may be authorized and appropriated therefor by the Council.

(b) Members of the Board of Adjustment are entitled to reimbursement for their actual and necessary expenses, so long as those expenses were incurred in the performance of their

duties as Board members.

(Code 1976, § 4-302; Ord. No. O-7475-31)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

DIVISION 2-III-4 BOARD OF APPEALS
2-314 Duties And Powers Of The Board

2-314 Duties And Powers Of The Board

Notwithstanding other provisions of this Code adopting the building code and any subsequently adopted building codes, this section provides for a Board of Appeals and hereby replaces and supersedes any reference to a Board of Appeals found in the currently adopted codes or any subsequently adopted building codes. The duties and powers shall be as follows:

(a) Upon proper application, the Board of Appeals has the duty and the power to hear and decide appeals of orders, decisions or determinations made by the Building Official for the City relative to the application and interpretation of the adopted building and related codes of the City. The members of the Board of Appeals shall be appointed by the City Council and shall hold a term of office, as provided for in NCC 2-301. The Board of Appeals shall adopt rules of procedure for conducting business and shall render all decisions and findings in writing to the appellant and shall provide a duplicate to the Building Official whose order, decision or determination was appealed.

(b) The Board of Appeals shall consist of five members who are qualified by experience and training to pass on matters relating to building and construction codes and are not employees of the City. The chief appointing authority shall appoint one alternate member who shall be called by the Board Chairman to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for Board membership. Further, it is the intent of this section that the Board will include individuals with at least five years' experience representing the professions or disciplines of architecture; building construction supervision; structural engineering; mechanical engineering or contracting; plumbing, engineering or contracting; electrical engineering and/or fire protection engineering or contracting.

(c) Any person shall have the right to appeal the decision of the Building Official to the Board of Appeals. An application for appeals shall be based on a claim that:

(1) The true intent of the adopted building and related codes, or the rules legally adopted thereunder, have been incorrectly or improperly interpreted;

(2) The provisions of those codes do not fully apply; and/or

(3) An equally good or better form of construction is proposed. The Board of Appeals shall not have the authority to waive any requirements of the adopted building and related codes.

(d) The Board shall select one of its members to serve as Chairman.

(e) A member shall not hear an appeal in which that member has any personal, professional or financial interest.

(f) All hearings before the Board shall be open to the public. The appellant, the appellant's representative, the Code Official and any person whose interests are affected shall be given an opportunity to be heard.

(g) When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

(h) It shall take a concurring vote of three Board members to modify or reverse the decision of the Code Official.

(i) Upon the rendering of a final decision, the Building Official for the City shall take immediate action in accordance with the decision of the Board. No appeal shall be had from a decision of the Board of Appeals.

(Code 1976, § 4-1601; Ord. No. O-8283-40; Ord. No. O-0001-39; Ord. No. O-0910-7, § 1)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

DIVISION 2-III-5 BOARD OF NORMAN REGIONAL HOSPITAL AUTHORITY

2-315 Duties And Powers Of The Board Of Norman Regional Hospital Authority

2-315 Duties And Powers Of The Board Of Norman Regional Hospital Authority

The Board of Norman Regional Hospital Authority shall exercise control over the Norman Regional Health System, and pursuant thereto shall:

(a) Establish general hospital policies and provide a plan for the proper accounting of all funds received for hospital services and for all funds disbursed for the operations of the hospital;

(b) Approve all contracts or purchases which exceed an amount previously established by the Board;

(c) Approve all salaries, wages and fees which are initially proposed by the Administrator for hospital employees;

(d) Appoint an Administrator of the Hospital who shall be removed as is provided in the Charter of the City;

(e) Delegate any or all of the powers granted the Administrator to any officer or employee who is subordinate to the Administrator and whom the Administrator approves, and the Board may revoke any such prior transfer, or vest the same in some different officer or employee of the hospital;

(f) Keep a record of its meetings and official transactions, and shall make monthly financial reports to the Council in such form as the latter may require;

(g) The Board shall file a copy of its adopted budget for the ensuing fiscal year with the City Clerk for presentation to the City Council no later than the next regularly scheduled City Council meeting following its adoption.

(Code 1976, § 4-401; Ord. No. O-1112-16, § 1)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

DIVISION 2-III-6 BOARD OF PARK COMMISSIONERS

2-316 Duties And Powers Of The Board
2-317 Expenditures Of City Funds; Compensation; Reimbursement Of Expenses

2-316 Duties And Powers Of The Board

The Board of Park Commissioners shall advise the City Council on policies pertaining to the use of the park and recreational facilities of the City and, pursuant thereto:

(a) Propose rules and regulations for the maintenance of order, safety, and decency in those parks and recreational facilities;

(b) Consider and investigate any matter affecting the development and improvement of parks and recreational facilities and policies pertaining to the use of those facilities;

(c) Make recommendations to improve the park and recreational facilities;

(d) Make recommendations regarding systems of supervised recreation, and modifications in existing recreational programs;

(e) Act as the presiding authority over the matters contained in NCC 16-IX, with review and oversight by the City Council;

(f) Provide copies of the minutes of its meetings to the office of the City Clerk within ten days from the date of their approval; and

(g) Provide an annual report of the Board's acts and affairs.

(Code 1976, § 4-501; Ord. No. O-7475-31)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023
Amended by Ord. O-2425-14 on 2/25/2025

2-317 Expenditures Of City Funds; Compensation; Reimbursement Of Expenses

(a) The Board of Park Commissioners shall neither authorize nor incur the expenditures of any City funds for any purpose except as may be authorized and appropriated therefor by the Council.

(b) Members of the Board of Park Commissioners are entitled to reimbursement for their actual and necessary expenses, so long as those expenses were incurred in the performance of their duties as Board members.

(Code 1976, § 4-502; Ord. No. O-7475-31)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

DIVISION 2-III-7 ECONOMIC DEVELOPMENT ADVISORY BOARD

2-318 Created; Composition Of Membership
2-319 Quorum And Operation
2-320 Duties And Powers Of The Board
2-321 Expenditures Of City Funds; Compensation; Reimbursement Of Expenses

2-318 Created; Composition Of Membership

(a) There is hereby created the Economic Development Advisory Board of the City. Such Economic Development Advisory Board shall be composed of seven members, at least four of whom possess suitable and appropriate knowledge and/or experience in the areas of economics, business, finance, law, policy analysis, and community development.

(b) In addition to the members set forth in subsection (a) of this section, the Executive Director of the City Economic Development Coalition or his designee shall serve on the Economic Development Advisory Board in a non-voting ex-officio capacity.

(Code 1976, § 4-2201; Ord. No. O-1213-42, § 4)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

2-319 Quorum And Operation

(a) *Quorum*. At any meeting of the Economic Development Advisory Board, a quorum shall consist of four of the members appointed under NCC 2-318(a). No action shall be taken in the absence of a quorum.

(b) *Meeting*. The Economic Development Advisory Board shall meet as needed in the furtherance of its duties set forth herein.

(c) *Board officers*. The Economic Development Advisory Board shall elect one member to be its Chairman, and one member to be its Vice-Chairman.

(Code 1976, § 4-2202; Ord. No. O-1213-42, § 5)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

2-320 Duties And Powers Of The Board

(a) The Economic Development Advisory Board shall generally act in an advisory capacity to the City Council with regards to economic development policies, opportunities, and requests for City-funded incentives of private businesses and shall investigate other economic development related items as requested by the City Council.

(b) The Economic Development Advisory Board shall specifically:

(1) Make recommendations to the City Council regarding proposed economic development policies and programs;

(2) Make recommendations to the City Council regarding requests for City-funded incentives for private businesses as proposed by the City Economic Development Coalition;

(3) Aid the City Council in developing strategies and plans for promoting economic development in the City;

(4) Investigate and report on economic development issues as assigned by the City Council;

(5) Serve as a forum for economic development policy discussion and education; and

(6) Assist in identifying assets, resources, and incentives appropriate for furthering economic development within the City.

(Code 1976, § 4-2203; Ord. No. O-1213-42, § 6)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

2-321 Expenditures Of City Funds; Compensation; Reimbursement Of Expenses

The Economic Development Advisory Board shall neither authorize nor incur the expenditures of any City funds for any purpose except as may be authorized and appropriated therefor by the Council.

(Code 1976, § 4-2204; Ord. No. O-1213-42, § 6)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

DIVISION 2-III-8 ENVIRONMENTAL CONTROL ADVISORY BOARD
2-322 Duties And Powers Of The Board
2-323 Expenditures Of City Funds; Compensation; Reimbursement Of Expenses

2-322 Duties And Powers Of The Board

(a) The Environmental Control Advisory Board shall generally act in an advisory capacity with respect to, but not limited to, the following areas of environmental quality control:

(1) Air pollution;

(2) Water pollution;

(3) Solid waste disposal;

(4) Liquid waste disposal;

(5) Noise.

(b) Pursuant to its general function, the Board shall:

(1) Prepare and recommend to the Council specific plans and recommendations for the implementation of environmental quality control, and to improve such control within the City for the preservation of the public health and welfare of the City;

(2) Prepare plans and recommendations for specific improvements pursuant to a plan of overall environmental quality control for the City;

(3) Offer lay and technical aid to the City employees charged with the direction of projects and/or improvements embraced within official plans or ordinances as adopted from time to time by the Council in those areas enumerated in subsection (a) of this section;

(4) Issue publications and reports of research and studies in the field of environmental quality control as funds may be appropriated, and to cooperate with, and accept grants from public and private agencies, including foundations and institutions of higher learning engaged in similar research;

(5) Study and investigate, by means of public hearing, any conditions having adverse effects on the overall plan, as may be adopted by the Council, for the protection of the City's welfare, though this Board is expressly prohibited from directing the activities of any City employees in the conduct of such studies and investigations;

(6) Cooperate with municipal or regional environmental quality control agencies or bodies or other related agencies or groups, so as to further the local environmental quality control programs of the City and to assume harmonious and integrated environmental quality control planning for the City;

(7) Study and consider all ordinances, plans and data relative to the environmental quality of the City. This Board may report in relation thereto, if it deems it necessary or advisable that such a report be considered by the Council;

(8) Recommend ordinances to promote and ensure the best possible environmental quality for the health and safety of the City residents;

(9) Grant or revoke air quality control variances pursuant to NCC 16-111;

(10) Maintain minutes of all Board meetings and submit copies to the City Council.

(Code 1976, § 4-801; Ord. No. O-7475-31)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

2-323 Expenditures Of City Funds; Compensation; Reimbursement Of Expenses

(a) The Environmental Control Advisory Board shall neither authorize nor incur the expenditures of any City funds for any purpose except as may be authorized and appropriated therefor by the Council.

(b) Members of the Environmental Control Advisory Board are entitled to reimbursement for their actual and necessary expenses, so long as those expenses were incurred in the performance of their duties as Board members.

(Code 1976, § 4-802; Ord. No. O-7475-31)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

DIVISION 2-III-9 RESERVED

2-324 (Reserved)
2-325 (Reserved)
2-326 (Reserved)
2-327 (Reserved)
2-328 (Reserved)
2-329 (Reserved)
2-330 (Reserved)
2-331 (Reserved)
2-332 (Reserved)
2-333 (Repealed)

HISTORY
Repealed by Ord. O-2425-14 on 2/25/2025

2-324 (Reserved)

(Code 1976, § 4-2021; Ord. No. O-0304-71)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023
Repealed by Ord. O-2425-14 on 2/25/2025

2-325 (Reserved)

(Code 1976, § 4-2022; Ord. No. O-0304-71; Ord. No. O-1011-6, § 1)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023
Repealed by Ord. O-2425-14 on 2/25/2025

2-326 (Reserved)

(Code 1976, § 4-2023; Ord. No. O-0304-71; Ord. No. O-1011-6, § 2)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023
Repealed by Ord. O-2425-14 on 2/25/2025

2-327 (Reserved)

(Code 1976, § 4-2023A; Ord. No. O-1011-6, § 3)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023
Amended by Ord. O-2425-14 on 2/25/2025

2-328 (Reserved)

(Code 1976, § 4-2024; Ord. No. O-0304-71)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023
Repealed by Ord. O-2425-14 on 2/25/2025

2-329 (Reserved)

(Code 1976, § 4-2025; Ord. No. O-0304-71; Ord. No. O-1011-6, § 4)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023
Repealed by Ord. O-2425-14 on 2/25/2025

2-330 (Reserved)

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(Code 1976, § 4-2026; Ord. No. O-1011-6, § 5)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023
Repealed by Ord. O-2425-14 on 2/25/2025

2-331 (Reserved)

(Code 1976, § 4-2027; Ord. No. O-1011-6, § 6)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023
Repealed by Ord. O-2425-14 on 2/25/2025

2-332 (Reserved)

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1976, § 4-2028; Ord. No. O-1011-6, § 7)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023
Amended by Ord. O-2425-14 on 2/25/2025

2-333 (Repealed)

(Code 1976, § 4-2029; Ord. No. O-1011-6, § 8)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023
Repealed by Ord. O-2425-14 on 2/25/2025

DIVISION 2-III-10 HISTORIC DISTRICT COMMISSION

2-334 Created; Composition Of Members
2-335 Duties
2-336 Expenditures Of City Funds; Compensation; Reimbursement Of Expenses

2-334 Created; Composition Of Members

There is hereby created the Historic District Commission of the City. Such Historic District Commission shall be composed of the following persons. The Historic District Commission shall be composed of nine members in accordance with the following requirements:

(a) Five of the members shall be owners of property in existing historic districts. At least three of these five members shall also reside in historic districts;

(b) Two of the members shall be persons with specialized technical expertise in engineering, law, real estate, building construction, or other similar fields;

(c) Two of the members shall be persons with specific professional backgrounds in areas such as history, architecture, landscape architecture, planning, archeology or related fields;

(d) Provided that all of the above criteria for membership composition are met, remaining Commission appointments may be filled by at-large City residents who have some demonstrated knowledge, experience, expertise or interest in historic preservation.

(Code 1976, § 4-1901; Ord. No. O-9293-31; Ord. No. O-0910-18, § 1)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

2-335 Duties

Unless otherwise specified in this article, the duties of the Historic District Commission shall be as follows:

(a) Prepare or cause to be prepared a comprehensive inventory of historical, architectural, and archeological resources within the City, and to update same on a regular basis.

(b) Prepare or cause to be prepared a general historical preservation plan to be incorporated within the comprehensive plan of the City.

(c) Prepare findings of fact relating to the recommendation for designation of historic, architectural, and archeological resources.

(d) Prepare findings of fact pursuant to action taken by the Historic District Commission relating to certificates of appropriateness.

(e) Make recommendations to the Council concerning historical easements and the development of historical preservation plans.

(f) Make recommendations to the Council concerning grants from federal and state agencies, private groups and individuals and the utilization of budgetary appropriations to promote the preservation of historic, architectural, or archeological resources; and, when so directed by Council, the Historic District Commission may oversee historical projects or programs.

(g) Promulgate rules governing the meetings of the Historic District Commission and the standards for materials presented to the Commission.

(h) Make recommendations to Council, Planning Commission and/or other bodies regarding historic designations, certificates of appropriateness, and amendment and enforcement of this division and other ordinances of the City.

(i) Comment and make recommendations concerning actions undertaken by other City agencies or actions of other governmental units with respect to the effects of such actions upon historical, architectural, and archeological resources.

(j) Conduct a periodic review of the status of designated landmarks and historic districts and provide periodic reports on the findings of said review, along with any resolutions for action, as considered appropriate, to Council.

(k) Any other functions imposed by this division, or which may be specified by the City Council.

(l) Review, revise, or cause to be reviewed or revised the preservation guidelines (formerly known as the design guidelines) that govern the Historic District Commission's review of applications for certificates of appropriateness.

(Code 1976, § 4-1902; Ord. No. O-9293-31; Ord. No. O-0910-18, § 2)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

2-336 Expenditures Of City Funds; Compensation; Reimbursement Of Expenses

(a) The City Historic District Commission shall neither authorize nor incur the expenditures of any City funds for any purpose except as may be authorized and appropriated therefor by the Council.

(b) Members of the Commission are entitled to reimbursement for their actual necessary expenses, so long as those expenses were incurred in the performance of their duties as Commission members.

(Code 1976, § 4-1903; Ord. No. O-9293-31)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

DIVISION 2-III-11 HUMAN RIGHTS COMMISSION
2-337 Duties And Powers Of The Commission
2-338 Expenditures Of City Funds; Compensation; Reimbursement Of Expenses

2-337 Duties And Powers Of The Commission

The Human Rights Commission shall have the power and duty to:

(a) Provide and promote education and awareness of the rights provided in NCC ch. 8, receive written complaints of discrimination and retaliation in violation of NCC ch. 8, and seek satisfactory resolution of such complaints according to the procedures set forth in NCC ch. 8.

(b) Study and investigate by means of public hearings or otherwise any conditions having an adverse effect on intergroup relations in the City, and study the problems of prejudice, intolerance, bigotry and discrimination as they affect the public safety and general welfare of the City.

(c) Institute and conduct educational and other programs to promote the equal rights, opportunities, and mutual understanding of all persons, regardless of their race, color, religion, ancestry, national origin, age, place of birth, disability, sex, sexual orientation, gender identity or expression, familial status, or marital status, including marriage to a person of the same sex. In the performance of this duty, the Commission may cooperate with interested citizens, private agencies, and agencies of the federal, State, and local governments.

(d) Issue publications and reports of investigation and research in the field of human rights, and to cooperate with and accept grants from public and private agencies, including foundations and institutions of higher learning engaged in similar research.

(e) Assist in the enforcement of fair employment practices in City contracts.

(f) Recommend legislation to promote and ensure equal rights and opportunities for all persons regardless of their race, color, religion, ancestry, national origin, age, place of birth, disability, sex, sexual orientation, gender identity or expression, familial status, or marital status, including marriage to a person of the same sex.

(g) Provide minutes of its meetings to the office of the City Clerk within ten days from the date of their approval.

(Code 1976, § 4-1001; Ord. No. O-7475-31; Ord. No. O-1920-2, § 1)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

2-338 Expenditures Of City Funds; Compensation; Reimbursement Of Expenses

(a) The Human Rights Commission shall neither authorize nor incur the expenditures of any City funds for any purpose except as may be authorized and appropriated therefor by the Council.

(b) Members of the Human Rights Commission are entitled to reimbursement for their actual and necessary expenses, so long as those expenses were incurred in the performance of their duties as Commission members.

(Code 1976, § 4-1002; Ord. No. O-7475-31)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

DIVISION 2-III-12 PLANNING COMMISSION
2-339 Duties And Powers Of The Commission
2-340 Expenditures Of City Funds; Compensation; Reimbursement Of Expenses

2-339 Duties And Powers Of The Commission

(a) The City Planning Commission shall generally prepare plans for the systematic development and improvement of the City as a place of residence and business.

(b) The City Planning Commission shall specifically:

(1) Consider and investigate any subject matter affecting or relating to the development and improvement of the City;

(2) Make recommendations, as the Commission may deem advisable, concerning the Council regulation of such developments and improvements;

(3) Investigate and report on the location, designs, or grades of any street or alley prior to any final action taken by the Council;

(4) Investigate and report upon the location and design of any public building, statue, memorial, park, boulevard, playground, or bridge prior to any final action taken by the Council;

(5) Initially approve or reject all plans, plats, or replats of land laid out in lots, streets, alleys, or other portions of the same intended to be dedicated to the public or private use within the corporate limits of the City;

(6) Review every five years, all City areas commercially zoned in excess of five years which have not been developed, with the view to rezoning such areas to the original or prior classifications;

(7) Hold public hearings on proposed amendments to NCC ch. 36 and the zoning map of the City, and make specific recommendations concerning their modification or adoption;

(8) Review and hold public hearings on deannexation and annexation petitions presented to the City and make specific recommendations concerning approval or disapproval of such.

(Code 1976, § 4-1201; Ord. No. O-7475-31; Ord. No. O-8081-14)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

2-340 Expenditures Of City Funds; Compensation; Reimbursement Of Expenses

(a) The City Planning Commission shall neither authorize nor incur the expenditures of any City funds for any purpose except as may be authorized and appropriated therefor by the Council.

(b) Members of the Commission are entitled to reimbursement for their actual necessary expenses, so long as those expenses were incurred in the performance of their duties as Commission members.

(Code 1976, § 4-1202; Ord. No. O-7475-31)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

DIVISION 2-III-13 PUBLIC HOUSING AUTHORITY
2-341 Duties And Powers Of The Public Housing Authority

2-341 Duties And Powers Of The Public Housing Authority

(a) The Public Housing Authority shall exercise those granted duties and powers, and be subject to those limitations enumerated in 63 O.S. § 1051 et seq.

(b) The powers of the Authority, however, shall not include:

(1) The power to appropriate funds of the City;

(2) The power to levy taxes or assessments;

(3) The power to zone or rezone; or

(4) The power to make exceptions to any provisions of this Code.

(Code 1976, § 4-1401; Ord. No. O-7475-31)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

DIVISION 2-III-14 PUBLIC LIBRARY BOARD
2-342 Duties And Powers Of The Board

2-342 Duties And Powers Of The Board

(a) The Library Board may make reasonable rules and regulations for the maximum use of the City Public Library building by the greatest number of people, and the Board shall have the authority to exclude from such use those individuals who willfully violate such rules and regulations.

(b) The Library Board may recommend to the Council the expenditure of those sums necessary to maintain and repair the City Public Library building and the heating, lighting, and air conditioning systems of that building, within the limits of funds made available for such purposes, and the Board shall oversee such repair and maintenance.

(Code 1976, § 4-1101; Ord. No. O-7475-31)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

DIVISION 2-III-15 SOCIAL AND VOLUNTARY SERVICES COMMISSION
2-343 Definitions
2-344 Powers And Duties Of The Commission
2-345 Expenditures Of City Funds; Compensation; Reimbursement Of Expenses

2-343 Definitions

The following words and phrases, when used in this division, shall have the meanings respectively ascribed to them in this section, except where the context otherwise requires:

Coordinate means to assist in bringing similar or related services into common action.

Evaluate means to assess the quality of social and voluntary services being provided within the City.

Social and voluntary services means those services designed to prevent, alleviate or contribute to the solution of recognized social problems, and to improve the wellbeing of individuals, groups and the community.

(Code 1976, § 4-1501; Ord. No. O-7475-31)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

2-344 Powers And Duties Of The Commission

The Commission shall:

(a) Act in an advisory capacity to City Council with specific attention to the evaluation and coordination of social and voluntary services in, but not limited to, the following areas:
    (1) Arts and humanities;
    (2) Community goals analysis and evaluation;
    (3) Health and mental health;
    (4) Income security;
    (5) Information referral;
    (6) Senior citizens;
    (7) Youth.

(b) Study and investigate by means of public hearings or otherwise any conditions having an adverse effect on the efficient and effective provision and delivery of necessary social services problems of the citizenry as they affect the public safety and general welfare of the City.

(c) Institute and conduct educational and other programs to promote communication, coordination and cooperation among the various social and voluntary services and promote positive links between extra-community and local agencies in such areas as funding priorities and service delivery, advocating for client centered interests. In the performance of its duties, the Commission may cooperate with and, on recommendation and upon approval by City Council, accept grants on behalf of the City, from interested citizens, private agencies and agencies of the federal, State and local governments.

(d) Study and promote the development of citizens participation mechanisms through which volunteers may be recruited, trained and utilized through the social and voluntary sector of the City.

(e) Issue publications and reports of investigations and research in the field of social and voluntary services and to cooperate with and accept grants on behalf of the City, from public and private agencies, including foundations, colleges and universities engaged in similar research.

(f) Recommend to City Council relevant legislation and programs which would promote the effective and efficient provision and delivery of social and voluntary services to all the City citizenry.

(Code 1976, § 4-1502; Ord. No. O-7475-31)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

2-345 Expenditures Of City Funds; Compensation; Reimbursement Of Expenses

(a) The Social and Voluntary Service Commission shall neither authorize nor incur the expenditures of City funds for any purpose except as may be authorized and appropriated therefor by the Council.

(b) Members of the Commission are entitled to reimbursement for their actual and necessary expenses, so long as those expenses were incurred in the performance of their duties as Commission members.

(Code 1976, § 4-1503; Ord. No. O-7475-31)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

DIVISION 2-III-16 RESERVED

2-346 (Reserved)

HISTORY
Repealed by Ord. O-2425-14 on 2/25/2025

2-346 (Reserved)

(Code 1976, § 4-1301; Ord. No. O-0102-44; Ord. No. O-0304-21; Ord. No. O-1011-27, § 1)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023
Amended by Ord. O-2425-14 on 2/25/2025

DIVISION 2-III-17 ANIMAL WELFARE OVERSIGHT COMMISSION

2-347 Duties And Powers Of The Animal Welfare Oversight Committee

HISTORY
Adopted by Ord. O-2425-13 on 2/25/2025

2-347 Duties And Powers Of The Animal Welfare Oversight Committee

(a) Purpose. Provide advice and recommendations to the City Council related to the Norman Animal Shelter and issues pertaining to animal care and welfare, animal rescue, fostering and adoption, control of the animal population, standards for animal shelters, recruiting volunteers, budget priorities as identified by the Commission and suggest modifications to the City of Norman Code of Ordinances.

(b) . There is hereby created a newly established Animal Welfare Oversight Commission for the City. The Animal Welfare Oversight Commission shall consist of seven members appointed at-large by the Mayor with the approval of City Council. Membership in one or more of the following categories is preferred, but not required:

(1) Veterinarian;

(2) Local animal welfare organizations; and

(3) At least one citizen from a rural area.

members serve without compensation and may be removed by the City Council as provided in the Code. City staff and administrative guidance shall be provided by the Norman Animal Welfare staff and other City departments as necessary.

(c) Term of Office. The term of the seven persons appointed by the Mayor shall be three years. For the newly established Animal Welfare Oversight Commission, current committee members will be assigned staggered initial terms of one, two or three years by random selection or agreement. This will ensure that approximately one-third of members rotate off each year thereafter.

(d) Quorum and operation.

(1) Quorum. At any meeting of the Animal Welfare Oversight Commission, a quorum shall consist of four of the appointed members. No action shall be taken in the absence of a quorum. Four affirmative votes shall be required to pass any measure.

(2) Board Officers. The Animal Welfare Oversight Commission shall elect a Chairman from its members and shall create and fill such other offices as deemed necessary. The term of Chair shall be one year with eligibility for reelection for no more than two consecutive terms.

HISTORY
Adopted by Ord. O-2425-13 on 2/25/2025

36-570 Board Of Adjustment

(a) *Establishment of a Board of Adjustment and proceedings thereof*. A Board of Adjustment and rules for the conduct of proceedings are hereby established, as provided in NCC 2-III and 2-IV.

(b) *Duties of an administrative official, Board of Adjustment, City Council, and courts on matters of appeal*.

(1) It is the intent of this chapter that all questions of interpretation and enforcement shall be first presented to an administrative official, and that such questions shall be presented to the Board of Adjustment only on appeal from the decision of an administrative official, and that recourse from the decision of the Board of Adjustment shall be by appeal to the District Court as herein provided.

(2) It is further intent of this chapter that the duties of the City Council, in connection with this chapter, shall not include hearing and deciding questions of interpretation and enforcement that may arise. The procedure for deciding such questions shall be as Stated in this section and this chapter. Under this chapter, the City Council shall have only the duties of:

a. Considering, adopting, or rejecting proposed amendments, or repealing this chapter, as provided by law; and

b. Establishing a schedule of fees for appeals hereunder for building permits and all other expenses connected with the enforcement of this chapter.

(c) *Powers*. The Board of Adjustment shall have the following powers:

(1) Upon proper application, to hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official, as well as the Historic District Commission, in the enforcement of this chapter or any other ordinance adopted pursuant thereto.

(2) Upon proper application to hear and decide special exceptions to the terms of this chapter as hereinafter enumerated in subsection (g) of this section and as enumerated in NCC ch. 28.

(3) Upon proper application, to hear and authorize in specific cases such variances from the terms of this chapter as are allowed under subsection (j) of this section.

(d) *Decisions of the Board of Adjustment*.

(1) In exercising the above-mentioned powers, the Board of Adjustment shall reverse or affirm, wholly or in part, shall modify the order, requirement, decision, or determination appealed from, shall make such order, requirement, decision, or determination as ought to be made, so long as such action is in conformity with the terms of this chapter, and to that end shall have the powers of an administrative official from whom the appeal is taken.

(2) The concurring vote of four members of the Board shall be necessary to reverse any order, requirement, decision, or determination of the administrative official, to decide in favor of the applicant on any matter upon which it is required to pass under this chapter, or to affect any variation in the application of this chapter.

(e) *Appeals from the Board of Adjustment*.

(1) Any person, Board, taxpayer, department, or bureau of the City aggrieved by any decision of the Board of Adjustment may, within ten days after the meeting wherein such decision was reached, seek review by the District Court and also by filing a copy with the City Clerk and with the Chairman of the Board of Adjustment, a notice of appeal, which said notice shall specify in detail the grounds of such appeal. Upon filing of the notice of appeal, as herein provided, said Board shall forthwith cause to be transmitted to the Court Clerk of the District Court the original, or certified copies, of all the papers constituting the record in the case, together with the order, decision, or ruling of the Board. Said case shall be heard and tried de novo in the District Court as in all other civil actions. Failure to file an appeal shall mean the Board's action is considered final.

(2) An appeal to the District Court from the Board of Adjustment stays all proceedings and the action appealed from unless the Chairman of the Board of Adjustment, from which the appeal is taken, certifies to the Court Clerk after the notice of appeal has been filed, that by reason of fact Stated in the certificate a stay would in his opinion cause imminent peril to life or property. In such case, proceedings shall not be stayed other than by a restraining order, which may be granted by the District Court upon application or notice to an administrative official in charge of the enforcement of the terms and provisions of this chapter, upon notice to the Chairman of the Board of Adjustment from which the appeal is taken, and upon due cause being shown the Court may reverse or affirm, wholly or partly, or modify, the decision brought up for review.

(f) *Procedure for appeal of the decision of an administrative official or Historic District Commission to the Board of Adjustment*. Appeals may be taken to the Board of Adjustment by any person aggrieved or by any officer or bureau of the governing body of said City affected by any decision of an administrative official concerning interpretation or administration of this chapter. Such appeals shall be taken within a reasonable time, not to exceed 30 days, by filing with an administrative official and with the Board of Adjustment, a notice of appeal specifying the grounds thereof. In addition, such person shall deposit with the Planning and Community Development Department a fee of $150.00 to cover the cost and expense of appeal to the Board of Adjustment.

(1) An administrative official shall forthwith transmit to the Board of Adjustment all papers constituting the record upon which the action appealed from was taken.

(2) The Board of Adjustment shall fix a reasonable time for the hearing of an appeal give public notice thereof, as well as due notice to the parties in interest, and shall decide the same within a reasonable time. At the hearing, any party may appear in person or by agent or attorney.

(3) An appeal stays all proceedings in furtherance of the action appealed from unless an administrative official from whom the appeal is taken certifies to the Board of Adjustment after the notice of appeal is filed with him, that by reason of fact Stated in the certificate a stay would, in his opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed other than by restraining order, which may be granted by the Board of Adjustment or by a court of competent jurisdiction upon application, upon notice to an administrative official from whom the appeal is taken, and upon due cause being shown.

(g) *Special exceptions defined and enumerated*.

(1) The term "special exception" means a use that would not be appropriate generally or without restriction throughout the zoning district but which if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general

welfare. Such uses may be permitted in such zoning districts as special exceptions if specific provision for such special exceptions is made hereafter.

(2) The Board of Adjustment is hereby empowered and authorized to grant the following specific exceptions, to wit:

a. To permit the extension of a district where the boundary line of a district divides a lot in single ownership as shown of record.

b. To interpret the provisions of the ordinance where the street layout actually on the ground varies from the street layout as shown on the map fixing the several districts, which map is attached to and made a part of this ordinance.

c. To grant exceptions to the off-street parking requirements as set forth in Article 36, Section 548, when it is determined that the size and shape of the lot to be built on is such that off-street parking provisions could not be complied with, that the proposed use of land is similar in nature to adjacent land uses, and that the proposed use will not create undue traffic congestion in the adjacent streets.

d. To permit new structures and substantial improvements to be erected in the designated floodway of the Flood Hazard District on a lot of one-half acre or less in size contiguous to and surrounded by lots of existing structures constructed below the base flood level when (1) good and sufficient cause is shown (2) it is determined that the exception is the minimum necessary (considering the flood hazard) to afford relief, and (3) that the granting of the exception will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing ordinances.

e. To allow the continued use of a legal non-conforming gravel driveway and/or parking area within the Central Core Area (as defined) when it can be determined that both of the following conditions are met (1) the parking area has existed since July 1966, and (2) the owner has agreed to install permanent of semi-permanent borders to aid in visually verifying the actual extent of usage.

f. Where an ADU is not already existing on a parcel, to permit a mobile home to serve as a temporary second dwelling to relieve a medical hardship. The application must include a doctor's statement indicating that the patient is in need of the care of his or her family. The mobile home must meet all City of Norman Building Code requirements and State of Oklahoma requirements for septic systems. The Exception can be approved for up to three years on any lot that is five acres or greater in the A-2 zoning district. The Exception can be renewed every three years by filing an application for an administrative extension, including a new doctor's statement. Only two (2) administrative extensions may be granted. If a third extension is needed, a new application will be required for Board of Adjustment review. Once the need for the mobile home no longer exists, the mobile home must be removed. While an applicant utilizes this special exception, an ADU may not be added to the same parcel.

(h) *Procedure for application for special exceptions*. Applications may be taken to the Board of Adjustment for special exceptions to this chapter, above-defined and enumerated in subsection (g) of this section, by any person aggrieved or by any officer or bureau of the governing body of said City. A special exception shall not be granted by the Board of Adjustment unless and until:

(1) An applicant shall submit to the Board of Adjustment a written application for said special exception indicating the section of this chapter under which the special exception is sought and stating the grounds upon which it is requested. An application for a special

exception to the provisions of NCC ch. 28 shall include the following plans and information:

a. The name, address, and telephone number of the owner or person entitled to possession of the sign and of the sign contractor or erector;

b. The location by street address of the proposed sign structure;

c. A site plan, drawn to scale, showing the location of the proposed sign, the location of existing or proposed buildings or other structures on the lot, the location of existing signs and proposed signs on the premises, the location of public rights-of-way on or adjacent to the property, and the location of vehicular entrances or exits on the property;

d. Elevation drawings of the proposed sign, drawn to scale, showing major dimensions of the proposed sign, including height, clearance above sidewalks and distance of projection from the building, proposed sign copy, and pertinent architectural details and location of any landscaping to be provided in connection with the sign;

e. Type and location of proposed illumination;

f. Elevation or perspective drawings, or photographs, showing the architectural design and construction materials of existing or proposed building on the lot, when such information is pertinent to the application;

g. Any additional information which the applicant feels may support the request.

(2) A fee of $200.00 shall be paid to the Planning and Community Development Department to cover the cost and expense of the appeal to the Board of Adjustment.

(3) The applicant shall submit with each application a list of names and addresses of all record property owners within a 300-foot-radius of the exterior boundary of the subject property, said radius to be extended by increments of 100 linear feet until the list of property owners includes not less than 15 individual property owners of separate parcels or until a maximum radius of 1,000 feet has been reached. Said list shall be current and certified by a professional engineer, an attorney, a registered surveyor, a bonded abstractor, or the County Assessor. Maps and forms to accomplish the above requirement will be available at the City Planning and Community Development Department.

(4) Upon receipt of said written application, fee, and list, notice of public hearing before the Board of Adjustment shall be given by publication in a newspaper of general circulation in the City not less than ten days before the meeting of the Board. In addition, notice by the Chairman of said Board to all owners of property within a 300-foot or larger radius of the exterior boundary of the subject property shall be mailed not less than ten days before the meeting of the Board. Said notice shall contain:

a. Legal description of the property and the street address or approximate location in the City;

b. Present zoning classification of the property and the nature of the exception requested;

c. Date, time, and place of hearing.

A copy of the published notice may be mailed in lieu of written notice. However, no notice of hearing shall be required on hearings involving minor exceptions, and the Board shall set forth in its statement of policy what constitutes minor exceptions. Such minor exceptions shall be approved by the City Council.

(i) *Hearing of the Board of Adjustment on a special exception*. The public hearing shall be held in accordance with the following provisions:

(1) At said hearing, any party may appear in person or by agent or attorney;

(2) In those instances where a special exception is granted the Board of Adjustment shall make a finding that the granting of such special exception will not adversely affect the public interest;

(3) In granting any special exception, the Board of Adjustment shall prescribe the appropriate conditions and safeguards in conformity with this chapter. Violation of such conditions and safeguards, when made a part of the terms under which the special exception is granted, shall be deemed a violation of this chapter and punishable under the penalty sections of this chapter. The Board of Adjustment shall prescribe a time limit within which the action for which the special exception is required shall be begun or completed, or both. Failure to begin or complete, or both, such action within the time limit set shall void the special exception.

(j) *Variance defined*. The term "variance" means a relaxation of the terms of this chapter, when such variance will not be contrary to the public interest, and where, owing to the conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship, as hereinafter defined. As in this chapter a variance is authorized for any development standard contained in NCC 36-III and 36-IV except where a special exception is defined and enumerated in NCC 36-570.

(k) *Procedure for application for variances*. The Board of Adjustment shall have the power to authorize, upon appeal in specific cases, such variances from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions would result in an unnecessary hardship. A variance from the terms of this chapter shall not be granted by the Board of Adjustment unless and until:

(1) An applicant shall submit to the Board of Adjustment a written application indicating:

a. That special conditions and circumstances exist that are peculiar to the land, structure, or building involved and are not applicable to other lands, structures, or buildings in the same district;

b. That the literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter;

c. That the special conditions and circumstances do not result from the actions of the applicant;

d. That granting the variances requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, structure, or buildings in the same district;

No nonconforming use of neighboring lands, structures, or buildings in the same district and no permitted use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

(2) A fee of $200.00 shall be paid to the Planning and Community Development Department to cover the cost and expense of the appeal to the Board of Adjustment;

(3) The applicant shall submit with each application a list of names and addresses of all record property owners within a 300-foot-radius of the exterior boundary of the subject property, said radius to be extended by increments of 100 linear feet until the list of property owners includes not less than 15 individual property owners of separate parcels

or until a maximum radius of 1,000 feet has been reached. Said list shall be current and certified by a professional engineer, an attorney, a registered surveyor, a bonded abstractor, or the County Assessor. Maps and forms to accomplish the above requirement will be available at the City Planning and Community Development Department;

(4) Upon receipt of said written application, fee, and list, notice of public hearing before the Board of Adjustment shall be given by publication in a newspaper of general circulation in the City not less than ten days before the meeting of the Board. In addition, notice of public hearing shall be given by mailing written notice by the Chairman of said Board to all owners of property within a 300-foot or larger radius of the exterior boundary of the subject property. Said notice shall contain:

a. Legal description of the property and the street address or approximate location in the City;

b. Present zoning classification of the property and the nature of the variance requested;

c. Date, time, and place of hearing.

Said written notice shall be mailed not less than 15 days before the meeting of the Board. A copy of the published notice may be mailed in lieu of written notice. However, no notice of hearing shall be required on hearings involving minor variances, and the Board shall set forth in its statement of policy what constitutes minor variances. Such minor variance shall be approved by the City Council.

(5) A variance from the terms of NCC ch. 28 shall not be granted by the Board of Adjustment unless and until an applicant shall comply with all provisions of this section and also indicate by written application that:

a. There are special circumstances or conditions such as the existence of buildings, topography, vegetation, sign structure or other matters on right-of-way, which would substantially restrict the effectiveness of the sign in question; provided, however, that such special circumstances or conditions must be peculiar to the particular business or enterprise to which the applicant desired to draw attention and do not apply generally to all business or enterprises.

b. The variance would be in general harmony with the purposes of this Code, and specifically would not be injurious to the neighborhood in which the business or enterprise to which the applicant desired to draw attention is located.

c. The variance is the minimum one necessary to permit the applicant to reasonably draw attention to his business or enterprise.

(6) A minor variance may be granted by the Board of Adjustment for an encroachment upon any required building setback line when that encroachment represents approximately ten percent of the required yard or involves only a minor portion of the structure.

a. A minor variance may be granted only upon a finding by the Board of Adjustment that the application of the ordinance to the particular property would create an unnecessary hardship, that there are peculiar conditions of the property which contributed to the encroachment, and relief, if granted, would not cause detriment to the surrounding properties or the public good, or impair the purposes and intent of the ordinance.

b. A fee of $300.00 dollars shall be paid to the Planning and Community Development Department to cover the cost and expense of the appeal to the Board of Adjustment.

c. The applicant shall submit with each application an accurate list of names and addresses of all record property owners adjacent to, or directly across the street, from the subject property. Notice, by certified mail, shall be mailed not less than ten days before the meeting of the Board, and shall contain the facts listed in subsection (l)(4) of this section.

(l) *Hearing of the Board of Adjustment on a variance*. The public hearing shall be held in accordance with the following provisions:

(1) At said hearing, any party may appear in person or by agent or attorney;

(2) The Board of Adjustment shall make a finding that the requirements of subsection (l)(1) of this section have been met by the applicant for variance;

(3) The Board of Adjustment shall further make a finding that the reason set forth in the application justifies the granting of the variance and that the variance is the minimum variance that will make possible the reasonable use of the land, structure, or building;

(4) The Board of Adjustment shall further make a finding that the granting of the variance will be in harmony with the purpose and intent of this chapter, will not be injurious to the neighborhood, or will not be otherwise detrimental to the public welfare;

(5) The Board of Adjustment, in granting any variance, shall prescribe appropriate conditions and safeguards in conformity with this chapter. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this chapter and shall be punishable under the penalty section of this chapter;

(6) The Board of Adjustment shall under no circumstances grant a variance to allow a use not permissible under the applicable terms of this chapter or other general ordinance of said City with respect to the use district concerned, nor shall the Board of Adjustment hear or decide upon any matters that could be determined by regular zoning procedures before the Planning Commission and City Council of the City; nor grant any variance by reason of the existence of nonconforming uses in the district concerned or in adjoining districts;

(7) For the purposes of this chapter, the term "hardship" means a hardship peculiar to the property of the applicant that is of such a degree of severity that its imposition is not necessary to carry out the spirit of this chapter and that would amount to substantial and unnecessary waste of the property;

(8) The Board of Adjustment shall not have the authority to grant any variance which would increase the maximum permitted sign area on a single lot or building as specified in this code, or to allow any sign classified as a prohibited sign as specified in NCC 28-403.

(m) *Provisions of chapter declared to be minimum requirements*. The provisions of this chapter, in their interpretation and application, shall be held to be minimum requirements adopted for the promotion of public health, safety, morals, or general welfare. Wherever the requirements of this chapter are at variance with the requirements of any of the lawfully adopted rules, regulations, ordinances, deed restrictions, or covenants, the most restrictive or that imposing the higher standard shall govern.

(Ord. No. O-7778-70, 6-27-1978; Ord. No. O-7879-41, 3-27-1979; Ord. No. O-7879-41, 1-30-1979; Ord. No. O-8586-86, 5-27-1986; Ord. No. O-8788-48, 5-10-1988; Ord. No. O-8990-43, 7-10-1990; Ord. No. O-9091-10, 12-11-1990; Ord. No. O-9192-43, 4-28-1992; Ord. No. O-9192-48, 4-28-1992; Ord. No. O-9394-19, 12-28-1993; Ord. No. O-0405-30, 1-24-2006; Ord. No. O-0506-35, 2-28-2006; Ord. No. O-

1314-15, 4-22-2014; Ord. No. O-1920-44, 7-23-2020; Ord. No. O-1920-51, 7-23-2020; Ord. No. O-2021-31; Ord. No. O-2223-20, 1-24-23)

HISTORY
Amended by Ord. 8-27-2020 § 441 on 8/27/2020
Amended by Ord. O-2021-31 Adding appeals from HDC on 3/23/2021
Adopted by Ord. O-2223-23 on 2/28/2023
Amended by Ord. O-2324-40 on 3/26/2024
Amended by Ord. O-2425-14 on 2/25/2025

Pertinent Excerpts from Ordinances Creating Committees

1. Norman University North Park Amended and Restated Project Plan (adopted by O-1920-24), Section VIII(C)

   A Development Oversight Committee was appointed by the Mayor and confirmed by the Norman City Council upon adoption of the Original Project Plan. The Development Oversight Committee shall oversee the implementation of this 2019 Project Plan on behalf of the City Council as set forth specifically herein. The Development Oversight Committee shall make recommendations on the use of revenues and expenditures for Economic Development Costs. Upon request by the City Council, prior to any authorization for expenditures by the City Council for Economic Development Costs, the Development Oversight Committee shall report to the City Council whether applicable objectives of the Project Plan will be met by the proposed action. The Development Oversight Committee shall at all times be guided by the goals of this 2019 Project Plan.

2. Citizen's Public Safety Oversight Committee

   a. PSST I Ordinance (O-0708-32)

      §10. Establishment of Citizens Public Safety Oversight Committee. A Citizens Public Safety Oversight Committee shall be established to review the expenditures of such monies and submit recommendations to Council regarding such expenditures.

      §11. Appointment and number of members. Members of the Citizens Public Safety Oversight Committee shall be appointed by the Mayor of the City of Norman upon approval by a majority of the City Council. The Committee shall consist of one member from each Ward and one member at-large. The Citizens Public Safety Oversight Committee shall not be current City employees, officials, contractors or vendors of the City.

      §12. Purposes of Citizens Public Safety Oversight Committee. The Citizens Public Safety Oversight Committee shall review the expenditure of revenues collected pursuant to this Ordinance to determine if such funds are expended for the purposes specified in the Ordinance, monitoring the successful implementation of community policing concepts, and issuing reports on their findings to the City Council and the public on an annual basis or as requested by Council, and may review and make recommendations on such other issues related to Public Safety as may be assigned to it by Council.

   b. PSST II Ordinance (O-1314-33)

      §10. Citizens Public Safety Oversight Committee. The Citizens Public Safety Oversight Committee, established by Ordinance No. O-0708-32, shall review the

expenditures of such monies and submit recommendations to Council regarding such expenditures.

§11. Appointment and number of members. The Citizens Public Safety Oversight Committee, established by Ordinance No. O-0708-32, shall continue to be appointed by the Mayor of the City of Norman upon approval by a majority of the City Council. Prior to the Mayor's recommended appointment of a new Committee member, the Mayor shall consult with the Councilmember for the Ward from which the Committee member is to be chosen. The Committee shall continue to consist of one member from each Ward and one member at-large. The Citizens Public Safety Oversight Committee shall not be current City employees, officials, contractors or vendors of the City.

§12. Purposes of Citizens Public Safety Oversight Committee. The Citizens Public Safety Oversight Committee shall review the expenditure of revenues collected pursuant to this Ordinance to determine if such funds are expended for the purposes specified in the Ordinance, monitoring the successful implementation of community policing concepts, and issuing reports on their findings to the City Council and the public on an annual basis or as requested by Council, and may prospectively review and make recommendations on such other issues related to Public Safety as may be assigned to it by Council.

Resolutions Creating Committees

1. Bicycle Advisory Committee (R-0506-47)
2. Norman Forward Sales Tax Citizen Oversight Board (R-1516-75)
3. ADA Citizens Advisory Committee (R-1819-114)

Resolution

R-0506-47

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ESTABLISHING A BICYCLE ADVISORY AD-HOC COMMITTEE FOR THE PURPOSE OF REVIEWING THE BICYCLE TRANSPORTATION DEVELOPMENT PLAN WITH INITIAL BIKEWAY ROUTING PLAN.

§ 1. WHEREAS, on June 25, 1996, the City Council adopted the Bicycle Transportation Development Plan with Initial Bikeway Routing Plan developed by the Mayor's Bicycle Planning Committee; and

§ 2. WHEREAS, the goals of that plan were to improve the existing bicycling environment in the City of Norman and to minimize impediments and maximize opportunities for bicycling in Norman; and

§ 3. WHEREAS, in response to the plan, ordinance changes were made, signage and bike parking facilities installed, and drainage grates realigned; and

§ 4. WHEREAS, the June, 2003 Transportation Needs Assessment Study prepared for the City of Norman and the University of Oklahoma, noted widespread community demand for an integrated and multi-model transportation system to facilitate travel choices and safety for our citizens including bike paths, walking paths, and sidewalks; and

§ 5. WHEREAS, in partial response to needs identified in the Transportation Needs Assessment Study, bike racks are currently being installed on the Cleveland Area Rapid Transit (CART) busses; and

§ 6. WHEREAS, the Norman 2025 Land Use and Transportation Plan adopted by City Council in November, 2004, calls for a comprehensive pedestrian and bikeway system to be pursued in conjunction with other elements of the City's transportation system; and .

§ 7. WHEREAS, a number of specific land use plan goals are supported by policies to explore and encourage opportunities for on and off-street bicycle and pedestrian facilities for both recreation and commuting; and .

§ 8. WHEREAS, the Transportation Committee, in its strategic planning, reiterated the need for integrated transportation modes including bikes and real bike paths, sidewalks, and curb cuts; and .

§ 9. WHEREAS, nine years have passed since the initial plan was developed and Norman's population continues to grow and citizens need transportation options that encourage healthy recreational possibilities; and .

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§10. That the Mayor appoint a small group of citizens to a new Bicycle Advisory Ad Hoc Committee to be charged with reviewing the 1996 Bicycle Transportation Development Plan, the progress towards its goals, and make recommendations to additionally encourage and support biking, both recreational and for transportation, and to consult with and forward those recommendations to the Transportation Committee, Parks Board, and Greenbelt Commission.

PASSED AND ADOPTED this 13th day of September, 2005.

Harold Haralson
Mayor

ATTEST:

Mary Hatley
City Clerk

THE CITY OF NORMAN OKLAHOMA
RECREATION EDUCATION RESEARCH HEALTH INDUSTRY
LAKE THUNDERBIRD

Resolution

R-1516-75

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ESTABLISHING A CITIZEN FINANCIAL OVERSIGHT BOARD TO REVIEW EXPENDITURES OF THE REVENUES COLLECTED FROM THE NORMAN FORWARD TEMPORARY SALES TAX AND SUBMIT RECOMMENDATIONS TO THE COUNCIL REGARDING SUCH EXPENDITURES.

§ 1. WHEREAS, the City Council of the City of Norman, Oklahoma, adopted Ordinance No. O-1516-5 on 11th day of August, 2015 which levied, effective January 1, 2016, a one-half (½) percent sales tax on all taxable sales in the City of Norman for a period of fifteen (15) years, (the "NFST") in order to provide a source of funding for certain enumerated Quality of Life projects; and

§ 2. WHEREAS, the voters of the City of Norman approved Ordinance No, O-1516-5 at a Special Election called for that purpose held on October 13, 2015; and

§ 3. WHEREAS, Ordinance No. O-1516-5 provides that prior to expenditure of any monies in the NFST, Council shall establish or designate by Resolution a citizen oversight board to review expenditures of such monies and submit recommendations to the Council regarding such expenditures.

§ 4. WHEREAS, the City Council at its Conference held on November discussed composition and areas of expertise for those citizens that might be interested in serving on the NFST Citizens Financial Oversight Board; and

§ 5. WHEREAS, following the Council Conference a solicitation for applications from Norman citizens to serve on the NFST Citizens Financial Oversight Board ("NFST CFOB") was held open until November 24, 2015;

§ 6. WHEREAS, following receipt and review of applications, Council has recognized the strong community support for the Norman Forward projects as reflected by the broad range of qualified applicants seeking to serve on the NFST CFOB; and

§ 7. WHEREAS, the Norman City Council now desires to establish the NFST CFOB as required under Ordinance No. O-1516-5 as heretofore set forth.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 8. *Establishment of Board, Appointments, Composition and Timetable of the Board.* The City Council hereby establishes a Norman Forward Sales Tax Citizen Financial Oversight Board ("NFST CFOB"). The NFST CFOB will be organized as follows:

(a) The NFST CFOB will consist of nine (9) registered voters residing, at the time of their appointment, in the City of Norman to serve staggered three (3) year terms, with initial appointments to positions 1, 4, 7 serving an initial 3 year term, initial appointments to positions 2, 5, 8 serving an initial 4 year term and initial appointments to positions 3, 6, 9 serving an initial 5 year term.

(b) Appointees to the Commission shall apply for appointment indicating particular skills, abilities, experience, education or other relevant factors that they believe will contribute to the Financial Oversight of the Revenues generated from the Norman Forward Sales Tax to be expended on Norman Forward Projects.

(c) The Mayor will appoint members of the NFST CFOB subject to confirmation by a majority vote of City Council.

(d) The applicants should possess experience and perspective in banking, accounting, construction, law, architecture, or government.

(e) The NFST CFOB will select from among its members a Chair and Vice-Chair.

(f) The Mayor of the City of Norman or designee, along with the City Manager of the City of Norman or designee shall be ex officio members of the NFST CFOB.

(g) The NFST CFOB shall be staffed, as needed, by the City Finance Director, City Parks Director, City Planning and Community Development Director, City Public Works Director, and the City Attorney. These City offices may provide additional support as they deem necessary and appropriate.

§ 9. *Initial appointments*. Initial appointment to positions on the NFST CFOB shall be:

(1) McKenzie Britt
(2) Breea Clark
(3) Anil Gollaholli
(4) Don Hiebert
(5) Bree Montoya
(6) Bill Nations
(7) Andy Rieger
(8) Cindy Rogers
(9) Tom Sherman

§ 10. *Duties.* The NFST CFOB duties shall be as follows:

(a) To review actual and projected NFST revenues;

(b) To recommend a mix of project financing versus pay as you go "paygo";

(c) To review the pace and sequencing of construction of projects;

(d) To review Council actions related to expenditures of NFST monies;

(e) To recommend strategies for long term operations and maintenance of facilities;

(f) To report to Council from time to time as warranted and to provide an annual report to City Council;

(g) To perform such other duties related to Norman Forward as the City Council directs by motion or resolution; and

(h) To create policies and procedures as guidelines for the functioning of the NFST CFOB in areas including but not limited to attendance, receiving public testimony, structure or format of meetings, frequency of public hearings.

(i) Be willing to assign one NFST CFOB member to serve with and act as a liaison to certain Advisory Committees that Council may form from time to time regarding specific Norman Forward Projects related to Libraries, Senior Center, Westwood Pool replacement, Indoor Aquatics, Football/Softball Sport Complex, Griffin Park soccer improvements, Ruby Grant Park improvements, Reaves Park baseball improvements, Multi-sport indoor facility, Saxon Park improvements, Andrews Park improvements, Westwood Tennis facilities, Trail development, and Neighborhood park improvements.

§ 11. *Removal.*

(a) NFST CFOB members will be expected to attend all meetings, with absences at three consecutive meetings being grounds for removal.

(b) Any member who is removed for absenteeism shall be replaced promptly.

(c) Any member may be removed by majority vote of the City Council without cause.

(d) A vacancy shall be filled in the same manner as the original appointment.

(e) Vacancies of the NFST CFOB shall be filled for the unexpired term of the vacating member.

§ 12. *Meetings.*

(a) All NFST CFOB meetings will be open to the public and shall follow the provisions of the Oklahoma Open Meetings Act, 25 Okla. Stat.§301 et seq.

(b) The NFST CFOB will make the minutes of each meeting available to the City Council.

(c) A quorum shall consist of two-thirds of the active members of the NFST CFOB. Action by the NFST CFOB shall be by motion, duly seconded, and approved by a majority of members present.

§ 13. *Duration.* The NFST CFOB shall continue until such time as the NFST of 2015 has expired, all revenues have been expended or allocated, or a final report has been made to Council, whichever occurs later.

PASSED AND ADOPTED this 22nd day of _December, 2015.

Mayor

ATTEST:

City Clerk

CITY OF NORMAN CORPORATE SEAL OKLAHOMA

Resolution

R-1819-114

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADOPTING AN ACCESSIBILITY AND INCLUSION STATEMENT, ADOPTING A REVISED AMERICANS WITH DISABILITIES ACT (ADA) GRIEVANCE POLICY, ESTABLISHING AN ADA CITIZENS ADVISORY COMMITTEE, AND APPOINTING ELEVEN (11) MEMBERS TO THE ADA CITIZENS ADVISORY COMMITTEE.

§ 1. WHEREAS, the Norman City Council adopted its first Americans with Disabilities Act (ADA) Transition Plan on May 11, 1993; and

§ 2. WHEREAS, the City of Norman adopted an updated ADA Self-Evaluation and Transition Plan via Resolution R-1718-110 on June 26, 2018; and

§ 3. WHEREAS, the City's Self-Evaluation and Transition Plan incorporates changes made to Titles I and II of the ADA, addresses barriers identified in the public rights of way, and makes recommendations for improving accessibility in regards to the City's programs, services, activities, and facilities; and

§ 4. WHEREAS, the City's Self-Evaluation and Transition Plan includes recommendations to adopt an Accessibility and Inclusion Statement, adopt a revised ADA Grievance Policy, and establish and appoint an ADA Citizens Advisory Committee in compliance with the requirements of the ADA; and

§ 5. WHEREAS, adoption of an Accessibility and Inclusion Statement confirms the City's recognition of responsibilities to provide equal access to employment, effective communications, and programs, activities, and services provided by the City; provides an opportunity for qualified individuals to communicate specific requests for auxiliary aids and services; and provides clear guidance on how citizens can file a complaint; and

§ 6. WHEREAS, adoption of a revised ADA Grievance Policy establishes a mechanism for resolution of complaints at the local level; and

§ 7. WHEREAS, establishment and appointment of an ADA Citizens Advisory Committee provides an opportunity for individuals with a disability, and/or highly regarded professionals who serve individuals with disabilities, and/or caregivers for individuals with disabilities to participate in the implementation of the City's Self-Evaluation and Transition Plan and to serve as an ongoing resource to the City on issues affecting individuals with disabilities and the ways by which the City can be made more accessible to everyone.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 8. THAT the City of Norman hereby adopts Exhibit "A," Accessibility and Inclusion Statement, attached hereto and made a part hereof; and

§ 9. THAT the City of Norman hereby adopts Exhibit "B," revised ADA Grievance Policy, attached hereto and made a part hereof; and

§ 10. THAT the City of Norman hereby establishes a standing ADA Citizens Advisory Committee made up of eleven (11) members appointed by the Mayor and approved by the City Council who shall serve staggered 2- or 3-year terms; and

§ 11. THAT the ADA Citizens Advisory Committee shall, to the extent feasible, meet quarterly unless otherwise agreed by the Committee, with such meetings being posted and open to the public in accordance with the Open Meeting Act; and

§ 12. THAT the members of the ADA Citizens Advisory Committee shall be individuals with a disability, and/or highly regarded professionals who serve the individuals with disabilities, and/or apparent or primary caregivers of an individual with a disability; and

§ 13. THAT the members of the ADA Citizens Advisory Committee shall receive training on the City's Self-Evaluation and Transition Plan, the requirements for compliance under the ADA, and other important accessibility issues that exist or may arise throughout the City; and

§ 14. THAT the ADA Citizens Advisory Committee shall participate in the implementation of the City's Self-Evaluation and Transition Plan, shall serve as a resource to municipal leaders on issues affecting people with disabilities and the ways by which the City can be made more accessible to everyone, and shall have the authority to appoint subcommittees, as needed, to help study and address specific accessibility issues; and

§ 15. THAT the following individuals shall hereby be appointed to the ADA Citizens Advisory Committee for the following terms:

1. Linn Blohm (Chair; 2-year term);
2. Jeff Hughes (2-year term);
3. Sue Favors (3-year term);
4. Kathy Bayliss (3-year term);

5. Chelle' Guttery, Ph.D. (2-year term);
6. Rob Carr (3-year term);
7. Ronita Jones (3-year term);
8. Ilene Winfrey (2-year term);
9. Chris Nanny (3-year term);
10. Lora Malone (2-year term); and
11. Nelson Dent (3-year term).

PASSED AND ADOPTED this 28th day of May, 2019.

Mayor

ATTEST:

City Clerk

CITY OF NORMAN CORPORATE SEAL OKLAHOMA

Exhibit "A"

City of Norman Accessibility and Inclusion Statement

Long Version:

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of Norman will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: The City of Norman does not discriminate on the basis of disability in its hiring or employment practices and complies with the regulations promulgated by the U. S. Equal Employment Opportunity Commission under Title I of the ADA.

Effective Communication: The City of Norman will generally, upon request, provide appropriate aids and services leading to effective communications for qualified individuals with disabilities so they can participate equally in the city's programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, and/or vision disabilities. Requests should go to the City's ADA Technician at 405-366-5424 Relay Service: 711, so effective communications can be achieved. To better serve you, five (5) business days' advance request is preferred.

Modifications to Policies and Procedures: The City of Norman will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in the City of Norman's offices, even where pets are generally prohibited.

Anyone who requires some auxiliary aid or services for effective communication, or modification of policies or procedures to participate in a program, services, or activity of the City of Norman, should contact the office of the City's ADA Technician at 405-366-5424, Relay Service: 711. To better serve you, five (5) business days' advance notice is preferred.

The ADA does not require the City of Norman to take any action that would fundamentally alter the nature of its programs or services or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of the City of Norman is not accessible to persons with disabilities should be directed to the Cities ADA Technician at 405-366-5424, Relay Service: 711.

The City of Norman will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policies.

WHERE TO USE THIS NOTICE

- The City's website.
- Include this notice with job applications.
- Broadcast this notice in public service announcements on local radio and television stations.
- Prominently within each City department.
- Post the notice at all municipal facilities.
- Include the notice in program handbooks.
- Published the notice as a legal notice in local newspapers.
- Post the notice at bus shelters or other public transit stops.

Short Version:

The City of Norman Self Evaluation and Transition Plan Recommended Wording:

It is the policy of the City of Norman that no person or groups of persons shall on the grounds of race, color, sex, religion, national origin, place of birth, age, familial status, disability, retaliation, or genetic information, be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination in employment activities or in all programs, services, or activities administered by the City, its recipients, sub-recipients, and contractors. In the event of any comments, complaints, modifications, accommodations, alternative formats, and auxiliary aids and services regarding accessibility or inclusion, please contact the ADA Technician at 405-366-5424, Relay Service: 711. To better serve you, five (5) business days' advance notice is preferred.

Note: *This standardized statement should be accessible to all employees and utilized in all departmental materials that are distributed by the City of Norman.*

Non-Discrimination Contract Clause:

It is the policy of the City of Norman that no persons or groups of persons shall, on the grounds of race, color, sex, religion, national origin, place of birth, age, familial status, disability, retaliation, or genetic information, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any City programs, services, or activities.

Note: T*his clause should be accessible to applicable departments to use in all contracts that are federally funded.*

Exhibit "B"

City of Norman
Grievance Procedure under the Americans with Disabilities Act

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability and the provision of services, activities, programs, or benefits by the City of Norman. The City of Norman's Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or tape-recording of the complaint, shall be made available for persons with disabilities upon request.

The complaint should be submitted by the complainant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Shawn O'Leary
ADA Coordinator
201 W. Gray Ave., Building A
Norman Oklahoma, 73069
405-366-5451

Within 15 calendar days after receipt of the complaint, the ADA Coordinator or his designee will be with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator or his designee will respond in writing, and, where appropriate, in a format accessible to the complainant, such as large print, Braille, or audiotape. The response will explain the position of the City of Norman and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator or his designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the City of Norman City Manager or his/her designee.

Within 15 calendar days after receipt of the appeal, the City Manager or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the City Manager or his/her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the ADA Coordinator or his designee, appeals to the City Manager or his/her designee, and responses from these two offices will be retained by the City of Norman for at least 3 years.

CITY OF NORMAN ETHICS POLICY
FOR CITY COUNCIL, BOARDS, COMMISSIONS, AND COMMITTEES OF THE CITY OF NORMAN

PURPOSE

The purpose of City government is to serve the public. In order to do so, this Policy has been created to uphold, promote, and demand the highest standards of ethics from all the elected or appointed officials of the City of Norman. It has been created to ensure that all elected and appointed officials have clear guidance for carrying out their responsibilities.

The City of Norman and its elected and appointed officials all share a commitment to ethical conduct in service to their community. Officials should maintain the utmost standards of personal integrity, truthfulness, honesty and fairness in carrying out public duties. In order to assure their independence and impartiality, City of Norman officials shall not use their positions to influence City of Norman governmental decisions in which they have a material financial interest, or an actual benefit, detriment, or employment consequence. In accordance with this policy, officials shall abstain from participating in deliberations and decision-making where actual conflicts exist.

The Policy is a comprehensive document that incorporates ethical concepts contained within the City of Norman Charter and Code of Ordinances. Those relevant provisions are attached as an addendum to the policy.

PRESERVATION OF THE PUBLIC TRUST

Elected and appointed officials are often called upon to make decisions that affect various groups and individuals adversely. Elected officials have a duty to engage in dialogue with citizens and to hear their concerns and interests. However, balancing diverse constituent interests is a difficult task. While someone will always be disappointed in decisions, officials shall adhere to ethical standards that eliminate disappointment borne of dishonesty, conflicts of interest, unfairness, or illegality.

Elected and appointed officials shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They should refrain from interrupting other speakers; making personal comments not germane to the business of the body; or otherwise interfering with the orderly conduct of meetings.

DISCRIMINATION/HARASSMENT STATEMENT

In order to avoid any discrimination or appearance thereof, public decision-making must be fair and impartial. City of Norman Code Section 2-103 requires that the Mayor and City Councilmembers insure, within their power, the equal and impartial enforcement of all laws, without respect to race, creed, color, sex, or the economic or social position of individual citizens.

In addition, it is the policy of the City of Norman that the elected and appointed officials strive to create an operating environment internally and in the relationships of the elected officials with their constituencies, that is productive and free from intimidation, hostility, or other adversity. Harassment of any sort –whether verbal, physical, or visual– including intentional and unwarranted actions that would constitute sexual harassment were they to occur in an employment relationship, by any elected or appointed official, is prohibited and is considered a violation of the City of Norman Ethics Policy.

PERSONS AFFECTED BY POLICY

This policy applies to the Mayor, City Council members, and to appointed members of all boards, committees, and commissions of the City of Norman. This policy does not apply to members of ad hoc committees.

DEFINITIONS

Actual Conflict – a set of circumstances wherein an elected or appointed official would be required to take an action or make a decision regarding a cause, proceeding, application or any other matter where he or she holds a direct benefit, detriment, or employment consequence.

Appointed City Official – a member of any board, commission, committee, or authority of the City who is appointed to such position by action of the Mayor and/or City Council. Appointed City Officials may not be full-time City of Norman employees.

Confidential Information – privileged statements or communications, whether expressed or implied, oral or written, between the elected or appointed official, City of Norman employees, and the City Attorney; work product of the City Attorney's Office; and City of Norman records, documents, and other information not subject to public disclosure and dissemination by law.

De Minimis – a pecuniary benefit that does not exceed the value of $100 incidental to personal, professional, or business contacts and involving no substantial risk or undermining official impartiality.

Elected City Official – the Mayor and any member of City Council.

Gift – the transfer of anything of economic value, regardless of the form, without adequate and lawful consideration. The term "gift" does not include the solicitation, acceptance, receipt or regulation of political campaign contributions regulated in accordance with the laws of the State of Oklahoma.

Pecuniary Interest – the expectation of a financial benefit or detriment. This also includes any pecuniary interest of a member of the official's immediate family. A person has a pecuniary interest in an organization in which that person has a 5% ownership interest or greater. A person has a pecuniary interest in a decision if a financial interest of that person will vary with the outcome of the decision – this includes officials with real property interests abutting a subject property.

Potential Conflict – a set of circumstances wherein an elected or appointed official would be required to take an action or make a decision regarding a cause, proceeding, application or any other matter where he or she may have an indirect benefit, detriment, or employment consequence; this type of situation calls into question the official's objectivity or independence, but the effect of this type of conflict is not certain.

Benefit, Detriment, or Employment Consequence – a benefit, detriment, or employment consequence to a) the public official; b) a member of his or her immediate family; or c) a business or organization with which the official is associated.

CONFLICTS OF INTEREST

Pecuniary Interest or Actual Conflict

An elected or appointed official shall not participate in any official action if he or she has a pecuniary interest or an actual conflict of interest. Prior to the beginning of discussion on the issue, the official shall disclose his or her pecuniary interest or actual conflict. Then, the official shall not participate in either the vote or the discussion relating to the issue. City of Norman Code Section 2-108 requires that any Councilmember barred from voting must leave his or her Council chair and shall not participate during the debate of such item.

Potential Conflict

If the elected or appointed official has a potential conflict of interest, that official may engage in both the vote and discussion, but the potential conflict must be disclosed prior to participation.

Exceptions

If the official's financial interests are included within a whole class of citizens, such as property taxpayers, an exception is made to allow the official to vote. This only applies in case of votes or decisions in which the official has a personal or pecuniary interest no greater than that of other persons generally affected by the decision, such as adopting a bylaw or setting a tax rate.

If an appointed or elected official discloses an actual conflict on the record, the official shall disqualify himself or herself from participating in any decision or vote relating thereto, unless following such a disclosure, a majority of the remaining members of such council, board, commission, or committee determine by official action at a public meeting of such council, board, commission, or committee that such conflict of interest is de minimis.

Discovery of Conflict

The existence of an ethical issue often does not arise until a meeting is underway. Rather than risk an inadvertent violation, the safest course of action is simply to declare that a conflict may exist that prevents an official from participating. As soon as an official realizes that a conflict exists on a given matter, they must disclose the conflicting interest on the record for the minutes.

DUTY TO REPORT

Elected and appointed officials have a duty to create the image and reality of a responsive, accessible, and fair city government. Accordingly, officials have a duty to report if another official is violating laws or ethics relating to City of Norman government as set forth in this policy. Moreover, officials should never attempt to use their authority or influence for the purposes of intimidating, threatening, coercing, commanding, or influencing any person with the intent of interfering with that person's duty to disclose such improper activity. If an official believes that someone else may have violated this policy, he or she may consult with the City Attorney's Office.

To report an alleged violation, City Councilmembers shall report to the Mayor. If the alleged violator is the Mayor, reports should be directed to the Mayor Pro Tem. Appointed officials shall report an alleged violation to the Chairperson of their board, commission, or committee. The Chairperson may then, if he or she feels it necessary, report the violation to the Mayor. If the alleged violator is the Chairperson, the reporting appointed official may report directly to the Mayor.

GIFTS

Personal gifts must be refused or returned with a friendly but firm message that City officials are not allowed to receive gifts. Oklahoma Statute Title 21 § 382 makes it a crime for any municipal officer or any employee of a political subdivision to corruptly accept or request a gift or gratuity, or a promise to make a gift, or a promise to do an act beneficial to such officer. If this happens, the officer or employee shall forfeit his office, be forever disqualified to hold any public office, trust, or appointment under the laws of the State of Oklahoma, and be guilty of a felony punishable by imprisonment not exceeding ten years or by a fine not exceeding five thousand dollars and imprisonment for not more than one year.

In addition, Article XVII Section 5 of the Charter of the City of Norman makes it unlawful for any officer of the City of Norman to directly or indirectly give, or promise to give, any person any office, position, employment, or anything of value for the purpose of influencing or obtaining support, political or otherwise, aid, or influence of any person. Engaging in any of these activities is grounds for removal from office.

A de minimis personal gift, lunch, or entertainment under $100 is permissible if given without the intent to influence. The ethical principle is that officials obtain no personal gain from performance of their duties except official compensation and the satisfaction of a job well done.

USE OR DISCLOSURE OF CONFIDENTIAL INFORMATION

Elected and appointed officials are prohibited from disclosing or offering to disclose confidential information to any party not entitled to receive such information nor shall he or she use such information for his or her personal gain or benefit. City of Norman Code Section 2-103 prevents Councilmembers from making use of special knowledge or information obtained from their position before that knowledge or information is made available to the public.

Confidential information disclosed to City Council as a whole, such as attorney-client privileged information and all information discussed in Executive Sessions, is a confidence held by the body as a whole; therefore, no individual member of City Council has the authority to disclose this information to a third party. Such an unauthorized disclosure of Executive Session material violates the Oklahoma Open Meetings Act. See 25 O.S. § 307 and 25 O.S. § 314.

ROLE OF THE CITY ATTORNEY

Questions about the City of Norman Ethics Policy, a conflict of interest, or other ethical problems, related to the business of the City of Norman, should be presented to the Norman City Attorney's Office. If time permits, requests should be in writing to the City Attorney directly. The City Attorney may consult with outside legal counsel to adequately and timely research specific requests for legal advice on particular issues. Reliance on opinions of a private attorney or attorneys for matters related to the business of the City of Norman may not preserve immunity protections afforded City Councilmembers by state law.

For ethical or otherwise personal issues not related to the business of the City of Norman, any elected or appointed official may, at any time, seek the counsel, at their expense, of a private attorney or attorneys in regard to those personal legal or ethical issues that may arise.

POLICY AS APPLIED TO AD HOC COMMITTEES

The Mayor and City Council often create ad hoc committees in order to encourage discussion among citizens with diverse viewpoints. Ad hoc committees are created to achieve a specific purpose or to examine a specific issue, and they operate in an advisory role without any decision-making authority. Often, these committee members are interested in or impacted by the matter under discussion. For this reason, requiring their recusal in the face of a conflict of interest would cripple that ad hoc committee's ability to complete its purpose.

In order to preserve the effectiveness of ad hoc committees, their members will not be asked to follow the ethics policy guidelines regarding conflicts of interest. Instead, ad hoc committee members should keep in mind that they may be called upon to make recommendations that affect various groups and individuals. They should base their decision or recommendation on the merits and substance of the matter at hand, rather than on unrelated considerations.

PLEDGE

Upon taking office, either by election or appointments, all officials will be asked to sign an Ethics Pledge acknowledging receipt and understanding of the City of Norman Ethics Policy and expressing a willingness to abide by it.

PLEDGE TO FOLLOW ETHICS POLICY
FOR
APPOINTED AND ELECTED CITY OFFICIALS

Pursuant to the City of Norman Ethics Policy, appointed and elected City of Norman officials shall not participate in any matter in which they have a pecuniary interest or an actual conflict. A actual conflict includes any set of circumstances wherein an elected or appointed official would be required to take an action or make a decision regarding a cause, proceeding, application or any other matter where he or she holds a direct benefit, detriment, or employment consequence.

If the appointed or elected official believes he or she has a conflict, then that official should disclose that conflict to the board, council, or commission of which he or she is a member. If the conflict is pecuniary or direct, that official should recuse himself or herself from any participation and voting. Any elected or appointed official may seek the counsel of the City Attorney's Office on questions regarding the interpretation of the ethics guidelines or other conflict of interest matters.

Appointed and elected officials shall agree to comply with the ethics guidelines as stated above and as contained in the City of Norman Ethics Policy.

I, _____, pledge to comply with the City of Norman Ethics Policy as adopted by the Norman City Council.

_____
Name of Board/Commission/Committee

_____ _____
Official's Signature Date

Name: _____

Address: _____

_____

Phone Number: _____

FINANCE AND BUDGETING

Summary of Finance and Budgeting

Budget and Accounting Process

FYE27 Budget Calendar

Reserve Funds

Purchases Requiring Council Approval

Purchasing Policies and Procedures

FINANCE AND BUDGETING

One of the most critical roles of the City Council is its role related to finance and budgeting. All cities are required by law to budget, account for, monitor, and report on revenues and expenditures made by the City. The City is also required by law to have an audit conducted each year by a licensed independent (outside) auditing firm. The Finance department is responsible for all accounting functions, debt services, investments, asset management, budgeting, rate analysis, and purchasing. The Finance Department serves as staff to the Public Safety Sales Tax Citizen's Oversight Committee; the Norman Forward Citizen's Financial Oversight Board; the University North Park Tax Increment Finance District Citizen's Oversight Committee; the Norman Employee's Retirement System Board of Trustees; and the City Council Finance and Audit Committee.

Accounting

The Finance Department is responsible for developing and maintaining accounting and reporting systems for the City, and for any public trusts for which the City exercises oversight authority.

The City accounts for governmental funds, which include General Fund, Capital Project Funds, Debt Service Funds, and Special Revenue Funds based on the modified accrual basis of accounting. Under this method, revenues are recognized when "measurable and available". Measurable means knowing or being able to reasonably estimate the amount. Available means collectible within the current period or soon enough thereafter (defined by the City as 60 days after year end) to pay current liabilities. The primary revenue sources, which have been treated as susceptible to accrual by the City, are sales and use tax, fines, user fees, intergovernmental revenues, and other taxes. Expenditures (including capital outlay) are recorded when the related fund liability is incurred, except for general obligation bond principal and interest which are recorded when due.

The City also accounts for proprietary funds based on the accrual basis of accounting. Under this method, revenues are recognized when earned and expenses are recorded when the liability is incurred or economic asset used.

The City utilizes encumbrance accounting in all funds under which purchase orders, contracts, and other commitments for the expenditure of funds are recorded in order to reserve a portion of the applicable appropriation. Encumbrances outstanding at year-end are not considered expenditures for budgetary purposes but are reported as a reservation of fund balance since the City intends to honor the commitments and provide for supplemental appropriations in the following budget year. All appropriations lapse at year-end except for capital project appropriations.

In the normal course of business, the City might participate in various federal and state grant programs from year to year. Each program contains specific conditions and accounting requirements, which must be met to ensure reimbursement and safeguard of the City's eligibility for future grant awards. The City does not budget for grant awards, as they are generally not recognized at the time the budget is adopted; grant award revenues are appropriated by the Council when they are approved by contract.

Budgeting

The administrative staff is responsible for developing a budget for review by the City Council. The goal and purpose of the budget is to allocate available funds to accomplish the policies and directions provided by the Council through the City Manager. The FYE27 Budget Calendar is included for your reference. Generally, an updated calendar for the following fiscal year budget cycle is provided each September to the Council Finance Committee for review.

Budget Process

A detailed request is prepared for the specific department operating budget, equipment needs and capital projects and is submitted for analysis. Meetings are held with the various Department Heads to affirm objectives, set priorities and justify work programs. The City Council and Trustees of its public trusts deliberate upon the proposed budget by holding a public hearing to approve the annual budget no later than seven (7) days prior to the end of the current fiscal year and by City of Norman policy, an additional public hearing is held approximately six weeks before the end of the fiscal year. The City Council must approve the budget before any expenditure is made in the new fiscal year and by adopting the budget, the Council appropriates the anticipated revenues into departmental expenditures, by fund (according to state statute, only the governing body can appropriate funds).

Passage of the budget is a major milestone for the City, but not the end of the process. After passage, the budget is entered into the City's financial accounting software package. The budget is monitored throughout the year as a part of the budget process. Further, progress reports of revenues and expenditures are presented to the Council in public meetings on a monthly basis.

Reserve Policy

Under Oklahoma law, cities rely heavily on sales tax for funding ongoing operations. Because of the volatility of sales tax, budgeting for reserve funds in the event of an emergency is an advisable strategy to protect the City's financial position. The City has a long-standing policy of budgeting for reserve funds. In FYE 2011, Council directed Staff to prepare an ordinance that would codify the City's reserve policies and comply with applicable Governmental Accounting Standards. This Ordinance was last updated in 2018 (O-1819-10) and is codified in Section 12-103 and 12-104 of the City Code.

Section 12-103 creates reserve funds for the general purposes of 1) ensuring the ongoing operations of the City's General Fund in times of extraordinary expenses or revenue shortfalls, 2) addressing emergency expenditure requirements, and/or 3) addressing unforeseen major capital facility maintenance needs. It requires that the General Fund have an unappropriated operating reserve fund balance of at least 3% of annually budgeted expenses and an appropriated emergency reserve account of 1% of annually budgeted general fund expenditures.

Section 12-103 also establishes a Net Revenue Stabilization or "Rainy Day" Fund. When the operating reserve and emergency reserve requirements are met, the City is required to budget for and/or make transfer appropriations to the Net Revenue Stabilization Fund until its fund balance reaches an amount of at least 4% of annually budgeted General Fund expenditures. The Net Revenue Stabilization Fund cannot exceed more than 7% of annually budgeted general fund expenditures in the then-current budget year.

Section 12-104 governs the use of Net Revenue Stabilization Fund Balances. Net Revenue Stabilization Fund balance can only be appropriated for expenditure by the City Council if at least one of three circumstances is met:

1) The General Fund Operating Reserve fund balance is projected to fall below one percent (1%) of budgeted expenditures, or
2) A natural or man-made disaster has occurred AND the City of Norman has spent or obligated to spend the one percent (1%) Emergency Reserve account in the General Fund, or
3) A major one-time or capital expenditure has been necessitated, such as for major repairs to or replacement of City of Norman facilities.

If the Net Revenue Stabilization Fund balance drops below the 4% minimum, the Council is required to take action to restore the fund balance to its required levels within 3 years of the occurrence of the shortfall and seek to maintain the fund at 5% of annually budgeted General Fund expenditures. Copies of Sections 12-103 and 12-104 of the Code are included for reference.

THE BUDGET AND ACCOUNTING PROCESS

The City of Norman, Oklahoma, is a municipal corporation incorporated under a Municipal Charter pursuant to Article XVIII, of the Constitution and laws of the State of Oklahoma. The City operates under a Council-Manager form of government and provides such services as are authorized by its Charter to advance the welfare, health, morals, comfort, safety and convenience of the City and its inhabitants.

The City's major activities or functions include police and fire protection, parks and libraries, public health and social services, planning and zoning and general administrative services. In addition, the City owns and operates five major enterprise activities - the Water, Water Reclamation and Sanitation utility systems, and the Westwood Park and Young Family Athletic complexes. This budget includes the fund and account groups required to account for those activities, organizations and functions that are related to the City and controlled by or dependent upon the City's governing body, the City Council.

THE BUDGET PROCESS

The City prepares its annual operating budget on a basis (Budget basis) which differs from Generally Accepted Accounting Principles (GAAP basis). The major difference between GAAP and Budget basis is that encumbrances are recorded as reservations of fund balance on a GAAP basis as opposed to the equivalent of expenditures (Budget basis) in all governmental funds.

The City of Norman uses modified zero-based budgeting to develop the annual operating budget. This approach requires City Departments to present a basic budget and supplements to the basic budget, which represents program additions or enhancements. The City Council adheres to the following procedures in establishing the budget:

1. Under the City Charter, the City Manager is responsible for preparing and recommending an operating budget for City Council consideration. The City Manager, working with staff in all Departments, reviews and evaluates all basic budgets and supplemental requests to determine whether they fulfill City Council goals and objectives, improve management effectiveness, or increase productivity. The proposed budget, which the City Manager submits to the City Council, includes recommendations of the program of services, which the City should provide, and which can be financed by the City's projected revenue for the budget year. The Manager must submit a balanced budget for the next fiscal year not later than 30 days prior to the end of the current fiscal year.

2. The City Council considers the Manager's recommended budget in a series of work sessions and in public hearings at which citizen comment is invited. Citizens are encouraged to participate in the budget process. A copy of the proposed budget and the adopted budget are filed in the City Clerk's office and the Norman Public Library. Additional or supplemental information is available upon request.

3. The budget for the next fiscal year is legally enacted by the City Council through passage of a resolution not later than seven days before the beginning of the new budget year.

4. Expenditures may not legally exceed appropriations at the Fund level for each legally adopted

annual operating budget. The City Manager, without Council approval, may transfer appropriation balances from one expenditure account to another within a Fund/Department of the City. The City Council, however, must approve any transfer of unencumbered appropriation balance or portions thereof from one Fund to another.

5. Annual budgets are legally adopted for all governmental funds. Budgets for the Debt Service Funds are adopted on a basis consistent with Generally Accepted Accounting Principles. The expendable trust fund includes non-budgeted financial activities, which are not subject to an appropriated budget and the appropriation process nor to any legally authorized non-appropriated budget review and approval process.

6. At the close of each fiscal year, any unencumbered appropriation balance lapses or reverts to the undesignated fund balance.

THE ACCOUNTING PROCESS

The accounting and reporting policies of the City conform to Generally Accepted Accounting Principles ("GAAP") applicable to state and local governments. Generally Accepted Accounting Principles for local governments include those principles prescribed by the Governmental Accounting Standards Board ("GASB"), which includes all statements and interpretations of the National Council on Governmental Accounting unless modified by the GASB, and those principles prescribed by the American Institute of Certified Public Accountants in the publication entitled Audits of State and Local Governmental Units. The following is a summary of the more significant policies and practices used by the City.

BASIS OF PRESENTATION

The accounts of the City are organized and operated based on funds or account groups, each of which is a separate fiscal and accounting entity. The operations of each fund are accounted for with a self-balancing set of accounts that comprise its assets, liabilities, fund balances or retained earnings, revenues and expenditures or expenses. The various funds are grouped by category and type. The City maintains the following fund classifications and account groups:

CITY OF NORMAN FUNDS

All the funds of the City can be divided into three categories: governmental funds, proprietary funds and fiduciary funds.

GOVERNMENTAL FUNDS

Governmental funds are used to account for the relatively liquid portion of the City's assets that are not accounted for through proprietary or fiduciary funds, the short-term obligations pertaining thereto and the net balance of these financial resources available for subsequent appropriation and expenditure.

General Fund - The General Fund is the general operating fund of the City. This fund is used to account for all financial resources except those required to be accounted for in another fund.

Special Revenue Funds - Special Revenue Funds are used to account for the proceeds of specific revenue sources (other than special assessments, expendable trusts or major capital projects) that

are legally restricted to expenditures for specific purposes.

Debt Service Funds - Debt Service Funds are used to account for the accumulation of resources for, and the payment of general long-term debt principal, interest and related costs.

Capital Project Fund - The Capital Projects Fund is used to account for financial resources to be used for the acquisition or construction of major capital facilities (other than those financed by proprietary funds and trust funds). They are presented in a separate document.

PROPRIETARY FUNDS

Proprietary Funds are those used to account for the City's ongoing organizations and activities which are similar to those found in the private sector. The measurement focus is upon capital maintenance and upon determination of net income, financial position and changes in financial position.

Enterprise Funds - Enterprise Funds are used to account for operations (a) that are financed and operated in a manner similar to private business enterprises wherein the intent of the governing body is that the costs (expenses including depreciation) of providing goods or services to the general public on a continuing basis are financed or recovered primarily through user charges or (b) where the governing body has decided that periodic determination of revenues earned, expenses incurred or net income is appropriate for capital maintenance, public policy, management control, accountability or other purposes.

Internal Service Funds – Internal Service Funds are used to allocate certain costs (e.g. Risk Management/Insurance) to other funds within the government.

FIDUCIARY FUNDS

Fiduciary Funds are used to account for assets held by the City in a trustee capacity or as an agent for other governmental units and/or other funds. Trust and Agency Funds include expendable trust and payroll agency funds. (Not presented in this document).

FUNDING SOURCES FOR EACH DEPARTMENT

	Governmental Funds				Proprietary Funds	
Divisions	General Fund	Special Revenue Funds	Debt Service Funds	Capital Projects Funds	Enterprise Funds	Internal Service Fund
City Clerk	GF					
City Council	GF					
City Manager	GF					
Finance	GF					
Fire	GF					
Human Resources	GF					
Information Technology	GF					
Legal	GF					
Municipal Court	GF					
Parks & Recreation	GF					
Planning & Development	GF					
Police & Emergency Communications	GF					
Public Works	GF					
Non-Departmental	GF					
Net Revenue Stabilization (Rainy Day)	GF					
CLEET		SR				
Community Development		SR				
Fire - Public Safety Sales Tax		SR				
Police - Public Safety Sales Tax		SR				
Room Tax		SR				
YFAC Fund		SR				
Seizures & Restitution		SR				
Special Grants		SR				
Art in Public Places		SR				
Westwood Park		SR				
Public Transportation		SR				
Sanitation					EN	
Water Reclamation					EN	
Sewer Maintenance					EN	
New Development Excise					EN	
Water					EN	
Risk Management						IS
Capital Projects				CA		
Norman Forward Sales Tax				CA		
Park Land & Development				CA		
University North Park TIF District				CA		
Center City TIF District				CA		
Arterial Roads Recoupment				CA		
General Debt Service			DS			
General Obligation Bond			DS			

BASIS OF ACCOUNTING

Basis of accounting refers to the time at which revenues and expenditures or expenses are recognized in the accounts and reported. Governmental funds, expendable trust funds, and agency funds are accounted for using the modified accrual basis of accounting. Under the modified accrual basis of accounting, revenues are recognized when they become measurable and available as net current assets. Available means collectible within the current period or expected to be collected within 60 days after year end and be used to pay liabilities of the current period. Expenditures are generally recognized under the modified accrual basis of accounting when the related fund liability is incurred. Exceptions to this general rule include unmatured principal and interest on general long-term obligations which are recognized when due. This exception is in conformity with Generally Accepted Accounting Principles.

Property tax revenues and sales tax receipts are considered measurable and available when collected and recognized as revenue at that time. Licenses and permits, fines and forfeits, and miscellaneous revenues are recorded as revenues when received in cash because they are generally not measurable until received. Investment earnings are recorded on the accrual basis in all funds.

Intergovernmental revenues are recorded on a basis applicable to the legal and contractual requirements of the various individual grant programs.

All proprietary funds are accounted for using the accrual basis of accounting. Under the accrual basis of accounting, revenues are recognized in the accounting period in which they are earned and become measurable. Expenses are recorded in the accounting period incurred, if measurable.

Encumbrances represent commitments related to unperformed contracts for goods or services. Encumbrance accounting, under which purchase orders, contracts and other commitments for the expenditure of funds are recorded to reserve that portion of the applicable appropriation, is utilized in the governmental funds. Encumbrances outstanding at year-end are reported as reservations of fund balances and do not constitute expenditures or liabilities since the commitments will be honored during the subsequent year. For budgetary purposes, encumbrances outstanding at year end and the related appropriation are carried forward to the new fiscal year. Encumbrances constitute the equivalent of expenditures for budgetary purposes.

BUDGET CALENDAR

Fiscal Year Ending 2027

September	17	Finance Committee meeting to discuss budget process for FYE 2027
November	10	Fleet Ranking Committee reviews vehicle replacements
	17	**Council Work Session on Capital Budget to identify Council priorities**
December	7	I.T. critical computer replacement list due
	12	**"Budget Kick-Off" - Distribute budget request forms & base budgets to department representatives**
		Fleet sends out vehicle list for replacement recommendations
	18	Fleet vehicle **REPLACEMENT** requests due to Finance
January	4-8	Budget Staff meets with individual departments as requested
		Send out Outside Agency Letters requesting funding
	20	Meet w/ NPS for SRO Program costing for FY27
	21	Council Finance Committee Meeting on Mid-Year Amendments/Adjustments
	22	Finance/City Manager begin review of reserve/budget policies
February	**1**	**All New/Expanded/Replacement/Reclass Budget Requests and Base Budget Adjustment Requests due to Budget**
		Last day to make changes to Base Budgets
	8	Revenue projections due to Accounting
		Health Insurance Premium recommendation due to Budget from Human Resources
	12	Preliminary Fund Summaries due
	18	Council Finance Committee Meeting on Outside Agency Funding Requests
	19	**All Capital Project Requests & Schedules Due to Budget (Recurring Projects, Existing Projects with new funding requests, New Project Requests)**
		Fleet /HR/ IT reviews of Budget Requests due
		Facility Maintenance Existing Facility project rankings due
		Updated Dept./Div. Summary forms, Performance Measurement forms, and Org Charts due
		Send out inter-city surveys and request budgets from NCVB and NAC
March	**2**	**Council Retreat - Capital Budget (midpoint evaluations for CIP proposals)**
	5	Management Team Budget Retreat to prioritize and rank department requests
	8-12	City Manager meets with department heads to review budget
		City Manager review of all Funds
	15	Finance begins compilation of budget data
	22	City Manager wrap up and proposal of budget
		Last day to make changes / additions to operating budget
April	13	Preliminary Budget to Print Shop
	16	Council & Staff receive preliminary budget document
		Publish Budget Summary in newspaper announcing Public Hearing
	20	**Council Study Session - Overview, General Fund and Special Revenue Funds**
	27	**1st Public Hearing at Council Meeting**
May	**4**	**Council Study Session for Capital Funds**
	14	Publish Budget Summary in newspaper announcing Public Hearing
	18	**Council Study Session for Enterprise Funds**
	25	**2nd Public Hearing at Council meeting**
June	**1**	**Council Study Session (if necessary)**
	8	**Council considers budget for adoption**
	18	Final Budget to Print Shop for printing/binding
	25	File budget with Excise Board & State Auditor
July	1	Beginning of Fiscal Year Ending 2027

Note: The above dates are preliminary and may change.

RESERVE FUNDS

Norman Code, Section 12-103: Creation of Reserve Funds

Norman Code, Section 12-104: Use of Rainy Day Funds

12-103 Creation Of Reserve Funds

This article creates reserve funds for the general purposes of: Ensuring the ongoing operations of the City's general fund in times of extraordinary expenses or revenue shortfalls; addressing emergency expenditure requirements; and/or addressing unforeseen major capital facility maintenance needs. The City's general fund shall have an unappropriated operating reserve fund balance of at least three percent of annually budgeted expenditures, in addition to an appropriated emergency reserve account of one percent of annually budgeted expenditures. It is recognized that Council may still adopt an annual budget in compliance with the Oklahoma municipal Budget Act if the operating reserve and the emergency reserve do not meet the reserve requirements set out herein. The City shall also have and there is hereby established a net revenue stabilization fund (to also be referred to as the "rainy day fund") that may be funded from revenues in excess of budgeted revenue projections, transfer of appropriations for expenditures that are less than budgeted allocations, and/or from existing general fund balance. When the operating reserve and emergency reserve requirements are met, the City shall budget for and/or make transfer appropriations to the net revenue stabilization fund from the general fund or other City governmental funds until the fund balance of the net revenue stabilization fund reaches an amount not less than four percent but not more than seven percent of annually budgeted general fund expenditures in the then-current budget year.

(Code 1976, § 8-103; Ord. No. O-1011-58, § 1; Ord. No. O-1819-10, § 1)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

12-104 Use Of Appropriated Net Revenue Stabilization Fund Balances; Requirements To Maintain Net Revenue Stabilization Fund Balances

(a) *Definitions*. Unless otherwise stated in this article, the terms defined in the most recently amended Oklahoma municipal Budget Act (11 O.S. § 17-201 et seq.) apply herein. The net revenue stabilization fund may also be known as or entitled the "rainy day fund."

(b) *Appropriation of net revenue stabilization fund balances*.

(1) The City Council cannot appropriate net revenue stabilization (rainy day) fund balances without the affirmative majority vote of the City Councilmembers.

(2) Net revenue stabilization fund balances can only be appropriated in instances in which:

a. Unexpected expenses are incurred within the City general fund due to natural or manmade disasters, as declared by the President of the United States or the Governor of Oklahoma, and the Mayor of Norman; and the general fund emergency reserve appropriation has been expended or obligated for expenditure;

b. The general fund operating reserve is projected to be drawn down to a level below one percent of annually budgeted expenditures, due to sustained revenue fluctuations or unexpected expenditures; or

c. Critical, non-programmed one-time capital expenditures are required for the maintenance, replacement, construction or improvement of City buildings or infrastructure.

(c) *Maintenance of net revenue stabilization fund balance*. At any time that the net revenue stabilization fund balance is below the required four percent of annually budgeted general fund expenditure level, the Council shall take action to restore the fund balance to its required level within three years of the occurrence of the shortfall and will seek to maintain the fund at five percent of annually budgeted general fund expenditures.

(d) In conjunction with the Council's required acceptance of the comprehensive annual financial report, the Finance Director shall reconcile any revenue or expenditure projections that resulted in transfers into or withdrawals from the net revenue stabilization fund with actual stated budgetary year-end results and shall, to the extent practicable, rebalance the allocations accordingly.

(e) The City Manager or his designee is authorized and directed to establish procedures and policies to implement this article.

(Code 1976, § 8-104; Ord. No. O-1011-58, § 2; Ord. No. O-1819-10, § 2)

HISTORY
Adopted by Ord. O-2223-23 on 2/28/2023

12-203 Purchases--City Council Approval

(a) The City Council must approve all contracts for, or purchases of, supplies, equipment, or contractual services, where the valuation exceeds $50,000.00, prior to the signing of such contracts or the transaction of such purchases. Contracts and purchases valued between $25,000.00 and $50,000.00 that would otherwise be required to be approved by the Council in this section shall be reported to the Council on a monthly basis.

(b) Excepted from the requirement of Council approval are the purchases of or contracts for:

(1) Supplies, materials, equipment, or contractual services when purchased through state contracts.

(2) Emergency supplies, materials, equipment, or contractual services which are necessary to maintain operations. Such purchases shall receive prior approval from the City Manager.

(Code 1976, § 8-203; Ord. No. O-7273-80; Ord. No. O-8788-10; Ord. No. O-9192-44; Ord. No. O-0001-11, § 1, 8-22-2000; Ord. No. O-0809-33)

HISTORY
Amended by Ord. O-1920-40 § 1 on 7/14/2020
Adopted by Ord. O-2223-23 on 2/28/2023

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SECTION 1
GENERAL POLICIES

SECTION 1.1 – AUTHORITY

The Mayor and City Council have final authority over City purchases. The City Manager is the City's chief administrative officer to whom all City employees, except Municipal Judges, the City Auditor, and the City Attorney, are responsible.

The City Council is the only body that can award and approve a formal contract for the City of Norman exceeding the amount established by Council. The Mayor and the Mayor Pro Tem, when the Mayor is absent, and the City Clerk, or the Deputy City Clerk in the City Clerk's absence, are the only people that can execute formal contracts for the City of Norman exceeding $50,000.

The Legal Department provides legal advice regarding City purchases. The City Auditor audits certain purchases and payments. Both of these offices review for compliance with policies and procedures or laws and ordinances.

SECTION 1.2 – CITY MANAGER

The City Manager appoints the Director of Finance and other Purchasing Division employees who administer, enforce and carry out the rules and regulations established.

SECTION 1.3 – FINANCE DIRECTOR

The Finance Director is the chief financial officer for the City, responsible for the Purchasing Division as appointed by the City Manager. Individual division/department directors are responsible for appointing purchasing representatives within their respective divisions/departments. The City's designated purchasing agent and as Department Director of the Purchasing Division, the Finance Director is in charge of directing, implementing and maintaining the purchasing policies as established by the City Charter and City Council.

SECTION 1.4 – PROCUREMENT ANALYST

The Procurement Analyst is under the direction of the Finance Director via the Chief Accountant and is responsible for the daily operations of the Purchasing Division. The authority and responsibility of the Procurement Analyst are:

(a) To recommend ordinances, amendments, rules and regulations that govern the purchasing procedures for the benefit of the City of Norman;
(b) To coordinate bid selection/professional service contracts awarded by the City Council;

(c) To represent the City on disputed bills, contract terms and other related matters;

(d) To supervise, train, prepare work plans, and administer all employees within the Purchasing Division.

SECTION 1.5 – DEPARTMENT DIRECTORS

The purchasing responsibilities of department directors or department heads are:

(a) Designate employee(s) within their department/divisions to perform procurement responsibilities;

(b) Inform department personnel of the requirements and ensure adherence;

(c) Cooperatively work with the Purchasing Division to allow sufficient time to process payments;

(d) Review purchase documentation to ensure proper items were purchased and received by the City.

SECTION 2
LEGAL REQUIREMENTS

SECTION 2.1 – SCOPE

Several major legal documents and authorities govern the City of Norman's purchasing process.

SECTION 2.2 - CITY CHARTER

The primary document governing the purchasing process is the Norman City Charter. Article III, Section 5, authorizes the City Manager as the Purchasing Agent for the City.

SECTION 2.3 – MUNICIPAL CODE

The Norman Municipal Code is another document governing the purchasing process. The Norman Municipal Code, Article 12, Section II, establishes purchasing procedures that ensure the City of Norman complies with the City Charter, the Public Competitive Bidding Act of 1974, as amended, and the Constitution of the State of Oklahoma.

SECTION 2.4 – STATE STATUTES

The State of Oklahoma has a variety of statutes based on the Constitution of the State of Oklahoma that govern purchasing by municipalities within the state. In instances where the City Charter and the Norman Municipal Code are silent, the State Statutes prevail.

SECTION 2.5 – CITY COUNCIL POLICIES

On occasion, the City Council adopts a formal policy, which affects certain segments of the purchasing process. Examples includes the Local Preference Policy and the Change Order Policy. Once adopted by the City Council, these policies are incorporated into this document which are considered to be the City's official Purchasing Polices and Procedures Manual. Other updates to the Manual are made administratively pursuant to the City Manager's authority as purchasing agent.

SECTION 2.6 – CITY MANAGER'S MANAGEMENT MEMOS

The City Manager issues management memos as deemed necessary that affect certain segments of the purchasing process. Management memos may be revised or rescinded by the City Manager. Once approved by the City Manager, these policies shall be incorporated into this document.

SECTION 2.7 – CITY ATTORNEY OPINIONS

The City Attorney issues written legal opinions, as deemed necessary, which affect certain segments of the purchasing process. A legal opinion is issued in written form and tends to be permanent unless superseded by a change in the law.

SECTION 2.8 – FINANCE DEPARTMENT MEMOS

The Finance Department will initiate instructional memos under the signature of the Finance Director which outline procedures or deadlines, and which ensure compliance with legal requirements.

SECTION 3
INTERNAL CONTROL STANDARDS

SECTION 3.1 – AUTHORITY

Section 12-202 of the Norman Municipal Code authorizes the City Manager to create an internal control structure to provide reasonable assurance against the unauthorized or illegal payment of invoices and includes the following control procedures:

- Proper authorization of transactions and activities;
- Adequate segregation of duties;
- Adequate documents and records;
- Adequate safeguards over access to and use of assets and records; and
- Independent checks on performance.

Further, two additional elements of internal control structure, which are the control environment and the accounting system, must be included. The control environment shall consist of the overall attitude, awareness and actions of the governing body and management, including a foresighted management policy toward financial reporting. The City of Norman's control environment is highlighted in its Code of Conduct (Personnel Policy 300).

The methods and records of an effective accounting system shall result in:

- Identification and recording of all valid transactions;
- Description of a timely basis of the type of transaction in sufficient detail to permit classification of the transaction for financial reporting;
- Measurement of the transaction's value in a manner that permits recording of its monetary value in the financial statements;
- Determination of the time period in which the transaction occurred to permit recording of the transaction in the proper accounting period;
- Proper presentation of the transaction and related disclosures in financial statements.

SECTION 3.2 – ELECTRONIC APPROVALS

Purchasing utilizes electronic approvals in lieu of signatures. The Department Director is responsible for determining the positions/individuals to exercise an approval on purchasing documents within their department. An electronic approval is a signature. The electronic approval is part of each individual's security profile that is established by the Department Director.

SECTION 3.3 – PROCUREMENT GOALS

- To buy the right items, of the right quality, in the right quantity, at the right time, at the best price.
- To consider the most economical purchasing approach:
    - Perform alternative procurement analyses (lease vs. purchase, loan vs. purchase, etc.); and
    - Perform any other appropriate analysis (prompt payment and other discounts, etc.).
- To avoid acquisition of unnecessary or duplicative items.
- To provide a fair and equal opportunity to all vendors.
- To take full advantage of volume discounts by purchasing items in larger quantities when prudent or consolidating procurements to obtain a more economical purchase.
- To actively encourage vendors from throughout the State (including local businesses) and, businesses owned by minority or disadvantaged persons to bid on City contracts for goods and services.
- To maintain accountability through a system of checks and balances, stringent accounting and budgeting controls.
- To maintain sufficient records of all purchases including (but not limited to): rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.
- To also provide periodic reports to supervising officials and the public.
- To establish and amend when necessary, procedures to operate the purchasing function within the City of Norman's Charter, State Statutes and Municipal Codes.
- To keep abreast of current product research developments, pricing and market conditions in the field of purchasing.

SECTION 3.4 – UNACCEPTABLE CONDUCT

- Acceptance of gratuities where receipt would either compromise impartial performance or would be viewed by the public to compromise impartial performance.
- Acceptance of something of value in return for services that are outside what is appropriate for your position (kickback).
- Breach of confidentiality by providing information to a vendor that creates an unfair advantage over another.
- Participating in an action that can clearly be demonstrated to be a conflict of interest on the employee's part.
- No employee, officer, or agent must participate in the selection, award, or administration of a contract if he or she has a real or apparent conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

- Unless otherwise authorized by state law, no municipal officer or employee, or any business in which the officer, employee or spouse of the officer or employee has a proprietary interest, shall engage in: selling, buying, or leasing property, real or personal, to or from the municipality; contracting with the municipality; or buying or bartering for or otherwise engaging in any manner in the acquisition of any bonds, warrants, or other evidence of indebtedness of the City.

THE CITY OF NORMAN CODE OF CONDUCT (PERSONNEL MANUAL, SECTION 300) PROVIDES FOR THE DISCIPLINE AND/OR TERMINATION FOR ANY INDIVIDUAL THAT PARTICIPATES IN UNETHICAL CONDUCT.

SECTION 4
CONTRACTS

SECTION 4.1 – SCOPE

Formal contracts /pricing agreements are required for supplies, equipment, or contractual services, where the valuation exceeds $50,000.

Contracts/agreements are based on specifications that are advertised for competitive bids, unless specifically exempted from competitive bidding by Section 12-204 of the Norman Municipal Code. Bids are opened by the Purchasing Division and referred to staff for evaluation. For contracts where the valuation exceeds $50,000, the staff must forward their recommendation to the City Council for award and approval unless excepted from Council approval by Section 12-203 of the Norman Municipal Code.

The City Council is the only body that can award and approve a formal contract for the City of Norman exceeding the valuation limits set forth herein. The Mayor, or the Mayor Pro Tem in the Mayor's absence, and the City Clerk, or the Deputy City Clerk in the City Clerk's absence, are the only people that can execute a contract for the City of Norman.

The City of Norman provides a fair and impartial consideration to all bidders, and seeks to obtain the highest practical degree of full and free competition.

SECTION 4.2 – COMPETITIVE BIDDING PROCEDURES

Per the Norman Municipal Code, Section 12-205:

The City purchasing authority shall submit to at least three persons, firms, or corporations dealing in and able to supply the same (or a smaller number if there be not three dealing in and able to supply the same), a request for a quotation (or invitation to bid) and specifications, so as to give them opportunity to bid.

Simultaneously or alternatively, the purchasing authority may publish notice of the proposed purchase in a newspaper of general circulation within the City.

All bids received shall be sealed and shall be opened in public at a designated time and place.

The purchasing authority may repeatedly reject all bids, and may again submit to the same or other persons, firms, or corporations, request for quotation (invitation to bid), and/or again publish notice of the proposed purchase.

Acceptance will be made of that bid most advantageous to the City, considering price, quality, date of delivery, and other pertinent factors.

In the event of advantageous tie bids, purchase may be made from one of those tying, giving preference to vendors maintaining offices in and being citizen taxpayers of the City of Norman, or the purchase may be divided among those so tying.

SECTION 4.3 – AWARDING OF CONTRACTS

The City will not make the award at the time of bid opening or receipt of proposals or quotes. After tabulation, the department, which requested the purchase, will review the tabulation sheet and place an award recommendation before the City Council for their approval, unless excepted from Council approval by Section 12-203 of the Norman Municipal Code. If approved by the City Council, the contract document will receive the signature of the Mayor, and will be placed on file with the City Clerk as a legal and binding document.

SECTION 4.4 – FORMAL BIDS

The department works with the Purchasing Division to develop a bid package that includes specifications. Specifications serve as a basis for obtaining supplies or services that are adequate and suitable for the City's needs; keeping in mind the costs of ownership as well as initial acquisition costs. It is the policy of the City of Norman that specifications permit maximum practicable competition consistent with this purpose. Specifications shall not be unduly restrictive and should be drafted with the objective of clearly describing the City's requirements. Specifications should be a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not contain features which unduly restrict competition.

For Federal grants, the bidding department must perform a cost or price analysis for each bid prior to bidding (i.e., bid estimates mostly done by consultants). Profit should be negotiated as a separate element of the price for each contract in which there is no price competition. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry rates in the surrounding geographical area for similar work. Costs or prices based on estimated costs for contracts are allowable only to the extent that costs incurred or cost estimates included in negotiated prices would be allowable under Office of Management Budget Guidance for Grants and Agreements, Subpart E – Cost Principles. The cost plus a percentage of cost and percentage of construction cost methods of contracting must not be used.

Contractors/Consultants used to develop or draft bid specifications, requirements, statements of work, and invitations for bids or requests for proposals must be excluded from competing for such procurements.

The bid package will identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals. Prequalified lists of persons, firms, or products must be current and

include enough qualified sources to ensure maximum open and free competition. Potential bidders are allowed to qualify during the solicitation period.

If the bid documents require additional language to change, clarify or improve the bid, this language shall be prepared as an addendum. The addendum shall be incorporated into the original document, to clarify or make specific the actual requirements of the original document, and will be disseminated in the same manner as the original document.

Bids received after the time and date shown on the Notice to Bidders will not be opened, and will be returned to the Bidder or to the address shown on the envelope.

SECTION 4.5 – ACCEPTING OR REJECTING SINGLE BIDS

Single bids over $100,000 ($50,000 for any "construction management trade contract or subcontract" as defined in the Oklahoma Public Competitive Bidding Act) will be received and opened by the Purchasing Division. These bids may be recommended to be rejected in an effort to increase competition through revision of specifications or expansion of the vendor bid listing. This procedure is based upon a comparison of the cost of the item or service and the time and cost involved to re-advertise the specifications.

SECTION 4.6 – DETERMINATION OF FORMAL BID AWARDS

The City retains the right to waive minor deficiencies of specifications, technicalities or informalities in a bid, provided that the best interest of the City would be served without prejudice to the rights of other bidders.

Tie bids may occur between two or more bidders. If the bids are equal in price and all specifications, the award will be determined as follows:

(a) Local vendors – If all bids received are for the same total amounts or unit price, quality and service being equal, the contract shall be awarded to a local vendor. (Norman Municipal Code, Section 12-205(f))

(b) Outside vendors – When subsection (a) is inapplicable, the City Council may divide the bid among those so tying. (Norman Municipal Code, Section 12-205(f))

Contracts shall be awarded to the bid most advantageous to the City considering price, quality, date of delivery, and other pertinent factors. (Norman Municipal Code, Section 12-205(e) When determining the most advantageous bid, the following factors may be considered:

- Is a responsible contractor with the ability, capacity and skill to perform under the contract and provide the service required.

- Whether the bidder can perform the contract or provide the service promptly, and within the time specified, without delay or interference.
- Character, integrity, reputation, judgment, experience and efficiency of the bidder.
- Quality of performance on previous contracts or services.
- The previous and existing compliance by the bidder with laws and ordinances relating to the contract or service.
- Sufficiency of the financial resources and ability to perform under the contract.
- The quality, availability and adaptability of the supplies, or contractual services to the particular use required.
- The ability to provide future maintenance and service.
- The number and scope of conditions and/or exceptions attached to the bid.
- Pending litigation.

The following situations are excluded from determining the most advantageous bid:

- Placing unreasonable requirements on firms in order for them to qualify to do business;
- Requiring unnecessary experience and excessive bonding;
- Noncompetitive pricing practices between firms or between affiliated companies;
- Noncompetitive contracts to consultants that are on retainer contracts;
- Organizational conflicts of interest;
- Specifying only a "brand name" product instead of allowing "an equal" product to be offered and describing the performance or other relevant requirements of the procurement; and
- Any arbitrary action in the procurement process.

The City reserves the right to accept by item, group of items or by the total bid, whichever is deemed to be in the best interest of the City. If an award is made to multiple vendors for the same item, it is the responsibility of the using department to determine the most advantageous vendor based on the circumstances of each purchase such as delivery time, availability and any quantity discount.

The City reserves the right to reject any bid in part or the whole of any bid.

No award will be made if it is determined that the lowest bid totals more than the money available for purchase or it exceeds reasonable market price.

Split awards will normally only be made if a savings to the City can be made.

SECTION 4.7 – HANDLING OF FORMAL BIDS

RECEIPT – All formal bids will be received by the Purchasing Division. The bid will remain unopened until the time for bid opening.

OPENING – The Purchasing Division will open all formal bids at the appointed time. Such opening shall be open to the public. Bidders or their representatives are invited to be present.

TABULATION – A tabulation sheet for items with two or more bids shall be prepared by the Purchasing Division and become a part of the public record.

ANTI-COLLUSION AFFIDAVIT – Each contract award must be accompanied by a properly signed and notarized anti-collusion affidavit.

BUSINESS RELATIONSHIPS STATEMENT – Each bidder shall accompany the bid with a written statement under oath disclosing the following information: 1) the nature of any partnership, joint venture or other business relationships then in effect or which existed within one (1) year prior to the date of such statement with the architect, engineer, or other party to the project; 2) any such business relationship then in effect or which existed within one (1) year prior to the date of such statement between any officer or director of the bidding company and any officer or director of the architectural or engineering firm or other party to the project; and 3) the names of all persons have any such business relationships and the positions they hold with their respective companies or firms. If none of the business relationships hereinabove mentioned exist, then a statement to that effect.

CONTRACT FORM – A properly signed contract form must accompany each bid.

RECORDS TO BE PUBLIC – All procurement records, which are subject to the Open Records Act, shall be open to public inspection at all regular office hours of the Purchasing Division, except those records containing proprietary trade secrets.

SECTION 4.8 – GROUNDS FOR REJECTION

Bids may be rejected for any of the following reasons or for other sufficient reasons:

- Not responsive to the specifications.
- Unauthorized alteration or erasures.
- Absence of properly signed and notarized anti-collusion affidavit or failure to execute the anti-collusion affidavit properly prior to contract award.
- Giving or offering of gratuities to a City employee or official.
- Vendor has a relationship with a City employee or officer that suggests a conflict of interest with the contract.
- Not in the best interest of the City.

SECTION 4.9 – SUSPENDED/DEBARRED VENDORS

Before award of contracts for projects funded by Federal grants, the department buyer must verify that the vendor has not been suspended or debarred by the Federal Government. This determination can be made by checking the exclusions list in the System for Award Management (SAM); obtaining a certification; or inserting a clause in the contract.

SECTION 4.10 – VENDOR RIGHT TO APPEAL

It is the policy of the City of Norman to deal fairly with all vendors in the competitive bidding process for buying and selling items to and from the City. This policy and procedure is intended to facilitate the resolution of any disputes that may develop as a result of the City's competitive bidding procedures.

If a vendor has a question or disagreement with the City before, during or after, the competitive bidding process, it is recommended that the vendor first contact the Department/Division Buyer immediately. If the vendor is not satisfied with the Department/Division Buyer's response, the vendor may file a formal appeal. A formal appeal must take the following form.

Step 1. The vendor may submit any complaint in writing specifically identifying the area of complaint and containing any support data or other pertinent information substantiating the complaint within five working days of the occurrence. The complaint shall be addressed to: Procurement Analyst, P.O. Box 370, Norman, OK 73070.

The Procurement Analyst will investigate the complaint and review findings with the necessary staff representatives. The Procurement Analyst will then reply in writing within five working days of the date the appeal is received.

Step 2. If the vendor is not satisfied with the Procurement Analyst's written reply, an appeal may be made in writing within five working days to the Finance Director. The Finance Director or designee will hold a hearing to ascertain all facts within 20 working days after receiving notice of appeal. The Finance Director will provide findings and a decision within 10 working days following the date of the hearing.

Step 3. If the vendor is still not satisfied with the Finance Director's reply, the vendor can appeal to the City Manager within five working days following receipt of the Finance Director's reply.

Step 4. If the vendor is still not satisfied with the City Manager's reply, the vendor can appeal to the Cleveland County District Court.

SECTION 4.11 – STATE CONTRACTS/OTHER GOVERNMENTAL AGENCY CONTRACTS

The City may adopt state contracts or other governmental agency contracts in accordance with the Norman Municipal Code, Section 12-204(b)(3) & (4). The State of Oklahoma has multiple contracts that are available to counties, school districts and municipalities. Copies of the contracts are available on the Internet at the Oklahoma Office of Management and Enterprise, Central Purchasing website: https://www.ok.gov/dcs/solicit/app/index.php. State contracts or other governmental agency contracts outside of those available from the State of Oklahoma must be reviewed by the Legal Department for compliance with applicable competitive bidding requirements.

SECTION 4.12 – SOLE SOURCE PURCHASES

The City of Norman Municipal Code, Section 12-204(b)(2) exempts competitive bidding for "supplies, materials, equipment, or contractual services which can be furnished only by a single dealer, or which have a uniform price wherever bought." Department buyers are required to maintain proper documentation regarding sole source purchases.

Sole source purchases may also be used for federal grants when the federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the City. In addition, sole source purchases may be used for federal grants after solicitation of a number of sources, competition is determined inadequate.

SECTION 4.13 – EMERGENCY PURCHASES

The Norman Municipal Code, Section12204(b)(5) establishes the requirements for Emergency Purchases as "supplies, materials, equipment, or contractual services whose purchase is approved by the Council as necessary for the immediate preservation of the peace, health or safety." As such, these purchases are exempt from the City's competitive bidding requirements. All such purchases will be approved by the City Council at the nearest subsequent date to the event giving rise to the emergency purchase. If emergency supplies, materials, equipment or contractual services are necessary to maintain operations, such purchases are exempt from Council approval but must receive prior approval form the City Manager in accordance with Section 12-203 of the Norman Municipal Code.

SECTION 4.14 – COMPUTER, PRINTERS AND RELATED EQUIPMENT/MOBILE COMMUNICATIONS EQUIPMENT

All purchases of these types of items require the approval of the Information Systems Department. This approval should be included in the requisition approval.

SECTION 4.15 – VEHICLES, EQUIPMENT AND ROLLING STOCK

All purchases of these types of items require the approval of the Fleet Division. This approval should be included in the requisition approval.

SECTION 4.16 – BUSINESS OWNED BY THE DISADVANTAGED

Each department is encouraged to identify and utilize businesses owned by disadvantaged or minority persons. Contracts over $100,000 ($50,000 for any "construction management trade contract or subcontract" as defined in the Oklahoma Public Competitive Bidding Act) must be competitively bid and there is no preference.

The City's affirmative action steps shall include the following:

- Including qualified businesses owned by disadvantaged or minority persons or entities on vendor lists.
- When economically feasible, dividing total requirements into smaller tasks or quantities so as to permit maximum small and minority business participation.
- Using the services and assistance of the Small Business Administration, the Office of Minority Business Enterprise and others as available.
- Where the requirement permits, establish delivery schedules which will encourage participation by small and minority-owned business.
- If any subcontracts are to be allowed, it is a requirement that the prime contractor take affirmative action steps as outlined in above.

SECTION 4.17 – BONDING REQUIREMENTS

The following bonds will be required as set forth below:

- For bids on public construction contracts exceeding $100,000, a bid bond, certified check, or cashier's check must accompany each bid equivalent to five percent of the bid price as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.
- Upon notification of City's intent to award the contract, the successful bidder must provide the following three bonds:
    - A performance bond on the part of the contractor for 100 percent of the contract price. A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract.
    - A payment bond on the part of the contractor for 100 percent of the contract price. A "payment bond" is one executed in connection with a contract to assure payment as

required by law of all persons supplying labor and materials in execution of the work provided for in the contract.

- A maintenance bond on the part of the contractor for 100 percent of the contract price. A "maintenance bond" is one executed in connection with a contract to ensure the contractor will correct any defects that arise.

SECTION 5
OPEN MARKET PURCHASES

SECTION 5.1 – DEFINITIONS

Open market purchase – Any purchase of supplies and/or contractual services that is made without formal competitive bidding.

Open market purchase authority – Supplies and/or contractual services that cost less than $100,000 in City funds may be purchased on the open market without a formal bid.

SECTION 5.2 – PROCEDURE

Purchases made by the City will be based on the following requirements:

$0 - $5,000	No verbal quote required
$5,001 - $10,000	Three verbal (telephone) quotes required
$10,001 – $99,999	Three written quotes required
>$100,000	Competitive bids are required

Departments may solicit informal price quotations for open market purchases by any of the following methods:

- Direct mail.
- Telephone.
- Public notice.
- E-mail.
- Facsimile.
- Electronic posting by Internet service provider.
- Other mean authorized by Purchasing.

Documentation must be maintained by the departmental buyer to support each purchase decision. When the award is not given to the lowest bidder, a full and complete statement of the reasons shall be entered in the records of the purchasing transactions. When determining the most advantageous bid, in addition to price, the following factors may be considered:

- The ability, capacity and skill to perform or provide the service required.
- Whether the bidder can perform or provide the service promptly and within the time specified without delay or interference.
- The character, integrity and reputation of the bidder.
- The judgment, experience and efficiency of the bidder.

- The quality and performance of previous contacts or purchases.
- The previous and existing compliance by the bidder with laws and ordinances relating to contracts or purchases.
- The sufficiency of the financial resources and ability to perform.
- The quality, availability and adaptability of the supplies or contractual services to the particular use required.
- The ability to provide future maintenance and service.
- The number and scope of conditions and/or exceptions attached to the bid.
- Any pending litigation.

SECTION 5.3 – PURCHASING CARDS (P-CARDS)

PURPOSE

The purpose of this policy is to establish eligibility, authorized use, documentation, reconciliation, and payment requirements for the City of Norman Purchasing Card (P-Card) program. The P-Card is intended to be used for job-related expenses and approved budget items only and is designed to improve operational efficiency while maintaining strong fiscal controls, transparency, and accountability.

SCOPE

This policy applies to all City of Norman departments, employees, and officials who are issued a purchasing card or who participates in the authorization, use, approval, reconciliation, or administration of the P-Card program. This policy hereby expressly adopts by reference the Purchasing Card (P-Card) Program Cardholder Manual & Operating Procedures, as if fully set forth herein.

The Treasury Division of the Finance Department is responsible for administration of the P-Card program, including:

- Authorizing issuance and use of P-Cards
- Assigning and modifying credit limits
- Establishing card controls and procedures
- Reconciling card statements
- Monitoring compliance and conducting reviews

The program operates under the authority of the City Manager or their designee.

ELIGIBILITY AND ISSUANCE

1. The City of Norman may issue a P-Card only to individual employees for job-related expenses.
2. Issuance of a P-Card requires:
    - Approval by the Department Head
    - Approval by the Treasury Division
    - Completion of required P-Card training
3. All cardholders must sign a P-Card Cardholder Agreement acknowledging acceptance of the terms and conditions of this policy. See Apendix A.

4. Cardholders are required to download and utilize the City-designated expense tracking application to document and submit transactions and receipts.

AUTHORIZED USE AND BUDGET REQUIREMENTS

1. Employees shall use the P-Card only for business-related expenses incurred on behalf of the City of Norman.
2. All purchases must:
    - Be for approved budget items, and
    - Be within the cardholder's available budget
3. Any item not specifically budgeted must receive prior authorization from the Department Head or City Manager.
4. Before any purchase is made, the employee must verify that sufficient funds are available in the applicable budget.

PROHIBITED USES

The following uses of the P-Card are strictly prohibited:

- Personal purchases of any type
- Alcoholic beverages
- Cash advances or cash withdrawals
- Gift cards or cash equivalents
- Purchases that violate City policy, purchasing procedures, or applicable law

CARDHOLDER RESPONSIBILITY AND LIABILITY

1. Prohibited uses may result in corrective or disciplinary action.
2. The cardholder is responsible for any unauthorized or improper charges appearing on the credit card statement.
3. Cardholders are responsible for safeguarding the P-Card and account number at all times.
4. Cardholders are responsible for:
   o Timely allocation (30 days) of expenses in the designated expense tracking system
   o Uploading required receipts and documentation
   o Ensuring all transactions are properly coded and submitted for review

DOCUMENTATION AND RECEIPT REQUIREMENTS

1. An itemized receipt is required for every purchase and must include:
    - Vendor name
    - Transaction date
    - Itemized description
    - Amount charged
    - Brief description of the business purpose

2. Expense Tracking Application Requirement
   All receipts must be uploaded into the City-designated expense tracking application using a mobile device, desktop computer, or other approved method.
3. Meal Purchases
   In accordance with Internal Revenue Service (IRS) regulations, meal receipts must also include the names of all persons involved in the purchase.
4. Receipt Submission Timeline
   Receipts and documentation must be submitted to the Administrative Technician (Admin Tech):
   - Within 24 hours of card use, or
   - Immediately upon return from a road trip
5. Missing receipts require completion of a Missing Receipt Affidavit and may result in corrective or disciplinary action.

PURCHASE ORDERS AND DEPARTMENT RESPONSIBILITIES

1. Each department is responsible for:
   - Creating the appropriate requisition and Purchase Order (PO)
   - Scanning or delivering all supporting documentation to the Treasury Division
2. Use of a P-Card does not eliminate the requirement to comply with City purchasing policies and procedures.

RECONCILIATION AND PAYMENT PROCESS

1. Upon receipt of the monthly credit card statement, the Treasury Division will:
   - Match receipts to individual transactions
   - Reconcile charges to the appropriate requisition/PO
   - Ensure proper accounting and payment
2. Cardholders and departments must cooperate fully with Treasury staff to resolve discrepancies promptly (30 days).

CREDIT LIMITS AND CONTROLS

1. The Treasury Division is responsible for:
   - Assigning P-Card credit limits
   - Modifying limits as necessary
   - Coordinating card controls with Bank of Oklahoma (BOK)
2. Splitting purchases to avoid credit limits, budget limits, or purchasing requirements is strictly prohibited.

MISUSE, VIOLATIONS, AND DISCIPLINARY ACTION

1. Failure to comply with this policy may result in:
   - Revocation of P-Card privileges
   - Mandatory retraining

    - Suspension of card use privileges for failure to timely submit or properly document expenses
    - Disciplinary action, up to and including termination
    - Repayment of unauthorized or improper charges
2. Serious misuse may result in referral to law enforcement.

LOST OR STOLEN CARDS

- Cardholders must immediately notify Bank of Oklahoma (BOK) upon discovery that a P-Card is lost, stolen, or compromised in order to prevent unauthorized use.
- Cardholders must then promptly notify the Treasury Division / Finance Department.
- Failure to report a lost or stolen card in a timely manner may result in cardholder liability for unauthorized charges.

CARD CANCELLATION

P-Cards must be surrendered to the Treasury Division upon:

- Employee separation from City employment
- Transfer to a position that no longer requires a P-Card

Request by the Treasury Division, Finance Director, or City Manager

SECTION 6
PAYMENT PROCESSING

SECTION 6.1 – ENCUMBRANCES

All City purchases must be encumbered (monies set aside for a specific purpose) and a purchase order (PO) issued except for periodic utility bills, employment or other taxes, pension fund payments, or periodic insurance payments (62 O.S. Section 304.1 and 305.1).

SECTION 6.2 – REQUISITION APPROVAL

Each department is responsible for ensuring proper segregation of duties exists between designated department buyers, requisition entry and requisition approval. No one departmental employee should be able to perform all three functions.

Departmental buyers are required to submit original invoices that include the following information:

- Vendor's name and address.
- Ship to address (Department Name and Location).
- PO number.
- Itemization of each item purchased.
- Description, stock number, unit cost and quantity.
- Unit of issue (each, box, dozen, pound, etc.).
- Total amount of invoice

Purchasing will not pay from a vendor statement. As stated above, an original invoice is required. Also, for purchases over $25,000 a Non-Collusion Affidavit is required with each invoice (see Exhibit X).

SECTION 6.3 – PURCHASE ORDER ADJUSTMENT

The City understands that at the time of requisition, specific purchase costs may not be totally known. As such, the City's maintains a policy that POs may be adjusted by the Purchasing Division by no more than 10% above the original total.

SECTION 6.4 – VENDOR FILE SETUP/MAINTENANCE

The Purchasing Division must approve all vendors before use. Each new member is required to submit information including:

- Name.

- Address.
- Remit information
- Properly completed IRS Form W-9.

Any changes to vendor information must be submitted to the Purchasing Division for update.

SECTION 6.5 – YEAR-END PAYMENT PROCESSING

The City and its related Trusts are required to pay for all goods and services received in a timely manner. Each employee, supervisor, and Department is ultimately responsible for making certain these payments are completed as soon as possible after receipt of merchandise or services. It is especially critical that transactions occurring at or near June 30 be paid as soon as possible.

Year-End Closing Memo

The Accounting Division will issue a year-end memo in early June of each year. This memo will provide closing instructions and deadlines to ensure City Departments and Trusts meet the necessary requirements for the Finance Department to close out the fiscal year.

Encumbrances

Purchases for a fiscal year must be encumbered in the same fiscal year. All requisitions must be entered into the system, pass all edits, be approved and budget checked, prior to the deadline set by the Finance Department. This will ensure anticipated purchases are encumbered prior to the end of the fiscal year.

Petty Cash Replenishments

Petty cash tickets for purchases made during the current fiscal year must be submitted to the Treasury Division by the deadline specified in the year-end memo.

Invoices

Invoices are to be encumbered for the exact amount of the invoice. During the month of July, the prior fiscal year remains open for invoice processing. All invoices dated prior to July 1 should be forwarded to Purchasing for processing as soon as possible after receipt. These invoices must be paid from the appropriate fiscal year's budget; therefore, it is **extremely important that they be processed during the month of July.** Invoices not processed within the current fiscal year will be tracked separately for audit. A list will be sent to the department/division where they originated for a written explanation/reconciliation regarding the reason that processing was not timely.

P- Card Purchases

Invoices for P-Card purchases made before the end of the fiscal year need to be forwarded to the Treasury Division in early July to allow processing of payments against the purchase orders that relate to the July credit card statement payment.

Trip Expense

Expenses for trips should be paid from that year's budget with the exception of specific expenditures such as those required for the pre-payment of registration, lodging, and/or transportation. Trip reports and receipts that are required as documentation for travel checks issued by the Treasury Division for travel prior to July 1 should be forwarded to the Treasury Division two weeks after the fiscal year-end.

SECTION 7
PROPOSAL AND PROFESSIONAL SERVICE CONTRACTS

SECTION 7.1 – WHY PROFESSIONAL CONSULTANTS ARE USED

Professional Consultant Services are generally used to obtain the following:

- An opinion, advice or skill that is generally needed only temporarily and is not readily available within the department or from any other department.
- Use of specific professional disciplines in an advisory, planning or evaluative capacity to comply with statutory or obligatory mandates.
- Expertise, which provides a broader perspective or objective opinion on critical or sensitive issues.
- Benefits of developments in industry, university or foundation research.
- Opinions and/or involvement of experts whose established knowledge and stature may contribute to the success of important projects, goals and objectives.
- Expertise that provides knowledge and skill for projects involving the use of computer technology or other types of technology.
- Performance of one-time tasks or activities of limited duration that do not warrant additional full-time staff.
- Performance of one-time tasks or activities of limited duration that require augmentation of permanent staff in order to comply with deadlines.
- Advice or assistance resulting in a report or other deliverable service delineating the alternative courses of action and recommendations based upon the expertise possessed by the individual, firm or organization or other professional or technical services as determined by the City Council to be necessary or beneficial to the City or its authorities.

SECTION 7.2 – AUTHORITY

In accordance with Norman Municipal Code, Section 12-204(b)(6), the use of "contractual services of a professional nature, such as engineering, architectural, and medical services" are exempt from competitive bidding requirements.

SECTION 7.3 – POLICY

The City's policy regarding use of professional services is to prepare a Request for Proposal (RFP) to solicit at least three responses from professionals before selection is made for services with a cost in excess of $100,000. It is important to note that selection of the proposal with the lowest cost is not required by the City, rather other factors must be considered based on the type of professional service requested.

SECTION 7.4 – CONTRACT APPROVAL

In accordance with Norman Municipal Code, Section 12-203, "the City Council must approve all contracts for, or purchase of, supplies, equipment, or contractual services, where the valuation exceeds fifty thousand dollars ($50,000.00), prior to the signing of such contracts or the transaction of such purchases." Contracts and purchases valued between $25,000 and $50,000 that would otherwise be required to be approved by Council shall be reported to Council on a monthly basis.

SECTION 7.5 – CONTRACT MONITORING

The requesting department shall assign a staff member to oversee and monitor each contract to ensure the consultant performs all tasks and services and to ensure that the City derives maximum benefit from the contract and contract services.

Throughout the term of the contract, the requesting department shall evaluate the following:

- Report of consultant findings and recommendations and a report of the consultant performance.
- Strengths and weaknesses of services and approach.
- Contract performance in accordance with terms, conditions, and specifications of the contract.
- Contract costs, time and expenditures.
- Task and service progress and estimated completion date.
- Scheduling and deadline compliance or non-compliance.
- The preliminary and final findings and recommendations.

SECTION 8
SUSTAINABLE PURCHASING POLICY

SECTION 8.1 – PURPOSE

The purpose of this policy is to communicate the City's commitment, when cost effective, to purchase products that are less toxic, wasteful, and costly to dispose of; conserve energy, water, and other natural resources; and last longer.

Nothing in this policy shall require a department, employee, or vendor under contract with the City, to exclude competition or to purchase products or services that do not perform adequately or are not available at a reasonable price in a reasonable period of time.

SECTION 8.2 – SUSTAINABILITY GOALS

In its purchasing of products and services, the City of Norman has the opportunity to address sustainability goals. Therefore, it is the policy of the City to incorporate sustainability considerations into purchasing decisions, when cost effective, in order to:

- Promote practices that improve human and environmental health;
- Protect and conserve natural resources and energy;
- Minimize the City's contribution to pollution and solid waste; and
- Support the City's sustainability goals and initiatives.

SECTION 8.3 – PURCHASING SUSTAINABLE PRODUCTS AND SERVICES

In order to achieve these goals, City departments, employees, and contractors, when doing business with or on behalf of the City, where cost effective, shall take into account the following when identifying, soliciting, and evaluating products or services procured with City funds:

(a) To the extent feasible, reduce the amount of materials purchased that must be accounted for, managed, reused, recycled, or sent to landfills. By reducing the amount of materials purchased, the City will prioritize waste and cost reduction. Examples include:
    - Renting or leasing equipment not needed on a regular basis;
    - Utilizing centralized printers, instead of desktop printers;
    - Purchasing recycled copier paper; and
    - Changing copier and printer defaults to print double-sided.

(b) Purchase recycled and recyclable products when practical.

(c) When a product has operating and maintenance costs, these costs should be taken into account in addition to up-front purchase cost. This total "lifecycle cost" should be used to

determine the most cost-effective purchase for the City. Examples include items such as HVAC systems, vehicles, and IT equipment.

(d) Take consideration of the environmental impacts of the item purchased. Examples of factors to consider include:

- Conserving natural resources and minimizing the use of electricity and fuel;
- Reducing the generation and emissions of pollutants;
- Reducing waste in the manufacturing, use, and packaging of products;
- Considering at the time of purchase how the product will be disposed;
- Minimizing transportation impacts of products; and
- Considering factors that provide other environmental and health benefits.

(e) Give consideration to products with independent third-party labels that verify minimum health and environmental standards. Examples include Energy Star, Forestry Stewardship Council, Green Seal, and EcoLogo.

SECTION 9
CASH MANAGEMENT – FEDERAL GRANTS

SECTION 9.1 – GENERAL

Federal grant awards are typically managed on a reimbursement basis as this is the preferred method of payment of Federal awarding agencies. When an award is provided on a reimbursement basis, program costs must be paid for with City funds before reimbursement can be requested.

When Federal grant funds are advanced to the City, the payment methods of the City must minimize the time elapsing between the transfer of funds from the United States Treasury or the pass-through entity and the disbursement by the City. Advance payments must be limited to the minimum amounts needed and be timed to be in accordance with the actual immediate cash requirements of the City in carrying out the purpose of the approved program or project. The City may be required under some circumstances to pay interest to the Federal Government.

SECTION 9.2 – FEDERAL TRANSIT ADMINISTRATION (FTA) GRANTS

It is the policy of the City regarding FTA grants that all drawdowns are done on a reimbursement basis since the City provides the cash flow and pays all City expenses. Then the drawdowns are completed to reimburse them.

SECTION 10
FEDERAL TRANSIT ADMINISTRATION (FTA) GRANTS

SECTION 10.1 – GENERAL

City of Norman will review FTA Circular 4220.1F, Third Party Contracting Guidance, to ensure that all FTA-funded procurements also comply with applicable Federal law. City of Norman will remain current with all FTA updates to its regulations.

SECTION 10.2 – FEDERAL TRANSIT ADMINISTRATION (FTA) GRANTS

City of Norman will comply with all procurement requirements with special attention to independent cost estimates, cost/price analysis, and FTA required clauses and certifications as described below.

A. Independent Cost Estimate/Cost (ICE) and Cost/Price Analysis

As required by FTA Circular 4220.1F, Chapter VI, Paragraph 6, City of Norman will perform an independent cost estimate (ICE) ***before*** receiving bids or proposals and also perform a cost or price analysis ***after*** the bid price has been received. The ICE and cost/price analysis will be performed with *all* procurements including contract modifications, sole source procurements, or exercising options for piggyback contracts. City of Norman will also perform ICE and cost/price analyses when purchasing products from an eligible State contract. In all circumstances, the ICE shall be performed ***before*** contracts are executed.

City of Norman will use the ICE to establish a benchmark for evaluating proposed costs or prices and cost/price analyses to ensure that City of Norman has performed due diligence to obtain a fair, reasonable price for each procurement. Depending on the procurement, the ICE may be a simple budgetary estimate or a complex estimate based on inspection of the product and review of drawings and specifications.

City of Norman may base the ICE on a reliable source such as historical payment, industry standard, or market survey, or may obtain informal cost estimates from suppliers or manufacturers. City of Norman will attempt to perform its own ICE or cost/price analyses. However, when it is necessary to use an outside party, City of Norman will ensure that there are no organizational conflicts of interest and that no outside party receives a competitive advantage from knowledge of the cost estimate.

1. Independent Cost Estimates (ICE)

Methods of Independent Cost Estimates (ICE)

City of Norman will use publicly published price lists, recently invoiced prices, or outreach/market surveys to determine the independent cost estimate (ICE).

Publicly published price lists. This method includes price lists, catalog pricing or other reasonable price for off-the-shelf procurements, including technology, office supplies, and/or training.

Recently invoiced prices. This method includes use of invoicing received recently. For technology purchases, City of Norman will use invoices received within the past 6 months.

Outreach/market surveys. City of Norman will generally use this method when published list prices or recent procurement prices are not available or when it is preferable to get fair and reasonable prices from other agencies when the procurement is of a similar size and/or when the project price is of similar scope.

ICE Supporting documentation.

Micro purchases (up to $10,000). No ICE is required.

Small purchases ($10,000 to $250,000). The ICE is required. Supporting documents will include:

- The requisition or purchase request
- Specifications and/or scope of work
- Independent cost estimate (ICE)
- List of firms from whom quotes were requested
- Quotes received
- Purchase Order

Full solicitations (over $250,000). The ICE is required. Supporting documents will include:

- Independent cost estimate (ICE)
- Request for proposal or bid, including scope of work, specifications, contract terms, and options
- FTA required clauses
- Draft contract/agreement between City of Norman and bidder

2. Cost or Price Analysis

Price analysis. City of Norman will provide a price analysis with each bid when there are items for sale for which it is possible to obtain pricing from other vendors or pricing from other transit agencies that have purchased similar products in a recent procurement.

Cost analysis. City of Norman will perform a cost analysis when a price analysis cannot be performed. When there is no commercial product available, when City of Norman is requesting professional services, or when the product or service cannot be compared with other products or services.

City of Norman will perform a price or cost analysis for all sole source procurements to determine whether the price is fair and reasonable.

City of Norman will ensure that the procurement file includes adequate documents to support each step of the federally funded acquisition process.

B. FTA Required Contract Clauses and Certifications

For each procurement, City of Norman will review the required third-party contract clauses and certifications to determine those required according to the type and size of the procurement. City of Norman will also review the FTA website regularly to identify any changes that may occur.

The applicable clauses and certifications will be included with a request for proposal, request for qualifications, or bid. City of Norman transit staff will coordinate with the City of Norman Finance/Purchasing to ensure that the required applicable clauses and certifications are included in all FTA-funded procurements.

Upon contract award, City of Norman will also review contract documents to ensure that all applicable FTA clauses, certifications, etc. are included and signed.

FTA Lobbying Certification. The FTA lobbying certification is required for all types of procurement awards that exceed $100,000. City of Norman will ensure that the FTA lobbying certification is included and signed in all contracts that exceed $100,000.

C. Piggybacking Procedures

If the City of Norman will ensure the following if considering purchasing goods and services by "piggybacking" through joint procurements by State or local agreements.

- The solicitation and contract include an assignability clause that allows for the assignment of all or part of the specified deliverable items.

- The quantities to be ordered were included in the original bid and evaluated as part of the contract award decision. Note that "piggybacking" is not permissible when the action would call for an increase in quantities that were not originally bid on and not originally evaluated as part of the contract award. Such an order for additional quantities would constitute a non-competitive procurement. This practice is sometimes referred to as "tag-ons." Such non-competitive procurements would have to be processed as such and approved through the grantee's official approval chain.

- The contract being accessed by the piggybacking procedure must contain the clauses required by Federal regulations.

D. Cost Allowability for Charges Against Federal Awards

General. All costs incurred by City of Norman under a grant award from the U.S. Department of Transportation, Federal Transit Administration, shall be subject to the cost allowability standards articulated in OMB's *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.*

Procedure. Prior to entry into the general ledger, the Transit Supervisor shall determine if the nature of the expense and determine if the expense:

> *Allowability* – meets the general requirements established in 2 CFR §200.403(a) through §200.403(g). City of Norman will maintain a system of internal controls over Federal expenditures to provide reasonable assurance that Federal awards are expended only for allowable activities

and that the costs of goods and services charged to Federal awards are allowable and in accordance with the above referenced cost principles.
Those controls will meet the following general criteria:

- Be necessary and reasonable for the performance of the Federal award and be allocable thereto under these principles.
- Conform to any limitations or exclusions set forth in these principles or in the Federal award as to types or amount of cost items.
- Be consistent with policies and procedures that apply uniformly to both federally-financed and other activities of the city.
- Be accorded consistent treatment.
- Be determined in accordance with generally accepted accounting principles.
- Not be included as a cost or used to meet cost sharing or matching requirements of any other federally-financed program in either the current or a prior period.
- Be adequately documented.

Selected Items of Costs – is consistent with one of the allowability factors for selected items of costs articulated in 2 CFR §200.420 through §200.475.

Grant Budget – is consistent with the allowable expenses provided for in the grant agreement.

The City of Norman Purchasing Policies and Procedures are approved as of the date last revised set forth herein.

City Manager
City of Norman, Oklahoma

APPENDIX A
PURCHASING CARD (P-CARD) CARDHOLDER AGREEMENT

Cardholder Acknowledgement and Agreement

I, _____, hereby acknowledge receipt of a City of Norman Purchasing Card (P-Card).

P-Card Number (Last 4 Digits Only): _____

I understand that improper use of this card may result in disciplinary action and personal liability for any improper purchases. As a cardholder, I agree to comply with the terms and conditions of this agreement and the City of Norman Purchasing Card (P-Card) Policy.

I acknowledge receipt of the City of Norman Purchasing Card Policy and confirm that I understand and agree to the terms and conditions governing use of the card.

As a holder of this Purchasing Card, I accept full responsibility and accountability for the protection and proper use of the card. I understand that:

1. The P-Card is to be used for official City of Norman business only.
2. Personal purchases of any kind are strictly prohibited, including purchases for any other entity.
3. I am required to download and use the City-designated expense tracking application to document all transactions.
4. I must obtain, upload, and submit an itemized receipt for every purchase in a timely manner (30 days).
5. I am responsible for allocating my expenses and submitting all required documentation promptly.
6. Failure to timely submit receipts (30 days), allocate expenses, or provide proper documentation may result in suspension or revocation of my P-Card privileges.
7. If I fail to provide a receipt substantiating a legitimate business expense in a timely manner (30 days), I may be subject to disciplinary action.
8. Misuse of the card, including personal purchases, unauthorized purchases, or failure to provide required documentation, may result in disciplinary action up to and including termination.
9. The City of Norman shall be entitled to pursue legal action, if required, to recover the cost of improper purchases, together with costs of collection and reasonable attorney fees.
10. I will immediately return the P-Card to the Treasury Division upon demand or upon separation from City employment.
11. I understand that failure to comply with this agreement or City policy may result in revocation of my P-Card privileges.

Cardholder Signature: _____

Date: _____

Department Representative Signature: _____

Date: _____

Accounting / Treasury Department Use Only

Date Approved: _____

Credit Limit / Amount Approved: $_____

Treasury / Accounting Authorized Signature: _____

APPENDIX B
PURCHASING CARD (P-CARD) CARDHOLDER AGREEMENT FOR CITY COUNCILMEBERS

Cardholder Acknowledgement and Agreement

I, _____, Ward ___/Mayor hereby acknowledge receipt of a City of Norman Purchasing Card (P-Card).

P-Card Number (Last 4 Digits Only): _____

I acknowledge receipt of, accept and agree to abide by the City of Norman Purchasing Card (P-Card) Policy, with respect to my use of a City of Norman P-Card.

I understand that improper use of this card may result in having to reimburse the City for any improper purchases or misused funds, whether by agreement or as a result of a civil court action and/or referral for criminal investigation as appropriate. As a cardholder, I agree to comply with the terms and conditions of this agreement and the City of Norman Purchasing Card (P-Card) Policy.

I acknowledge receipt of the City of Norman Purchasing Card Policy and confirm that I understand and agree to the terms and conditions governing use of the card.

As a holder of this Purchasing Card, I accept full responsibility and accountability for the protection and proper use of the card. I understand that:

1. The P-Card is to be used for official City of Norman business only.
2. Personal purchases of any kind are strictly prohibited, including purchases for any other entity.
3. I must obtain and submit an itemized receipt for every purchase in a timely manner (30 days).
4. I am responsible for allocating my expenses and submitting all required documentation promptly.
5. Failure to timely submit receipts (30 days), allocate expenses, or provide proper documentation may result in suspension or revocation of my P-Card privileges.
6. If I fail to provide a receipt substantiating a legitimate business expense in a timely manner (30 days), I may be required to reimburse charged expenses.
7. Misuse of the card, including personal purchases, unauthorized purchases, or failure to provide required documentation, may result in a requirement to reimburse charged expenses, by agreement or as a result of court action or criminal investigation.
8. I will immediately return the P-Card to the City Manager/City Clerk upon demand or upon separation from my position as a City official.
9. I understand that failure to comply with this agreement or City policy may result in revocation of my P-Card privileges.

Cardholder Signature: _____

(Circle/Complete One): Ward _____/Mayor

Date: _____

City Manager Signature: _____

Date: _____

Accounting / Treasury Department Use Only

Date Approved: _____

Credit Limit / Amount Approved: $_____

Treasury / Accounting Authorized Signature: _____

DEVELOPMENT PROCESS

Summary of the Development Process

Guidelines for Application of Zoning Laws and Procedures

AIM Norman – Land Use Sections

AIM Norman – Implementation (Land Use)

2026 Calendars

DEVELOPMENT PROCESS

Norman's development process is structured to balance community engagement, regulatory oversight, and technical efficiency. The process is managed primarily through two departments - the Public Works Department and the Planning and Community Development Department. The Public Works Department manages subdivision of land (generally through platting) and construction of public improvements during the development process. It manages multi-agency coordination, conducts monthly Development Review Team meetings, and ensures applicable standards are met through the platting process. The Planning and Community Development Department oversees the City's comprehensive planning, zoning, and code enforcement efforts. It supports various boards and commissions, including the Planning Commission, the Board of Adjustment, Historic District commission and the Neighborhood Planning Program to guide land use decisions and safeguard the public health, safety and welfare. Within the Planning and Community Development Department, Development Services handles building plan reviews, permits, inspections and Certificates of Occupancy or Completion. They enforce city and state codes pursuant to adopted ordinances.

Typical Development Process Steps

1. Pre-Development Meetings. Pre-Development Meetings are required when an application is made to the City for one of the following:
    - Land Use Plan Amendment
    - Rezoning of any parcel larger than 40 acres
    - Special Use Permit
    - Preliminary Plat or Norman Rural Certificate of Survey (COS)
    - New Commercial Communication Tower

    Pre-Development Meetings are held to provide an opportunity for nearby property owners to learn about the proposed development, ask questions and discuss any concerns with the applicant. Through this meeting, concerns can be addressed and solutions incorporated into the formal application when filed.

2. Planning Commission Meetings. The Planning Commission reviews all applications for Rezoning, Special Use Permits and Land Use Amendments. Notice is provided to property owners within a 350-foot radius of the property proposed to be developed.

3. Council Meetings. After Planning Commission action, the development application, along with the Planning Commission's recommendation, is forwarded to the City Council. Rezoning requests require consideration of an ordinance, which means the Council will

provide notice of the ordinance on First Reading, and consider the merits of the application/ordinance on Second and Final Reading at the following Council meeting. If over 50% of the landowners within the radius area file protests, 7 affirmative votes by Council are required for adoption; otherwise, 5 affirmative votes are required for passage. Ordinances adopted by Council become effective 30 days after adoption unless the ordinance includes an emergency clause.

4. Engineering and Platting Review. Parallel to the process described above, the Development Team, which is comprised of a Subdivision Development Manager, a Development Engineer, a Subdivision Development Coordinator, a Surveyor and an Engineering Technician, is working with the applicant for subdivision applications to ensure regulatory requirements for acceptance and filing of the final plat. The Development Review Team, which includes the Development Team and applicable staff from Planning and Community Development, review subdevelopment applications. In the case of development applications in Center City, the Design Review Team also includes a citizen member who is a resident of the District.

Comprehensive Land Use Plan – AIM Norman

Cities adopt land use plans to assist City staff and City Council make long-term investment and land use decisions. It is not a regulatory plan, rather, it provides guidance and is subject to change as property develops and growth occurs. AIM Norman, the current comprehensive land use plan, was adopted in June 2025 and is intended to serve as a planning document through 2045. When an applicant seeks a rezoning of property, if the requested zoning designation is inconsistent with the land use plan, the applicant is required to also request an amendment to the land use plan. This requires Council approval and will be considered by Council prior to the Second Reading of a companion zoning ordinance amendment. AIM Norman can be found linked on the City's website here: https://www.normanok.gov/your-government/departments/planning-and-community-development/planning-projects

Center City Form Based Code

The Center City visioning process began in 2014 and ultimately resulted in the adoption of the Center City Form Based Code. The Code applies to the redevelopment of properties generally located between Boyd Street on the South, Gray Street on the North, University Boulevard on the West and the railroad tracks on the East. The goal of the Code was to implement the following goals of the visioning process for new, infill development, and redevelopment within the Center City district:

- Capitalize on public investment in existing infrastructure
- Stabilize and strengthen mixed-use commercial centers and residential neighborhoods
- Create a pedestrian-oriented and multi-modal district

- Promote, create and expand housing options
- Ensure transit-supportive and transit-serviceable development
- Ensure a complementary relationship with surrounding neighborhoods

The Code has been amended several times, most recently in August 2023.

Council's Role in the Development Process

Councilmembers may learn of proposed development projects prior to the projects coming forth to Council for consideration. Oftentimes, developers will reach out to councilmembers for input and feedback prior to Council consideration. Councilmembers may wish to attend Pre-Development meetings or the Planning Commission meetings to learn more about the project and hear the reaction and input of neighboring property owners. These meetings provide important opportunities for impacted residents to speak about the proposed project, but they aren't designed to be an opportunity for Councilmembers to speak up about the project. It is not unusual for a proposed development to undergo changes in response to the feedback at the Pre-Development or Planning Commission meeting, so withholding comment and judgment until Council's consideration of the project allows Councilmembers to ensure they are considering the most up-to-date information. Council deliberations and ultimately, any related decision making should occur at the Council's public meeting on the subject, after a public hearing on the matter, where required.

GUIDELINES FOR APPLICATION OF ZONING LAWS AND PROCEDURES

The purpose of this memorandum is to provide you with information regarding how to approach zoning decisions when they come before Council for consideration. The memorandum discusses zoning in the United States; Oklahoma Statutes on zoning; the City of Norman 2025 Land Use and Transportation Plan; the City of Norman Zoning Ordinance; and common types of zoning litigation in Oklahoma, including recent cases from Norman.

Background on Zoning in United States

The practice of zoning was reviewed by the United States Supreme Court for the first time in *Village of Euclid, Ohio v. Ambler Realty Co.* 272 U.S. 365 (1926). Ambler Realty Company owned sixty-eight acres in Euclid, a suburb of Cleveland, Ohio. *Id.* at 379. In 1922, the City of Euclid adopted a comprehensive zoning plan, via ordinance, for regulating and restricting the location of trades, industries, apartment houses, two-family homes, single family homes, and the size and height of buildings. *Id.* Ambler Realty sued on the grounds that the comprehensive zoning ordinance denied Ambler Realty due process of law and equal protection under the law according to the Fourteenth Amendment of the Constitution of the United States. *Id* at 384. They asked the Supreme Court to prevent the City of Euclid from enforcing the ordinance. *Id.* The Court, in reviewing the case, provided the following history:

> Building zone laws are of modern origin. They began in this country about 25 years ago. Until recent years, urban life was comparatively simple; but, with the great increase and concentration of population, problems have developed, and constantly are developing, which require, and will continue to require, additional restrictions in respect of the use and occupation of private lands in urban communities. Regulations, the wisdom, necessity, and validity of which, as applied to existing conditions, are so apparent that they are now uniformly sustained, a century ago, or even half a century ago, probably would have been rejected as arbitrary and oppressive. *Id.* at 386-387.

According to the Court, laws such as this one must find their justification in some aspect of the police power asserted for the public welfare. *Id.* And, even though Ambler Realty alleges that the value of their property fell from $10,000/acre to $2,500/acre as a result of the zoning designation imposed on the lot by the comprehensive plan, the Court determined that the ordinance was a valid exercise of the City of Euclid's authority. *Id.* at 397.

With this decision in *Euclid*, the United States Supreme Court opened the door to the proliferation of zoning laws. The cases that followed have mirrored the analysis used by the Court in *Euclid*. Modern zoning laws seek to accomplish the following:

> Generally zoning ordinances may be and are designed to guide the future growth of a city. A basic purpose of zoning should be the solution of problems of the present and, so far as they can reasonably be anticipated, of the future. In this respect it must be co-ordinated with city planning as a whole. Zoning seeks to stabilize and protect, not to destroy; it seeks to safeguard the future, and also to repair mistakes of the past. 8 McQuillin Mun. Corp. § 25:32 (3d ed.).

Oklahoma Statutes on Zoning

In adopting such ordinances, municipalities are frequently guided by state statutes that grant authority to municipal legislatures to zone. Most commonly, these statutes authorize municipal legislative bodies to zone for the purpose of "promoting the health, safety, morals, or the general welfare of the community." 8 McQuillin Mun. Corp. § 25:64 (3d ed.). In Oklahoma, Title 11 of the State Statutes provides:

> For the purpose of promoting health, safety, morals, or the general welfare of the community, a municipal governing body may regulate and restrict the height, number of stories, and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, and the location and use of buildings, structures and land for trade, industry, residence or other purposes. 11 O.S. § 43-101.

In addition, municipal regulations as to buildings, structures and land shall be made in accordance with a comprehensive plan. 11 O.S. § 43-103. The fundamental concept that zoning must be "in accordance with a **comprehensive plan"** originated from the Standard Zoning Enabling Act (SZEA) issued by the United States Department of Commerce in 1922. Most state enabling acts are commonly patterned after the SZEA and contain this "in accordance with a **comprehensive plan**" requirement. 37 Am. Jur. Proof of Facts 3d 383 (1996). This requirement developed "to insure that local governments act rationally rather than arbitrarily in exercising their delegated zoning authority." *Id.*

In Oklahoma, comprehensive plans must be designed to accomplish any of the following objectives:

1. To lessen congestion in the streets;

2. To secure safety from fire, panic and other dangers;

3. To promote health and the general welfare, including the peace and quality of life of the district;

4. To provide adequate light and air;

5. To prevent the overcrowding of land;

6. To promote historical preservation;

7. To avoid undue concentration of population; or

8. To facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements. 11 O.S. § 43-103.

The regulations must also be made with "reasonable consideration, among other things, as to the character of the district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the municipality." 11 O.S. § 43-103. Municipalities have the authority, under Title 11, "to provide the manner in which regulations, restrictions and district boundaries shall be determined, established and enforced, and amended, supplemented or changed." 11 O.S. § 43-103.

AIM Norman

The City of Norman has adopted a comprehensive plan. By doing so, the City is in compliance with 11 O.S. § 43-103 that requires such a plan. The current comprehensive plan, AIM Norman ("the Plan"), was adopted by the Norman City Council via Resolution R-2425-101 on June 24, 2025. The Plan is a policy document used by City leaders, City staff, developers, business owners, and residents to make decisions about future growth, development, policy, and capital improvements. It is not a static plan; it is intended to be updated as conditions change over time. The policies contained in the Plan inform and guide land use decisions, helping to assure residents that these decisions are not arbitrary. The Plan identifies 10 Development Principles that serve to improve economic opportunities, preserve the natural environment, protect quality of life, ensure equitable decision-making processes, and support the community's top priority of protecting its water resources. These Principles include:

- Manage urban services efficiently
- Promote diverse housing options
- Promote infill development and neighborhood reinvestment
- Protect the environment in all decision-making

- Enhance distinctive neighborhoods, business districts, and natural areas with a strong sense of place
- Provide a multi-modal and connected transportation network
- Enhance public safety and minimize hazards
- Encourage balanced and connected neighborhoods
- Make development decisions predictable, fair, and cost effective
- Make decisions in a transparent and collaborative manner

The Plan also includes a section regarding Plan implementation and sets forth the following criteria to be used by City Council in determining whether to approve Land Use designation amendment requests:

1. The compatibility of the proposed Land Use to the existing and adjacent Land Uses based upon intensity (see Land Use Compatibility Guide, including the Compatibility Matrix).

2. An evaluation of the likelihood of adverse impacts to surrounding properties based on the following information provided by the applicant and in Staff's report to the Planning Commission and City Council:

    a. Character Area policies;

    b. Land Use characteristics, including building types, site design, transportation, utility access, public space, locational criteria;

    c. Designation or inclusion in a Neighborhood Study Area/Plan or Special Study Area; and

    d. Other AIM Norman Master Plan Policies, as applicable.

Additionally, if the Land Use Amendment application includes property within the 2045 Reserve Character Area AND the proposed amendment would EITHER remove the property from OR amend the property to an Urban Reserve Land Use designation, the following criteria also apply:

3. A Land Use designation change to a higher level of intensity (see Land Use Compatibility Guide) must be contiguous to urban development and must demonstrate implementation of the policies set forth for the 2045 Reserve Area, and

4. As applicable, planned unit developments, or similar regulatory mechanisms, proposed within the Urban Reserve area should only be utilized when 65% of the area is reserved for future urban level densities (3+ units per acre).

When an applicant requests a land use designation change, Staff reviews the request and provides, via the Staff Report, an analysis of that request according to the above criteria for Plan amendments. Once the application reaches the City Council, Council should review the request in light of those criteria as well as in light of the goals of the Plan.

Chapter 36 – The Zoning Ordinance

The zoning regulations are necessary to encourage the most appropriate uses of land; to maintain and stabilize the value of property; to improve public safety and reduce fire hazards; to decrease traffic congestion and its accompanying hazards; to prevent undue concentrations of population; and to create a comprehensive and stable pattern of land uses upon which to plan for transportation, water supply, sewerage, schools, parks, public utilities, and other facilities. Section 36-502, Norman Code. Therefore, land shall be used and structures constructed, altered, or rebuilt in accordance with the use, height, area, yard, and space requirements established in the district in which such land or structures are located. Section 36-504, Norman Code.

The Zoning Ordinance also specifies a procedure for amendments to the Plan, to the Zoning Ordinance regulations, and to district boundaries. Under Section 36-571, when a formal application is filed that would amend the Plan, rezone a parcel larger than forty acres, grant a Special Use Permit on a tract, or allow for the construction of a commercial communication tower, the Ordinance requires a Pre-Development meeting to be conducted prior to the Planning Commission hearing on the application. Applicants for rezoning of parcels less than forty acres may voluntarily request a Pre-Development meeting. Chapter 30, the Subdivision Ordinance, also has requirements for conducting Pre-Development meetings when property is platted.

Pre-Development meetings allow surrounding neighbors to meet with the applicant in an informal setting and gain information about the proposed application. Section 36-571(b), Norman Code. Pre-Development meetings are typically held on the fourth Thursday of each month as necessary. The Zoning Ordinance allows applicants to submit for both a Pre-Development meeting and Planning Commission hearing with the same application, or separately, depending on the applicant's preference and time schedule. *Id*.

Subsequent to the Pre-Development meeting, whether required or requested, the Planning Commission meets for a public hearing and to make a recommendation regarding the application. Section 36-571(d), Norman Code. No change in regulations may occur until a public hearing has been held in which parties in interest and citizens have had an opportunity to be heard. Section 36-571(c), Norman Code. In addition, the Ordinance requires notice by publication at least twenty days prior to the public hearing that gives the time and place of the hearing. *Id*. Also, the Ordinance requires written notice of the time and place of hearing to be sent to all owners of property within three hundred and fifty feet of the property to be rezoned. *Id*. Both notices must also contain: a legal description of the property to be rezoned and the present zoning category and category sought by the applicant. *Id*.

Lastly, "City Council may, from time to time on its own motion or on petition, after public notice and hearing by the Planning Commission, amend the regulations and districts herein established." *Id*. If property owners of greater than fifty percent (50%) of the property, within the three hundred and fifty-foot radius, file a signed protest letter with the City of Norman, a change in zoning may not occur without a favorable vote of three-fourths of all the members of the City Council. Section 36-571(d)(2), City Code. The same voting requirement also applies if protests are received from owners of greater than twenty percent of the area of the lots to be rezoned. Section 36-571(d)(1), City Code.

One additional item of interest, in regards to rezoning procedure, is that applications for rezoning that have been denied by City Council may not be reconsidered by the Planning Commission and the City Council for a period of one year following the date of City Council's rejection. Section 36-571(h), City Code. There are two exceptions to this rule: the application is for a different zoning district than the previous request or a substantial change has occurred in the condition of the neighborhood since the prior rejection. *Id*. A substantial change is defined as either the granting or rezoning for a more intensive use for a tract of land within three hundred feet of the exterior boundary of the land in question or a change in the designation of a street on the City's major streets and highways plan which abuts the land in question. *Id*.

In addition to procedures for amendments to the Plan or Zoning Ordinance, Section 36-570 sets out a procedure for the consideration of appeals, special exceptions and variances from code requirements. State law and Norman's Code provisions establish a Board of Adjustment to 1) hear and decide appeals where an error in an order, requirement, decision or determination made by an administrative official or the Historic District Commission related to the enforcement of Chapter 36 of the Code is alleged, 2) hear and decide certain special exceptions related to zoning or sign regulations, and 3) to hear and authorize variances form the requirements of the Code. Appeals from the Board of Adjustment are heard in Cleveland County District Court and not by the City Council, but code amendments impacting these items may be considered by Council.

Challenges to Zoning Laws – How Oklahoma Courts Review Cases

The Oklahoma Supreme Court, in *Nucholls v. Bd. of Adjustment of City of Tulsa*, provides a foundation for how Oklahoma courts have reviewed challenges to zoning laws and decisions made by municipal governing bodies:

> The right, power, and authority of the legislative body of cities to enact zoning ordinances arises from the authority of the Oklahoma Statutes. Because the inevitable effect of zoning ordinances is to limit private rights in the interest of public welfare, the exercise of municipal zoning power must be carefully guarded and permitted only when circumstances and conditions disclose the need for this proper exercise of police power. Municipal power to interfere by zoning with the general rights of the

> landowners is not unlimited, and a restriction by the character of use cannot be imposed if it does not bear substantial relation to public health, safety, morals or general welfare. Where a zoning ordinance exceeds the powers delegated by statute, any attempt to prescribe a meaning for statutory terms and limitations different from those intended by the legislature, or to attempt by ordinance to extend their meaning is an excessive use of power and renders the ordinance invalid and void. 1977 OK 3, 560 P.2d 556, 560.

This memo will review three main categories of zoning cases: facial challenges to comprehensive plans and zoning ordinances; cases regarding the relationship between comprehensive plans and zoning ordinances; and as-applied challenges to comprehensive plans and zoning ordinances.

Facial Challenges

A facial challenge to the constitutionality of a statute is one where a plaintiff argues no set of circumstances exists in which the statute, as currently written, can be constitutionally applied. 16 C.J.S. Constitutional Law § 203. *In the Matter of the City of Cherokee v. Tatro*, the Oklahoma Supreme Court reviewed an ordinance of the City of Cherokee that required a permit for any person, firm, or corporation to operate a place of business within the resident district of the City of Cherokee. 636 P.2d 337, 338 (1981). The ordinance did not define the term "resident district." *Id.* Mr. Tatro, the owner of two lots in the City of Cherokee, applied for a permit to construct a convenience store on his lots and was denied. *Id.*

The Court, in reviewing the ordinance, held: "There being no way in which it could be determined from within the wording of the Cherokee ordinance whether the Tatro property lay within the "resident district" and was thereby subject to use restrictions therein prescribed, there was no valid zoning ordinance to apply as against Tatro's contemplated use of his property." *Id.* at 339. Therefore, the ordinance requiring a permit to operate a place of business in a resident district was void because it failed to contain definite district boundaries that were "reasonably capable of being ascertained by the public and the administrative bodies charged with the enforcement of the ordinance." *Id.* This case demonstrates how a court may uphold a facial challenge to a zoning ordinance because, in this instance, the entire ordinance was struck down because the undefined term "resident district" rendered the entire ordinance invalid.

In order to avoid facial challenges to the AIM Norman Land Use Plan or Zoning Ordinance, regulations should be drafted with specificity, using defined terms, and avoid denials of constitutional guarantees such as equal protection and due process. As examples:

> Certain objects sought in city zoning may be void as contrary to public policy. For example, a zoning objective to exclude an airport from a city may be contrary to transportation progress, against public policy and void. In general, it is improper by means of zoning laws to stifle growth, to control competition, to reduce the cost of land to a municipality prior to condemnation, or to restrict unduly the flow of traffic or the congestion of the streets. Nor was it ever intended that zoning laws should be used for the purpose of creating special privileges or private rights in property which result from creating an exclusive community, as, for example, by excluding children, or families with children, from residence in a defined area or district. 8 McQuillin Mun. Corp. § 25:21 (3d ed.).

Relationship between Comprehensive Plans and Zoning Ordinances

In *Holtzen v. Tulsa County Board of Adjustment*, the Oklahoma Court of Civil Appeals reviewed a decision by the Tulsa County Board of Adjustment to grant a special exception for the construction and operation of a roller coaster in an area proposed by Bell's Amusement Park for expansion of its park. 97 P.3d 1150 (2004). After the Board of Adjustment granted the special exception, neighboring property owners brought suit arguing that the comprehensive land use plan for Expo Square, adopted by the Tulsa Metropolitan Area Planning Commission and approved by the Board of Commissioners for the City of Tulsa, designated the area of the amusement park expansion for a low density use. *Id.* The neighbors argued that the Board of Adjustment did not have the authority to depart from the land use plan. *Id.* The Court of Civil Appeals held that the Board of Adjustment was granted the authority to grant special exceptions under the ordinances of the governing authorities and that authority is not limited by the land use plan. *Id.* at 1153. The Court's reasoning is as follows:

> While we have found no Oklahoma case on point, the overwhelming weight of authority from other jurisdictions holds that where a conflict exists, the zoning laws themselves prevail over the comprehensive plan. In fact, neighbors have failed to cite any authority to the contrary. As a general proposition, a comprehensive plan is considered a guide and is advisory in nature, and not the equivalent of a zoning law. *Id.*

In light of this case, along with the above cited statute requiring municipal regulations to be made in accordance with a comprehensive plan, the proper role of the comprehensive plan in City Council's decision-making process may appear difficult to clearly identify. However, this case serves to illustrate the point that a proposed property use that meets all of the applicable zoning requirements may not be denied solely because it conflicts with a non-binding plan provision. 1 Am. Law. Zoning § 5:18 (5th ed.) It does not mean

that City Council should discount the goals of the Plan in favor of rezoning a parcel if Council believes such a rezoning is contrary to the goals of the Plan. Instead, City Council should consider the Plan, the proposed zoning category sought, and balance the goals of the Plan with the applicant's interest in developing their property.

As-Applied Challenges to Zoning Regulations

This is the most common category of challenges to zoning regulations, and the Oklahoma Courts have created a general standard for reviewing them. As opposed to a facial challenge, "An 'as applied' challenge is a claim that the operation of a statute is unconstitutional in a particular case." 16 C.J.S. Constitutional Law § 243 (June 2021). In addition, an 'as applied' challenge to the constitutionality of a statute is evaluated considering how it operates in practice against the particular litigant and under the facts of the instant case, not hypothetical facts in other situations. *Id.*

In *Sand Springs Materials, LLC v. City of Sand Springs*, Sand Springs Materials, LLC appealed from the judgment of the District Court that denied Sand Springs Materials a specific use permit to operate a rock quarry. 243 P.3d 768, 769-770 (Okla. Civ. App. 2010). Sand Springs Materials applied to the City of Sand Springs Planning Commission for a permit to operate a quarry to remove rock and limestone aggregate from approximately 1,000 acres under their ownership prior to developing that property for residential and commercial uses. *Id.* at 770. The Sand Springs Planning Commission denied the request unanimously. *Id.*

The Court of Civil Appeals used the following standard:

> In reviewing the judgment of the district court, [the appellate court] must look beyond the district court's conclusions and consider the basic, physical facts appearing in the record so as to ascertain whether the zoning decision is "fairly debatable." The district court's independent conclusion as to whether there is a "fairly debatable" basis for the challenged zoning ordinance will be sustained unless it is against the clear weight of the evidence. If zoning decisions of a municipality have a substantial relation to the public health, safety, morals or general welfare, and do not constitute an unreasonable, arbitrary exercise of police power, the municipality's judgment will not be overridden by the district court. *Id.*

In using this standard, the Court of Civil Appeals upheld the decision of the City of Sand Springs to deny the request for the specific use permit. *Id.* at 775. In doing so, the Court reviewed the testimony and evidence provided to the Sand Springs Planning Commission from Sand Springs Materials, LLC and impacted neighbors. *Id.* at 774-775. After a

review of that testimony and evidence, the Court ruled that the denial of the permit was "fairly debatable", and the Court would not inquire further. *Id.* at 775.

In another case, *Mid-Continent Life Insurance Company v. City of Oklahoma City*, the Oklahoma Supreme Court used the same standard to review the denial of a rezoning application. 701 P.2d 412 (1985). In the case, Mid-Continent Life Insurance Company filed an application to have two vacant lots (1420-1424 Classen Drive) rezoned to allow for the construction of parking lots. *Id.* at 413. The subject property is enclosed on the north, west, and east by the Heritage Hills Preservation District. *Id.* According to the Supreme Court, the standard for judicial review of a rezoning decision is the following:

> Zoning is a legislative function which is due the presumptive validity of any municipal ordinance. Unless the zoning decisions of a municipality are found not to have a substantial relation to the public health, safety, morals or general welfare or to constitute an unreasonable, arbitrary exercise of police power, its judgments will not be overridden by the district court. If the validity of the challenged zoning ordinance is "fairly debatable," the legislative judgment of the municipality must stand. *Id.* at 413-414.

In addition, the Court stated that: "In purchasing the two lots, Mid-Continent did not obtain an unqualified right to use the property as it pleased." *Id.* at 414. Also,

> The district court's reliance on the property's location near an existing parking lot as a "physical fact" to justify its decision that the denial of the zoning request was "arbitrary, unreasonable and capricious," is misplaced. This Court has long recognized that the "line established [by a zoning ordinance] is necessarily somewhat arbitrary, since a striking or marked difference cannot be expected to exist between property on one side of an established line and that on the other. The fact that in this respect an established line is somewhat arbitrary does not render a zoning ordinance invalid." *Id.* at 415.

Taking all of this together, the Supreme Court found the City of Oklahoma City's decision to deny the rezoning to be "best left to the sound legislative discretion of the municipality" and upheld the denial. *Id.* at 414. This case, in particular, represents a strong statement by the Supreme Court regarding the deference to be shown to municipal zoning decisions.

CONCLUSION:

Putting all of the above information together, and into practice, is not perfectly straightforward. However, relying on a few main principles may assist Planning Commissioners and City Councilmembers in making zoning decisions that comply with the spirit and intent of Oklahoma and City of Norman zoning rules. First, municipalities have a right to zone in order to promote the health, safety, morals, or the general welfare of the community. Zoning decisions should be weighed in light of whether or not rezoning a specific parcel promotes those interests.

Second, municipalities must adopt a comprehensive plan. Oklahoma case law does not require municipalities to always act in accordance with an adopted comprehensive plan, but municipalities should consider the Plan, the proposed zoning category sought, and balance the goals of the Plan with the applicant's interest in developing their property. The AIM Norman Plan stresses that decisions about zoning and planning requests be consistent with the Plan, but the Plan can be amended when appropriate.

Third, the City of Norman, via Chapter 36 of the Code of Ordinances, has adopted regulations governing the procedure required for rezoning. It is important that applicants for rezoning follow these procedural requirements as failing to do so could expose a rezoning decision made by City Council to judicial challenge on due process grounds.

Fourth, courts review zoning cases for a variety of reasons. To avoid facial challenges to zoning laws, City Council should carefully review, with the assistance and advice of City Planning and Legal staff, proposed regulations to ensure that regulations are drafted with specificity, using defined terms, and avoid denials of constitutional guarantees such as equal protection and due process. Most importantly, to avoid a court overturning a rezoning decision by City Council, Council should, as discussed above, weigh zoning decisions in light of promoting the health, safety, morals, and the general welfare of the community using fact-based decision making.

AIM NORMAN

COMPREHENSIVE LAND USE PLAN

June 26, 2025

AIM NORMAN
AREA & INFRASTRUCTURE MASTER PLAN

INTRODUCTION

PURPOSE OF AIM NORMAN

WHAT IS A COMPREHENSIVE PLAN?

Comprehensive plans are used to aid residents and decision-makers through complicated issues that arise in the process of building and maintaining a city. Cities must plan for the future so decisions can be based on sound information, principles, and agreed-upon goals, strategies, and priorities.

As a comprehensive plan, AIM Norman (Area & Infrastructure Master Plan) is a policy document used by City leaders, City staff, developers, business owners, and residents to make decisions about future growth, development, policy, and capital improvements. The policies contained in this Plan inform and guide land use decisions, helping to assure residents that these decisions are not arbitrary.

PRIMARY ROLES

AIM Norman serves three primary roles:

1. **Community Building.** Comprehensive planning allows residents to create a shared vision for their community. Residents and City staff identified issues and opportunities for Norman's land use, infrastructure, public facilities and services. These findings were used to set priorities and assemble action steps that can improve the quality of life for residents.
2. **Legal Significance of Land Use Regulations.** The City of Norman's Charter, Art. XX, Sec. 1, allows for planning, zoning and subdivision authority pursuant to the City's police power to "promote the public health, safety, morals, and general welfare by regulating the use of property and by controlling and directing the development of the City." Oklahoma statutes also grants this power. See 11 Okla. Stat. § 43-101. Indeed, Oklahoma statutes provide a framework whereby the implementation of zoning ordinances and regulations may be guided by the implementation of an overall comprehensive plan. See 11 Okla. Stat. §§ 43-102 & 43-103.
3. **Guidance for Decision-Makers.** The plan will serve as a guide for City staff, City Council, and other boards and commissions as they set policy and make investment and land use decisions.

AIM Norman is not intended to be a static document. It is designed to be updated as conditions change over time. Additional information is available in the implementation section, found on page 155.

USER'S GUIDE

GENERAL PUBLIC

Serving as a shared reference point for all residents of Norman, the Plan frames constructive conversations about the benefits of careful, intentional growth and development in Norman. The public can use the planning principles, goals, and recommendations in AIM Norman in discussions on specific proposals or issues with City Council or other appointed boards or commissions.

CITY STAFF

City staff will refer to AIM Norman during the development processes and when assessing alterations to development regulations, rezoning applications, and when reviewing additions to or enhancements of facilities, and services. AIM Norman will be used to guide capital improvement projects, budgets, and planning endeavors.

CITY COUNCIL

AIM Norman cannot predict every situation that might arise in the future. To ensure consistency with the long-term vision for Norman, City Council will use AIM Norman as a reference point and guide for decision-making. The Implementation section of this plan provides questions that leaders can consider when making decisions. AIM Norman may also be used to inform the strategic plan and guide City Council's annual goals.

APPOINTED BOARDS, COMMISSIONS, AND COMMITTEES

Boards, Commissions, and Committees can use AIM Norman to pursue their work and missions. Certain groups, like Norman's Planning Commission and Board of Parks Commission, will use the Plan for direction when making decisions.

OTHER AGENCIES AND PARTNERS

Various stakeholders in Norman, such as non-profits, businesses, educational institutions, and neighboring municipal governments, will use AIM Norman to identify and achieve goals that support one another, and the greater vision for the future of Norman and the greater community.

A full glossary of terms to know can be found at the end of this document.

WHAT TO EXPECT IN AIM NORMAN

AIM Norman is organized so that different audiences, such as residents, City Council members, Planning Commissioners, or developers can easily find the information they need.

WHY AND HOW

The Introduction and Community Speaks chapters explain the process used to develop AIM Norman. These chapters describe the importance of planning for Norman, and the significant level of community engagement throughout the process.

LAND USE PLAN

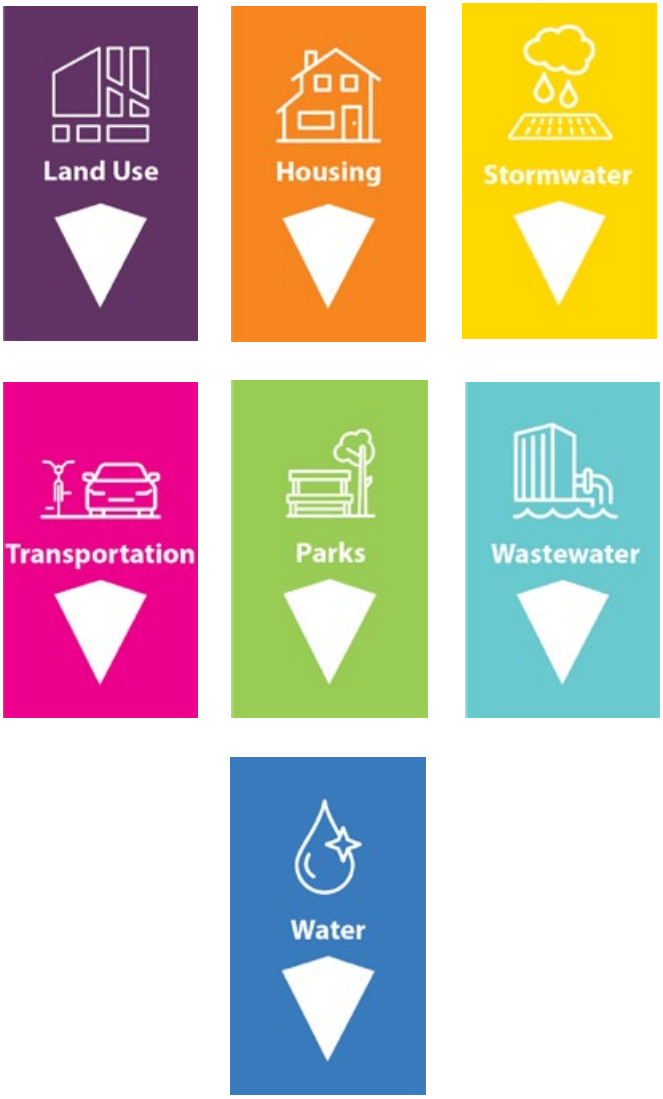
This section describes the community's vision for the future of Norman based on accommodating a projected population of 185,759 by 2045. This chapter will detail how City leaders, City staff, and developers who are interested in how, where, and when development should occur and natural spaces should be preserved and protected.

SEVEN DISTINCT ELEMENTS

AIM Norman is an ambitious endeavor, comprised of seven individual, distinct elements:

- Land Use Master Plan
- Housing Strategy Plan
- Stormwater Master Plan Update
- 2025 Comprehensive Transportation Master Plan Update
- Parks, Recreation and Culture Master Plan
- Wastewater Utility Master Plan
- Water Utility Master Plan

While each of these elements will be addressed in the Land Use Master Plan, they will each have their own plan document, including much more detail. Readers interested in a particular area are encouraged to read not just the Land Use Master Plan, but also the other plans of AIM Norman.



DEVELOPMENT PRINCIPLES

OUR ENVIRONMENTAL COMMITMENT

For over 50 years the community of Norman has put priority on the protection of natural areas to preserve wildlife habitat, green spaces, Lake Thunderbird, the Garber-Wellington Aquifer, and the unique Cross-Timbers Eco-Region while managing growth. AIM Norman looks to continue this mission while still allowing the opportunity for the next generation to call Norman home.

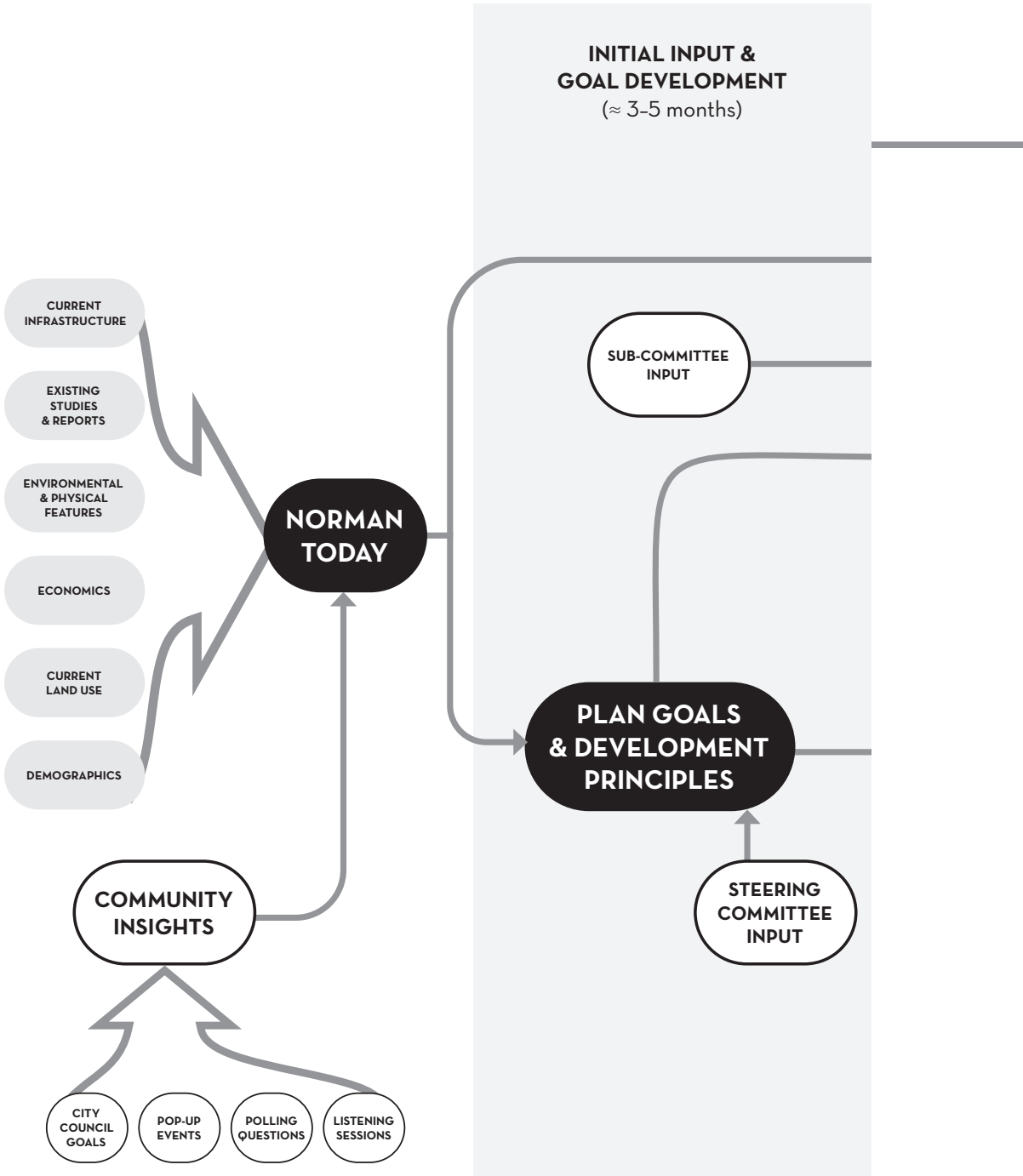
DEVELOPMENT PRINCIPLES

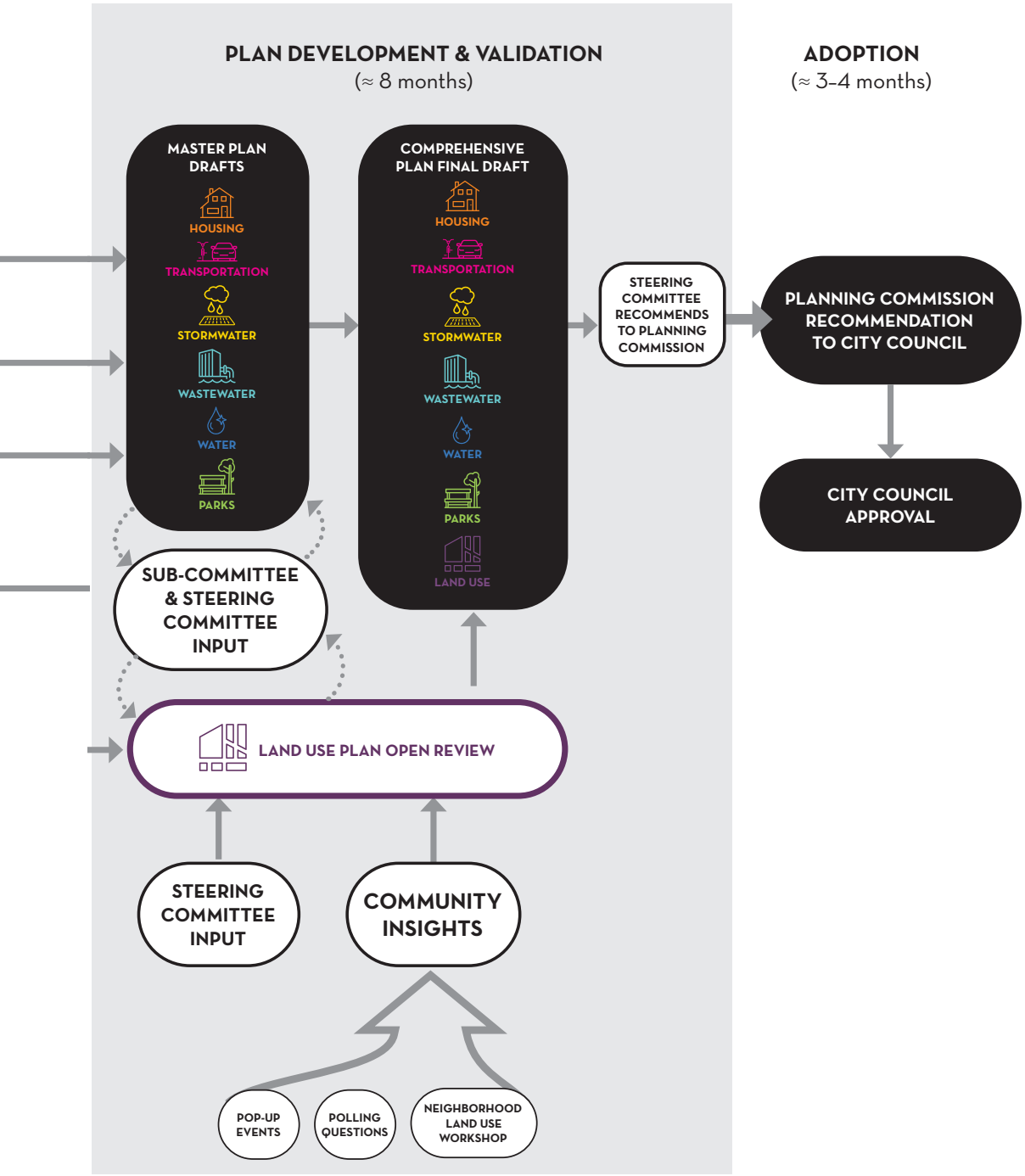
Ten Development Principles serve to improve economic opportunities, preserve the natural environment, protect quality of life, ensure equitable decision-making processes, and support the community's top priority of protecting its water resources.

1. Manage urban services efficiently.
2. Promote diverse housing options.
3. Promote infill development and neighborhood reinvestment.
4. Protect the environment in all decision-making.
5. Enhance distinctive neighborhoods, business districts, and natural areas with a strong sense of place.
6. Provide a multi-modal and connected transportation network.
7. Enhance public safety and minimize hazards.
8. Encourage balanced and connected neighborhoods.
9. Make development decisions predictable, fair, and cost effective.
10. Make decisions in a transparent and collaborative manner.

PLANNING PROCESS

Norman includes many meaningful individuals, perspectives, and landscapes, all of which contribute to the City. AIM Norman is based on community engagement, extensive research into Norman's past and present, and valuable conversations about Norman's future, resulting in strategies that will realize those visions. The full process took nearly two years, and the time and effort of thousands of people.




PLAN DEVELOPMENT & VALIDATION
(≈ 8 months)
ADOPTION
(≈ 3-4 months)
MASTER PLAN DRAFTS
HOUSING
TRANSPORTATION
STORMWATER
WASTEWATER
WATER
PARKS
COMPREHENSIVE PLAN FINAL DRAFT
HOUSING
TRANSPORTATION
STORMWATER
WASTEWATER
WATER
PARKS
LAND USE
STEERING COMMITTEE RECOMMENDS TO PLANNING COMMISSION
PLANNING COMMISSION RECOMMENDATION TO CITY COUNCIL
CITY COUNCIL APPROVAL
SUB-COMMITTEE & STEERING COMMITTEE INPUT
LAND USE PLAN OPEN REVIEW
STEERING COMMITTEE INPUT
COMMUNITY INSIGHTS
POP-UP EVENTS
POLLING QUESTIONS
NEIGHBORHOOD LAND USE WORKSHOP

LAND USE

The land use vision for Norman is wide-reaching and touches on all aspects of living in the city. It is built around estimated population growth, the influence of growth on land needs, environmental considerations, and the ten Development Principles that highlight community priorities for the future.

LAND USE VISION

Demand

Norman's projected future population of 185,759 will require new places for people to live, work, and play. Population growth is directly correlated to demand for new housing, services, and jobs.

Many factors affect how and where Norman will grow, including market preferences, access to City services, and the environment. The land use planning process gave residents an opportunity to envision what kind of community they want to live and leave for future generations. To facilitate these conversations, the Steering Committee held a scenario planning workshop that was shared with the public in January 2024. The workshop completed by the Steering Committee offered direction to the planning team on a preferred residential density scenario and identified areas for further investigation during the Neighborhood Workshops (held in February, March, and April 2024).

2024 RESIDENTIALLY DEVELOPED LAND

Total City

34,760 Acres = 1.5 Units/Acre (Gross Density)

Between 48th Ave W & 48th Ave E

13,478 Acres = 4.1 Units/Acre (Gross Density)

2045 ESTIMATED POP. & HOUSING UNITS

185,759 population = 23,225 Units

FIGURE 1.1: FUTURE RESIDENTIAL LAND USE DEMAND

Scenarios	2045 Unit Demand	Net Density	Land Needs (acres)	Planned Acres
Scenario 1: Total City Trend	23,225	1.5	15,490	23,235– 30,981
Scenario 2: Between West & East 48th Trend	23,225	4.1	5,663	8,500–11,325
Scenario 3: Trend +	23,225	5.0	4,645	6,900–9,300

SOURCE: RDG PLANNING & DESIGN

GROWTH SCENARIOS

Inputs into the land use scenarios include existing land use patterns, projected population, and the number of homes needed to support that population.

For planning purposes, one and a half to two times the needed acres should be identified in the land use map. This ensures options in the market and flexibility due to owners deciding when and if they wish to develop their property.

Three potential residential land use scenarios were considered:

SCENARIO 1: TOTAL CITY TREND This includes everything within the city limits, including the very low density development patterns occurring in eastern Norman. Development at this density would not address residents' desire for housing variety and efficient use of services.

SCENARIO 2: BETWEEN WEST AND EAST 48TH TREND This scenario looks at the average density that exists today in what is the more urbanized portion of the city.

SCENARIO 3: TREND + This scenario assumes greater efficiency in the use of land with more housing units per acre of land. A number of the Ten Development Principles outlined in the following section support this approach.

More details and background information can be found in the "Norman Today" Appendix.

LAND USE VISION

Constraints

PHYSICAL CONSIDERATIONS

Norman's natural environment can be a tremendous asset for future growth, but only if development is sensitive to key environmental features such as floodplains, wetlands, hydric soils, and steep slopes.

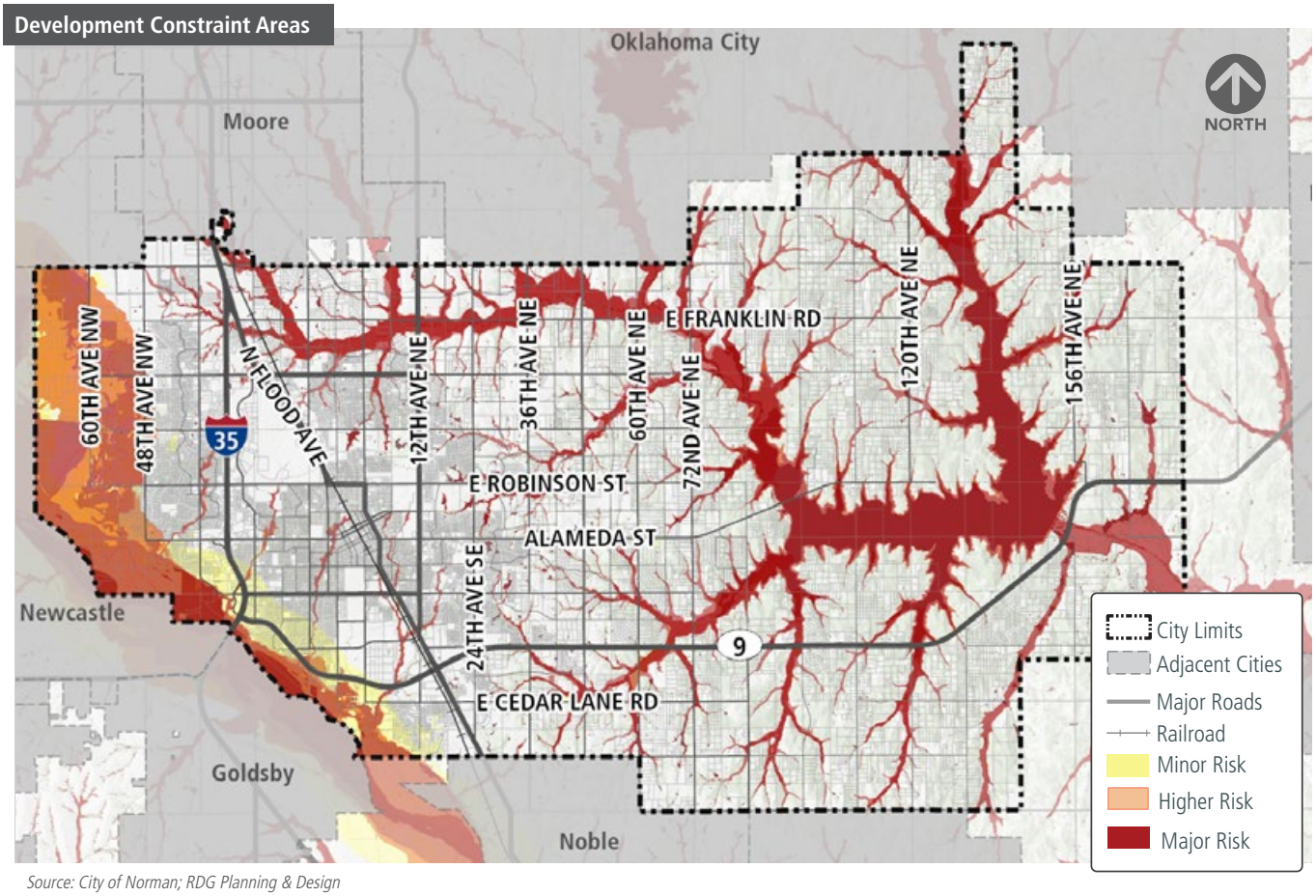
Preserving natural areas should reduce flood risks by providing natural stormwater drainage, protecting plant and animal habitats, and enhancing and connecting residents to nature.

Avoiding development in areas that create safety concerns, such as floodplains, is not only good practice but reflects the desires of Norman residents. Participants in the planning process regularly noted a desire to preserve the city's natural features and to find ways to protect the city's water sources at Lake Thunderbird and the Garber-Wellington Aquifer. Stormwater runoff and the pollutants that can come with development (lawn fertilizers, etc.) were concerning to many residents.

The map below illustrates the areas that should be avoided or policies established that advance the "Ten Development Principles" outlined in the next section.

For more information on the Development Constraints Areas see the Environmental Character section of Norman Today (Appendix A).

Development Constraint Areas



Source: City of Norman; RDG Planning & Design

DEVELOPMENT PRINCIPLES

The following "Ten Development Principles" are a guide across the AIM Norman Plan. Within the context of land use, these principles should guide decision makers and community leaders when evaluating opportunities and addressing challenges. These principles were built upon residents' input and smart growth principles identified by different national research organizations, including Smart Growth for America and the American Planning Association. Through the work of the AIM Norman Steering Committee, each principle was refined and overarching goals were identified.

OUR ENVIRONMENTAL COMMITMENT

For over 50 years the community of Norman has put priority on the protection of natural areas to preserve wildlife habitat, green spaces, Lake Thunderbird, the Garber-Wellington Aquifer, and the unique Cross-Timbers Eco-Region while managing growth. AIM Norman looks to continue this mission while still allowing the opportunity for the next generation to call Norman home.

1 Manage urban services efficiently.

Contiguous development and developing on infill sites reduces costly infrastructure extensions and improves communities. With the extension of any service, the long-term costs, both fiscal and environmental, should be considered.

GOALS

- Identify key mixed-use priority areas that enhance neighborhoods and reuse urban services.
- Balance new development with infill development to reduce infrastructure extensions and promote connectivity.
- To reduce infrastructure extensions and promote connectivity, maintain and improve existing services necessary to support infill development.

2 Promote diverse housing options.

By focusing on diverse and affordable housing, Norman becomes a place where residents can live at every stage of life. Communities and neighborhoods with diverse housing options provide a mix of opportunities for first-time homeowners, growing families, seniors, and downsizers. A variety of housing types can expand the economic opportunities for individuals and families.

GOALS

- Update the zoning ordinance to make development of mixed-use and housing variety easier to produce.
- Identify redevelopment opportunities to address accessible, attainable workforce housing.
- Create policies, programs, and regulations that encourage new and creative ways to address housing gaps.
- Expand homeownership opportunities for a wider range of socio-economic situations.

3 Promote infill development and neighborhood reinvestment.

Strong, established neighborhoods capitalize on existing water, sewer, and transportation infrastructure. These neighborhoods also contribute to the city's naturally occurring affordable housing supply. Norman's neighborhoods tell stories, create memories, and define community character. Appropriate infill development respects established patterns and scale and supports the viability of complete neighborhoods. Community investment in infill projects may periodically be needed to make these projects financially feasible.

GOALS

- Encourage local entrepreneurship and investment in neighborhoods to support viability of neighborhoods.
- Cultivate a culture of reinvestment across the city.
- Facilitate a variety of housing in infill and redevelopment projects that offer both owner and renter options.
- Better connect neighborhoods and residents.

4 Protect the environment in all decision-making.

Preservation and protection of environmental assets such as wetlands, forests, urban tree canopies, and wildlife habitats has a variety of benefits for the community. These potential benefits include a connected park system, improved water quality, reduced flooding, mitigation of heat island effect, and protection for diverse wildlife habitats. A connected network of natural areas enhances community character, creates trail opportunities, and provides wildlife corridors. The consideration of environmental impacts favors long-term benefits over expediency and short-term profit.

GOALS

- Identify key locations for Best Management Practices (BMP's) pertaining to stormwater storage and quality.
- Implement the City of Norman: Mayor's Climate Protection Agreement.
- Increase the publics access to nature and wildlife.
- Mitigate impacts of extreme storm events, wildfires, water quality, and provide continuous wildlife habitat.

5 Enhance distinctive neighborhoods, business districts, and natural areas with a strong sense of place.

Cities and their neighborhoods reflect on the diverse values, culture, and heritage of people who live there by creating a distinctive and vibrant natural and built environment. Incorporating natural features, historic sites, and public art creates an overall quality that builds pride in residents and attracts new residents and visitors.

GOALS

- Increase the city's tree canopy and expand biodiversity across Norman, with preference to native species.
- Identify ways to support organizations and neighborhood groups that create community connections and encourage beautification.
- Encourage the creation of places for people to gather and connect with fellow residents and visitors by incorporating natural features, historic sites, and public art.

6 Provide a multi-modal and connected transportation network.

Transportation options significantly impact household economy, quality of life, urban form, and the environment. Alternative transportation modes offer significant health, environmental, experiential, and community quality benefits. These active modes will not replace cars, and only some streets can or will accommodate all modes of transportation. However, a balanced transportation network of streets, trails, hike/bike paths, and on-street bike facilities will ensure safe, efficient connectivity.

GOALS

- Improve the experience of multi-modal transportation and accommodate a variety of mobility needs and preferences.
- Implement a comprehensive trail network.
- Expand public and multi-modal transportation options.

7 Enhance public safety and minimize hazards.

Land use decisions have a wide variety of effects on public safety and hazard mitigation. A mixture of land uses within neighborhoods enhances security by creating activity and "eyes on the street" throughout the day. Preserving natural drainageways and effective stormwater management minimizes the risk of injury and property damage from flooding. A well-connected transportation network improves first responder service and evacuation routes in case of large-scale emergencies.

GOALS

- Guide the development of places and spaces that are safe and inviting.
- Make Norman accessible to all by going beyond the basic Americans with Disabilities Act (ADA) requirements.
- Facilitate a transportation system that is accessible and safe for all residents and allows for efficient emergency management.

8 Encourage balanced and connected neighborhoods.

Balanced neighborhoods offer a variety of housing options, access to open and natural space, and activity centers such as parks, schools, civic centers, or commercial areas, preferably within easy walking or biking distance. Neighborhoods, new and old, should also connect to one another rather than exist as isolated pods. Complementary land uses create neighborhoods that are alive at all times of the day, offering greater vitality, safety, and support for local businesses. While different land uses can create conflicts, these conflicts can be managed through effective standards and transitions.

GOALS

- Improve connections between parks, neighborhoods, public spaces, and destinations.
- Enhance support and outreach for neighborhood associations and organizations.
- Expand opportunities for residents to know their neighbors and cultivate a greater sense of community.
- Increase natural greenspace, and create wildlife corridors.

9 Make development decisions predictable, fair, and cost effective.

Streamlining the process for quality projects that meet land use and design standards and reducing uncertainty encourages innovative, high-quality development. Processes that support innovative, pedestrian-oriented, mixed-use projects support the above eight Development Principles.

GOALS

- Work with developers to incentivize innovative ideas to improve cost-efficiency.
- Update the zoning ordinance to create clear expectations for both developers and residents.
- As a community, find ways to minimize risk on innovative housing and community development efforts that support AIM Norman Ten Development Principles.

10 Make decisions in a transparent and collaborative manner.

Decisions regarding AIM Norman or changes to the land use map should be made transparently. Streamlined processes require broad community input on design quality, reduction of negative impact, and land use planning. Treating the creation and implementation of land use decisions as shared responsibilities promotes quality living environments and efficient use of fiscal resources.

GOALS

- Enhance civic literacy and engagement through community partnerships.
- Continue clear communication from City to residents.
- Leverage technology to improve communication.
- Regularly review and update AIM Norman.

LAND USE MAPS

How are the Character Area & Land Use maps used?

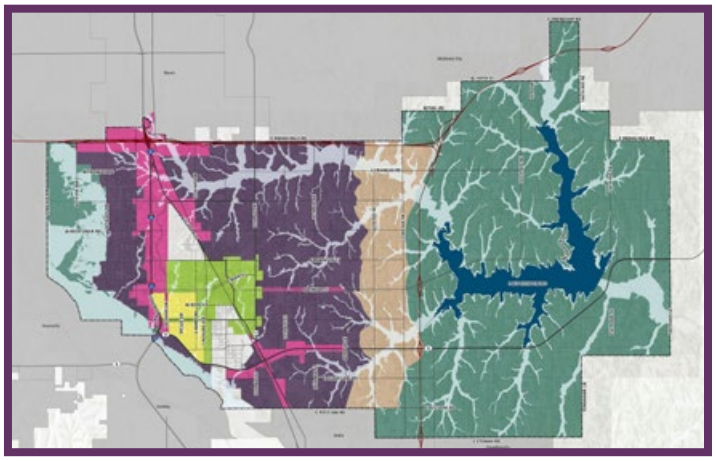
The Character Areas and Land Use maps are based on population projections, economic trends, environmental analyses, and public input. As explained on page 28, the amount of urban land planned is more than the projected need to provide market flexibility and avoid creating a false land shortage. Many areas shown in the Character Areas and Land Use maps are unlikely to fully develop in the 20-year time frame generally addressed by this plan.

TWO MAPS WORKING TOGETHER

CHARACTER AREAS

How the built environment fits together.

- How community features such as streets, parks, water, sewer, and stormwater connect and transition between neighborhoods.
- Defined by how an area looks and functions.
- Policies guiding development.

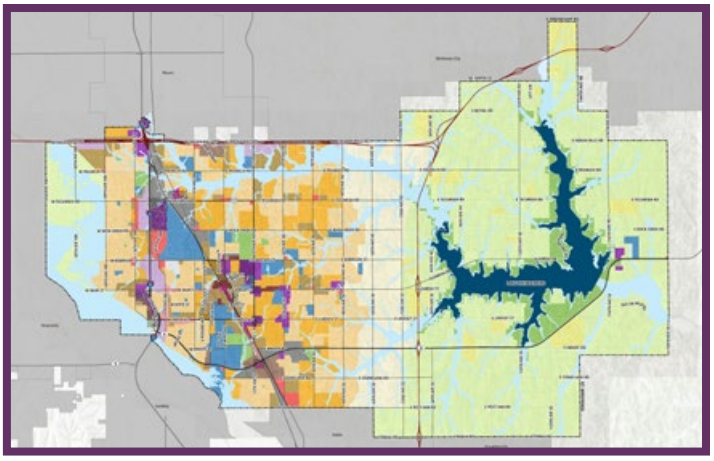


Full map on page 41.

LAND USE

How land should be developed, and in what way.

- Future desired use for a parcel of land.
- More specific vision for how sites will develop.
- What specific land uses look like, including building types and landscaping.



Full map on page 59.

THREE IMPORTANT POINTS ABOUT THE MAPS

1. PROPERTY OWNERS DECIDE

The Land Use Map depicts land uses for privately owned properties. The transition from their current use to the depicted use is expected to occur slowly, in response to market demands, as property owners voluntarily sell, develop, or change the use of their land.

2. POLICY FRAMEWORK

These maps provide a framework for discussing plan policies and aspirations as they relate to making community development and land use decisions. The Character Area policies and Land Use designations integrate the recommendations of all AIM Norman plans with the Land Use Plan.

3. GENERALIZED MAP

The Land Use Map should be interpreted generally and is not intended to include the specificity or the rigidity of a zoning map or engineering document. The map is meant to show:

- *Generalized land use locations and transitions: The boundaries between land uses on the map are meant to show approximate areas for transition, rather than rigid boundaries.*
- *Collector and Arterial Street connections: Critical arterial and collector street connections are specified on this map, though the exact routes will depend on detailed engineering studies. Local streets will be determined as development occurs.*
- *Preservation or protection of sensitive areas: The map identifies the largest sensitive areas, where non-recreation oriented development should not occur. The policies within the AIM Norman Master Plans and the Character Areas provide a neighborhood level of detail for sensitive areas and local circulation that apply with the land use categories.*

In the past, rezoning requests have also frequently required a land use change. The AIM Norman Plan is designed to provide flexibility in order to reduce these requests. When received, requests will be reviewed for conformance with the Character Areas policies and Land Use compatibility. **When a zoning change is necessary, City staff, the Planning Commission, and City Council will use the Character Area Map and Land Use Map as guides to determine if these changes are consistent with the AIM Norman policies.**

LAND USE PLAN FRAMEWORK

Contemporary growth in American cities generally separated different land uses as a way to protect public health. Separating homes and everyday needs from the traffic, noise, smells, and other effects of major industries was seen as a way to create healthier communities. Today, the understanding of a healthy city includes one where residents can be active and move around the city in different ways. These types of vibrant neighborhoods are cultivated by mixing different, but still compatible uses.

Several AIM Norman Ten Development Principles support a flexible land use approach that encourages mixing of uses and focuses on the intensity of use, rather than type.

- **Development Principle 3: Promote infill development and neighborhood reinvestment.**
- **Development Principle 5: Enhance distinctive neighborhoods, business districts, and natural areas with a strong sense of place.**
- **Development Principle 8: Encourage balanced and connected neighborhoods.**

To achieve these Principles, an intensity based approach should take into consideration:

- **Compatibility with flexibility.** Norman's land use pattern should minimize conflicts between adjacent land uses. Some land uses are inherently incompatible and should be separated. In other cases, where different uses and intensities meet, a variety of design techniques can reduce incompatibilities and more successfully integrate different uses into a cohesive city environment. Homogeneous building form and uses are not the goal of the plan. Guidelines should provide developers with reasonable flexibility and room for innovation.
- **Vital, convenient mixing of uses.** Mixing uses encourages the creation of more active, interesting, and efficient city environments, while providing residents convenient access to neighborhood commercial services and other vital community facilities.
- **Residential density and diversity.** As an inclusive community, diverse housing types and price points that serve the needs of a range of demographic and economic groups is important. The intensity of housing is measured by the density, or dwelling units per acre, in a development and puts less importance on any one type of housing within a development.
- **Places for employment and enterprise.** AIM Norman illustrates appropriately located space for a wide range of enterprises that provide employment for existing and prospective residents.
- **Relating land use and infrastructure.** Land use planning in Norman must be done in coordination with the city's transportation, parks, stormwater, water, and wastewater systems. This was a key philosophy behind AIM Norman. Removing sensitive areas from development consideration and placing higher intensity uses along streets that have the capacity to serve these uses is crucial for success.

LAND USE
Definitions & Context

In planning and defining land use in Norman, the following terms are often used. A complete glossary of terms can be found at the end of this document.

COMPATIBILITY

Compatibility is the relationship between different uses and how well they do or do not fit with each other. In areas where densities are low, compatibility is usually achieved using spacing between buildings and by congregating similar uses. This method is easy to administer and understand; however, it can lead to some undesirable conditions such as increased commute times and neighborhoods that are not conducive to walking

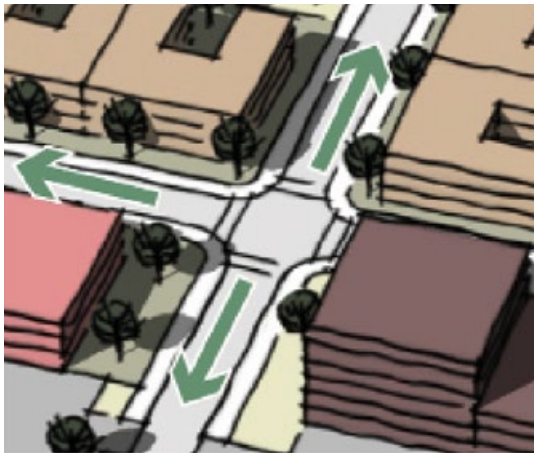
Compatibility in mixed-use districts can be attained by focusing more on the performance (effects) of various uses and designing land use regulations that allow for better integration of uses. If carefully done, the integration of uses can be achieved so that commute times become shorter, and neighborhoods become more walkable and interesting, all while preserving privacy, security and aesthetics.

As land uses become more intense and uses become more integrated, compatibility methods focus less on spacing and congregating of similar uses, and more on performance-based methods that directly address issues such as noise, traffic, privacy, and aesthetics. The land use categories described in this Plan exist on a continuum of intensity, and therefore have a continuum of compatibility methods.

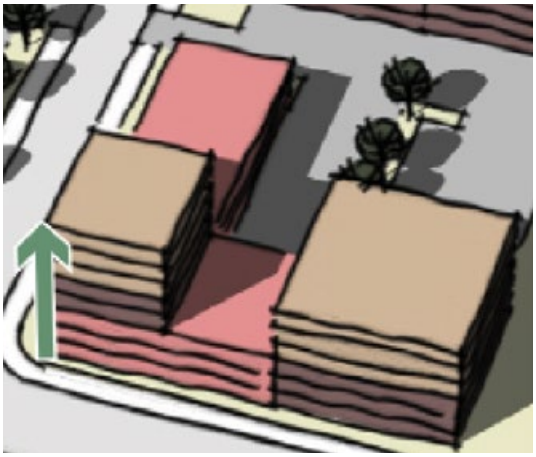
It is important to remember that while the intensity-based concept proposes mixing uses, it does not mean that every land use is appropriate everywhere. Location standards and compatibility requirements for higher impact uses are an important part of the land use system proposed in this plan.

INTEGRATION/MIXING OF USES

One advantage of an intensity based framework is its ability to integrate different land uses. Uses may be integrated in two ways: horizontally and/or vertically. Horizontal integration keeps individual building purposes separate but relates buildings harmoniously to each other. Vertical integration puts more than one use in the same building. In AIM Norman, most of the city's land is in multiple-use categories, but certain areas, such as Job Centers, are still kept as single-use areas.



Horizontal Integration: *Different uses housed in different buildings but are related to one another.*



Vertical Integration: *Different uses housed in the same building.*

INTENSITY

The AIM Norman Land Use Plan designates how much development occurs in an area and how that development affects its neighbors. This is measured by intensity and/or density of development. In residential areas, intensity is measured by dwelling units per acre. For other uses, the amount of traffic a project generates or how it affects its neighbors determines intensity.

- Defining Dwelling Units Per Acre: If six single-unit houses are included on an acre of land, the density of the site is 6 units per acre (du/A). The higher the number of units on an acre the more intense the land use.

LEAST INTENSE → **MOST INTENSE**

Lowest Densities — Highest Densities

RESIDENTIAL

COMMERCIAL

DENSITY

Residential density or dwelling units per acre can be measured as either gross density or net density. This plan uses gross densities as a tool for representing the goals of each land use.

NET DENSITY

Total dwelling units divided by developed parcels (exclusive of right-of-ways, parks, buffer areas, outlots, stormwater facilities, and/or trails)

GROSS DENSITY

Total dwelling units divided by overall area

CHARACTER AREAS

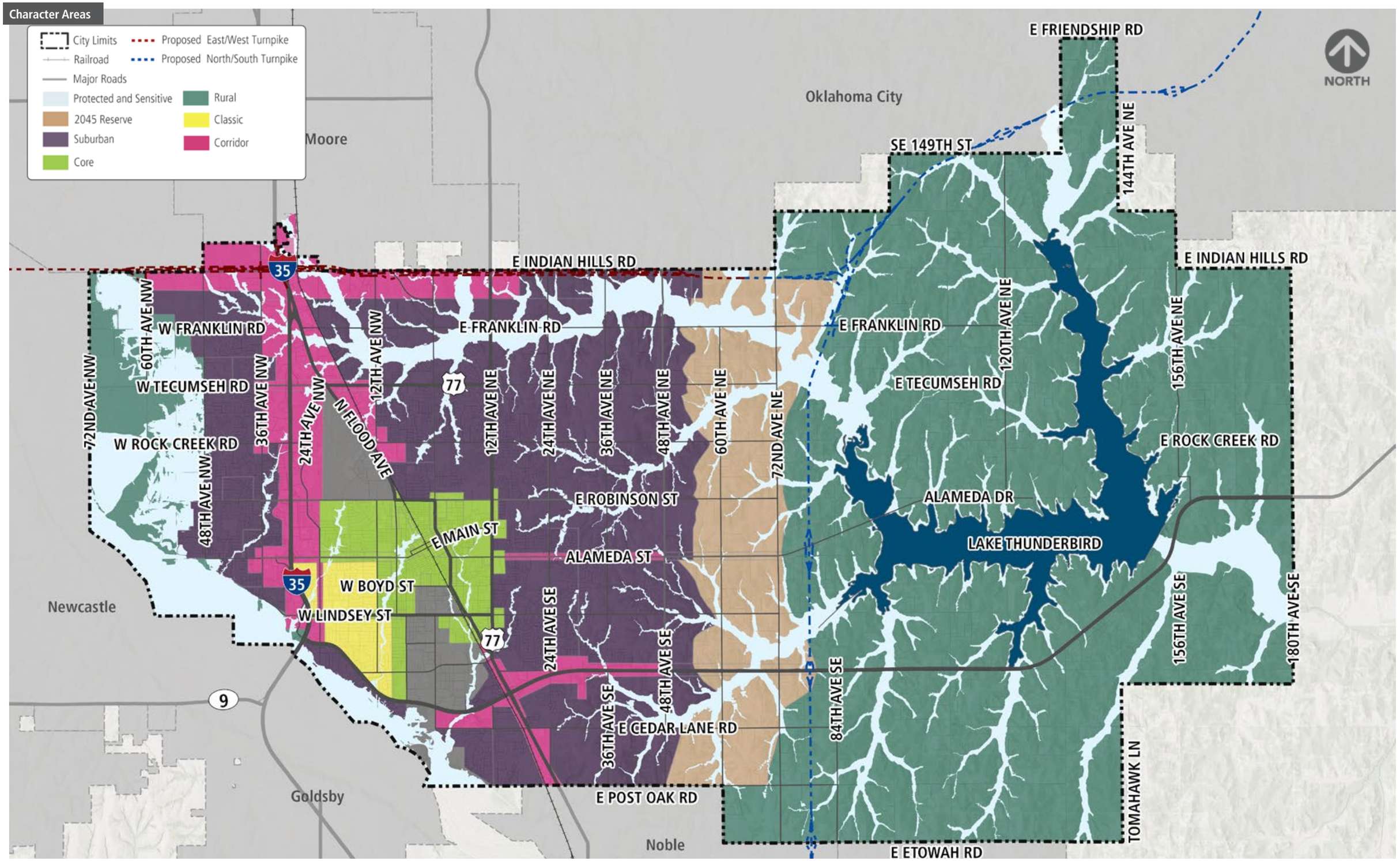
The Character Areas build upon past plans, community input, and factors that influence how the built environment is used and looks. This includes characteristics like building age, architecture, connectivity, scale, and environmental sensitivity. AIM Norman proposes seven Character Areas, as follows:

- **Core Neighborhood Areas**
- **Classic Neighborhood Areas**
- **Suburban Neighborhood Areas**
- **Corridor Areas**
- **2045 Reserve Areas**
- **Rural Areas**
- **Protected and Sensitive Areas**

The development of these areas over time may be fluid, as new opportunities arise or growth rates fluctuate. The policies identified in the following section should be viewed from a big-picture perspective, with the goal of balancing neighborhoods and providing quality living environments across the city.

IMPACTING AIR QUALITY

Air quality is an important factor in any community's quality of life, and can be most influenced by the land use policies a community implements. Distance to destinations, density of development, various transportation options, and green space requirements are all ways that Norman's land use policies can impact the community's air quality.



NOTE ON SHOWN TURNPIKE ROUTES:

AIM Norman does not endorse or influence the development and alignment of proposed turnpikes planned in east and north Norman by the Oklahoma Turnpike Authority ("OTA"). While the north-south connector turnpike is demonstrated in the position originally disclosed by the OTA, it is subject to change and an anticipated general shift westward. At this time, the actual nature and extent of the alignment shift for the north-south connector turnpike has not been specified by the OTA.

OVERARCHING POLICIES

These policies are designed for all Character Areas throughout Norman, as applicable.

GENERAL

- Based upon the recommendations of the most recent Stormwater Management Plan (SWMP), improve stormwater management for all development projects.
  - *Improve stormwater and floodplain management with all infill development.*
- Based on the most recent Transportation Plan and Complete Streets Policy, City projects and new development should establish a network of complete streets (see glossary).
- Appropriately regulate development within the floodplains and Stream Planning Corridors via the Floodplain and Water Quality Protection Zones (WQPZ) ordinances.
- Create and uphold quality build and site design standards to bolster community identity and pride.
- Where feasible, new streets and internal streets should follow a grid pattern of small blocks for a more condensed form of development.
- Improve pedestrian and bicycle connectivity, especially between public transit stops and destinations with new projects, redevelopments, or reconfiguration of existing development.
- Amenities such as, but not limited to, seating, public art, natural green space, fountains and other outdoor landscape elements should be included within each development. These amenities should be conscious and considerate of impacts on the natural environment.
- Develop buildings that meet or exceed Universal Design principles.
- Promote building principles such as energy efficiency and renewable energy sources, indoor environmental quality, water conservation, and minimizing impacts on wildlife through space and material optimization and building with resilient design.
- Coordinate all capital improvement projects between all necessary City departments (e.g. transportation, water, wastewater, stormwater, parks).
- Strengthen programming for disseminating information on the City's Fertilizer Ordinance and other pollution prevention initiatives.

RESIDENTIAL

- New residential development should blend with existing housing, incorporating tools such as buffering requirements and right-sized public spaces as defined in land use categories.
- Accommodate a variety of housing styles, sizes, densities, and price points to suit diverse housing needs.
- New residential development should use a variety of techniques to avoid the appearance of identical homes, increasing vibrancy and diversity in the built environment.

NON-RESIDENTIAL

- New non-residential development should use high quality building materials such as glass, brick, stone, wood or cementitious siding.
- Require that loading areas be located to the rear and sides of buildings and screened from view.
- Ensure that all sides of a parking garage that are visible from public view are architecturally consistent with the buildings it serves.
- Buildings in a corporate campus setting should have an internal pedestrian network between buildings.

CORE NEIGHBORHOOD AREAS

CHARACTERISTICS & INTENT

The Core Neighborhood is a focal point of the city, the traditional central business district, with a concentration of activities such as general retail, service commercial, professional office, mixed-density housing, mixed-use spaces, and appropriate public and open space easily accessible by pedestrians. This area frames the University of Oklahoma campus.

The Core Neighborhood encompasses all historic districts and some existing neighborhood planning areas. One notable aspect of this area is the reinvestment that has been occurring over the past decade.

The Core Neighborhood is defined by smaller, traditionally platted lots and older homes. Most streets within this Character Area are designed on a grid pattern, radiating from the BNSF rail line, and are highly connected to one another. Alleys are prominent and, although often used by local traffic, are in disrepair and in need of maintenance. Towards the commercial centers of this Character Area, taller buildings are more common, with the overarching height of residential structures being three stories or less.

GOALS

- Balance reinvestment and affordability for housing by promoting rehabilitation and renovation, while allowing for density increases, where appropriate.
  - *ADUs continue to be an appropriate housing typology in this Character Area.*
- Cultivate an accessible, pedestrian-centric environment that's enjoyable for live, work, and play including transitions from other, more auto-centric, character areas.
- Promote local business growth and encourage employment opportunities within the Core, catering to residents, students, and visitors.

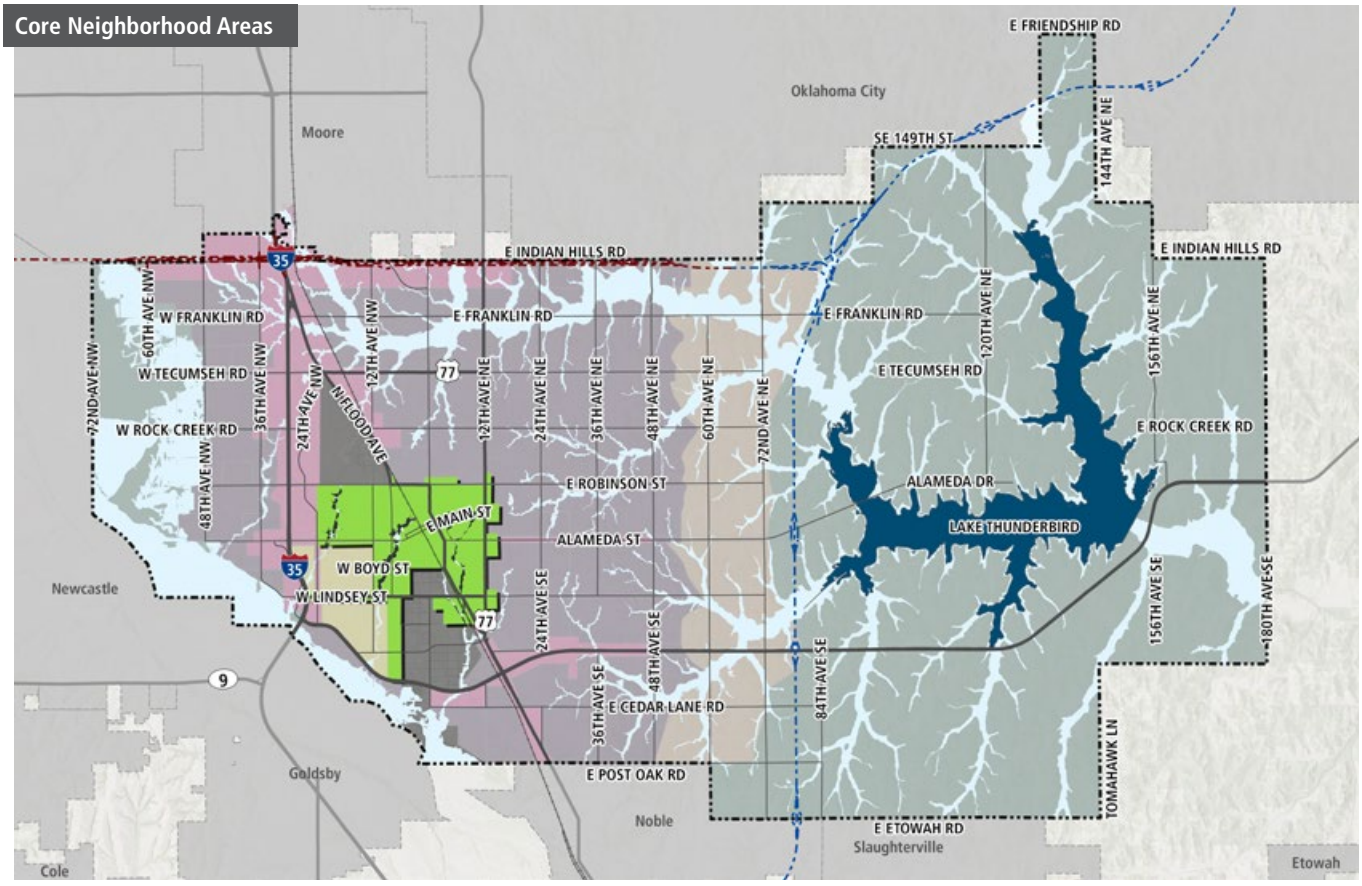
OPPORTUNITIES

- High access to alternative modes of transportation, including public transit, walking, and bicycling.
- Rehabilitation and redevelopment opportunities for residential and commercial projects.
- Strong historic ties and active attention from existing community efforts.

CHALLENGES

- Undersized, aging infrastructure, including lack of stormwater infrastructure, that requires frequent maintenance.
- Balancing reinvestment with affordability options.
- Under used areas.
- Cost of infill development.

Core Neighborhood Areas



POLICIES

- Continue to maintain and improve public facilities and infrastructure that supports infill development and reinvestment.
- Residential development should reinforce the Core through a combination of rehabilitation in the downtown area and compatible new infill development targeted to a broad range of income levels, including multi-unit townhomes, apartments, lofts, and condominiums.
- Focus mobility infrastructure on pedestrian comfort, safety, and convenience where there are smaller lots and greater proximity to a range of services.
- Ensure that redevelopment and infill developments:
  - *Address the impacts of parking and access:*
    - » *Off-street parking should be screened from public right-of-way, and placed in the rear of the lot for all development.*
    - » *For residential development, access to garages and parking pads are encouraged from a rear loaded alley.*
    - » *Alternative modes of transportation, including walking, rolling, biking, and public transit should be a priority with safe, clear connections. This includes improving sidewalks and filling gaps in the sidewalk network during development.*
  - *Reflects the scale and characters of surrounding properties:*
    - » *Structures should not be significantly taller, further from the front property line, or be inconsistent with the massing of neighboring properties.*
  - *Reduce the impact of higher intensity uses to adjacent lower intensity uses with* screening and landscaping. Native landscaping is encouraged.
  - *Encourage activation of the street space along arterials with pedestrian amenities.*
- Increased impervious area coverage should be mitigated using LID stormwater BMPs regardless of parcel size or existing impervious area coverage.
- New architecture should be compatible with existing neighborhoods. Modern, contemporary architecture should be limited, but can be accommodated as long as scale transitions and architectural elements achieve continuity.

ACTION ITEMS

- Work with Downtown businesses to explore a Business Improvement District.
- Incorporate results of the Center City Infrastructure Study into future projects.
- Based on the most recently adopted Housing Plan, establish programming to encourage rehabilitation of residential structures.
- Develop incentive programs and/or pursue public-private partnerships that promote infill development on vacant or under used sites to create catalytic projects of high-quality.
- Focus on strategic public investments to improve conditions, appropriate infill development on scattered vacant sites, and encouraging more homeownership and maintenance or upgrade of existing properties.
- Implement existing neighborhood plans; update as appropriate.
- Work with neighborhood leaders to assemble resources and technical assistance in support of existing historic districts.
- Coordinate with existing neighborhood organizations to increase street and alley activation to build community and increase safety.
- Conduct a parking study to identify solutions, including shared parking, to adequately support residents.
- Complete corridor-specific plans for potential Transit Oriented Development (TOD) sites that identify residential development opportunities that have good access management, improved site design, and low impact transitions to non-residential uses.
- Ensure undersized, aging infrastructure is updated as areas are redeveloped.
- Seek alternative funding sources to increase capacity for reducing flooding damages by acquiring vulnerable properties and converting that area to open space floodplain storage.
- Update regulations to:
  - *Ensure adequate lighting and sidewalks are provided for pedestrian safety.*
  - *Establish requirements for connectivity to bolster Complete Street policy.*
  - *Create development patterns consistent with the character area, including setbacks, scale, massing, yard characteristics, height, off-street parking, and other defining features.*
  - *Provide high-quality streetscape standards transitioning West Main Street, West Lindsey Street, and sections of James Garner Avenue and Porter Avenue from auto-centric to pedestrian-friendly designs as they approach Downtown Norman.*
  - *Explore special districts and design criteria for Downtown neighborhoods experiencing high development pressures such as Old Silk Stocking, and other locations not currently protected by an overlay district.*

CLASSIC NEIGHBORHOOD AREAS

CHARACTERISTICS & INTENT

These neighborhoods feature relatively well-maintained housing, possessing a unique style of lot and street design with high rates of homeownership. Characteristics include limited public open spaces, often curvilinear street patterns, a medium degree of building separation, and distinct separation of uses.

Proximity to the University of Oklahoma and Core Neighborhoods means that development pressure from those areas may extend into this Character Area in the future.

GOALS

- Maintain character by limiting incremental density to lower- to medium-intensity residential.
- Strengthen connections to public spaces, including Downtown Norman.

OPPORTUNITIES

- Naturally-occurring affordable housing.

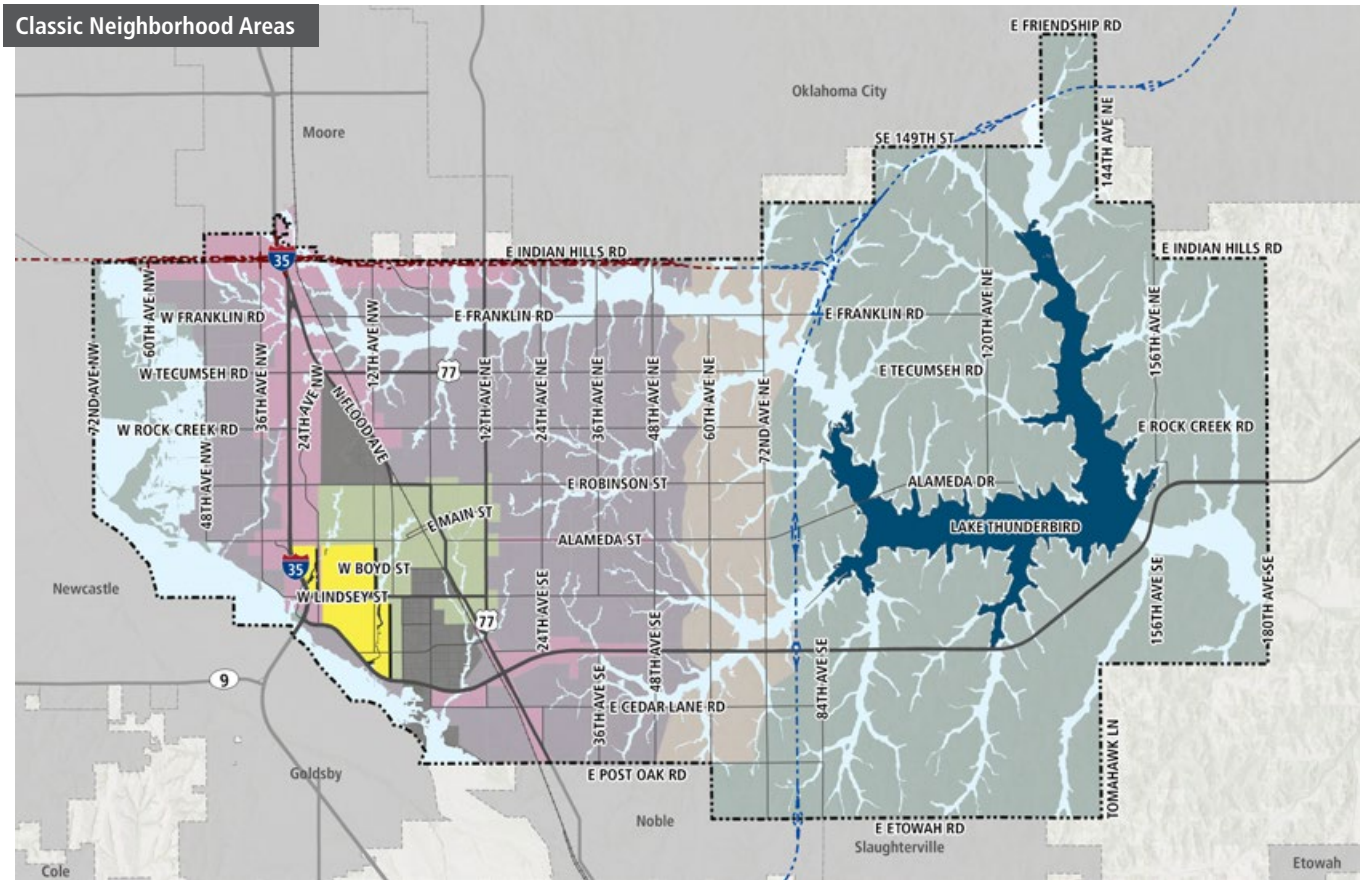
CHALLENGES

- Undersized, aging infrastructure, including lack of stormwater infrastructure, that requires frequent maintenance.
- Limited active transportation access.

POLICIES

- Residential development should reinforce ties to the Core Character Area through a combination of rehabilitation and compatible new infill development consistent with the scale of existing neighborhoods; limited to primarily single-unit, duplex, triplex, and quadplex, and townhome developments designed for homeownership.
  - *ADUs continue to be an appropriate housing typology in this Character Area.*
- Ensure that redevelopment and infill developments:
  - *Address the impacts of parking and access:*
    - » *Alternative modes of transportation, including walking, rolling, biking, and public transit should be a priority with safe, clear connections. This includes improving sidewalks and filling gaps in sidewalks during development.*
  - *Reflects the scale and character of surrounding properties:*
    - » *Structures should not be significantly taller, further from the fronting property line, or be inconsistent with the massing of neighboring properties.*
  - *Reduce the impact of higher intensity uses to adjacent lower intensity uses with screening and landscaping. Native landscaping is encouraged.*

Classic Neighborhood Areas



- New architecture should be compatible with existing neighborhoods. Modern, contemporary architecture should be limited, but can be accommodated as long as scale transitions and architectural elements achieve continuity.
  - *All ground floor principal residential units should have a stoop or porch with direct sidewalk access and visible frontage to the primary street.*

ACTION ITEMS

- Based on the most recently adopted Housing Plan, establish programming to encourage rehabilitation of residential structures.

SUBURBAN NEIGHBORHOOD AREAS

CHARACTERISTICS & INTENT

Suburban Neighborhood Areas are where suburban residential subdivision development has or is likely to occur (due to availability of water and sewer service). This area is characterized by low pedestrian orientation, existing but limited public transit access, high to moderate degree of building and use separation, predominantly residential with scattered civic buildings and varied street patterns, often curvilinear.

In the future, the neighborhoods with good trail access and connections to surrounding services will likely continue to be highly attractive neighborhoods. Future development should elevate connectivity and traditional neighborhood design (TND).

GOALS

- Encourage areas with new development to have greater housing variety and a higher overall density.
- Provide for medium- to high-intensity residential development near the Core and major streets, transitioning to lower density, single-unit uses further from arterial streets.
- Foster retrofitting of these areas to promote moderate to high density where appropriate, and expand options for multi-modal transportation.
- Promote balanced commercial and business/industry uses with appropriate mixed-use development and locally serving commercial establishments.

OPPORTUNITIES

- Naturally occurring affordable housing options near Core, Classic, and Corridor Character Areas.
- Trail network connection possibilities.
- Greenfield development opportunities for efficient, compact subdivision design.

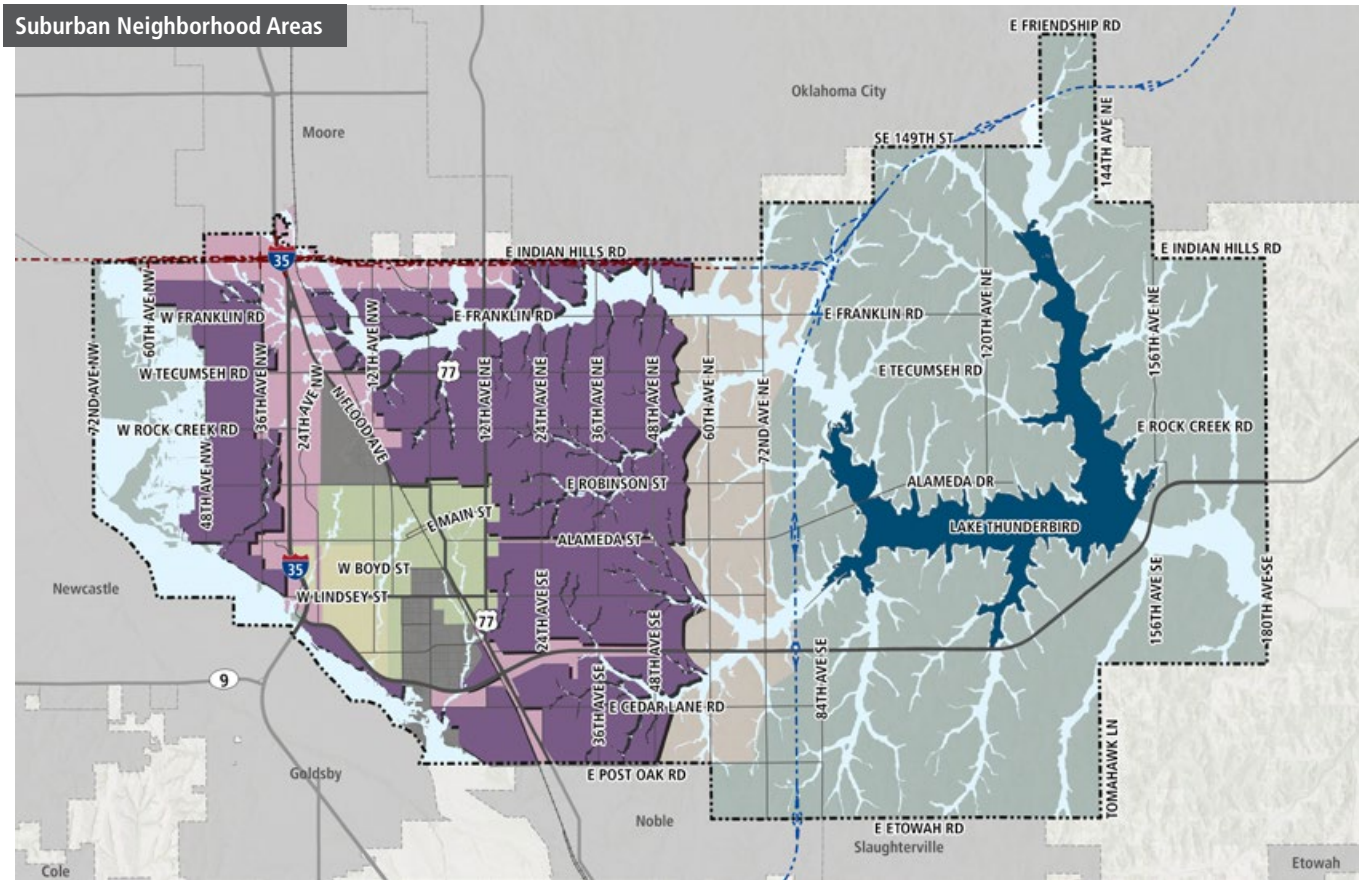
CHALLENGES

- Lack of a seamless multi-modal transportation network including safe, convenient, active and public transportation options results in an over-reliance on personal vehicles.

POLICIES

- Infrastructure extensions should occur incrementally, and new developments must connect to City water and sewer, which may require extension of lines.
- Protect drainageways in accordance with WQPZ ordinance within new development and expand their use for public trail access.
  - *Treat water quality volume from runoff for volume recommended in stormwater master plan and in accordance with EDC Section 7000.*
  - *The open spaces created around drainageways should be connected when feasible to create wildlife corridors.*
- Reduce the impact of higher intensity uses to

Suburban Neighborhood Areas



adjacent lower intensity uses with screening and landscaping. Native landscaping is encouraged.
  - *Prioritize preservation of existing mature street trees.*
- Promote a mix of housing types, including accessory dwelling units, and new, well-designed similarly scaled multi-unit residences to increase neighborhood density and income diversity.
  - *Priority for higher density, mixed-income, and affordable housing opportunities should be assigned to locations with multi-modal transportation access and capacity.*
  - *Based on associated Land Use, housing typologies of all intensity levels are appropriate within the Suburban Character area.*
- Encourage:
  - *More mixing of uses, including neighborhood services, job centers, and residential uses of similar intensities.*
  - *Retrofitting existing commercial and retail strip development in areas that are likely to undergo renovation or potential demolition in the life of this plan.*
  - *Civic, cultural uses, entertainment establishments that will promote community interaction and public open space.*
- As streets move further from the center of the Core Neighborhood Character Area and parcel sizes and development patterns work against pedestrian circulation, focus should shift to vehicular safety, corridor appearance and traffic speeds while still providing basic access and safety for pedestrians and bicyclists. Transportation accommodations should:
  - *Ensure interconnectivity between developments for local and collector streets.*
  - *Provide access to trails with all new development, when feasible to integrate trail plans outlined in the Transportation and Park Master Plans into developments.*
  - *Connect streets between land uses and include complete street approaches for undeveloped sites.*
  - *Use the most recent Transportation Master Plan to fill pedestrian system gaps along streets, to trails, and within developments.*
  - *Encourage network of multi-modal transportation options to neighborhood centers and local mixed-use developments.*
  - *Use building and site design as transitions between commercial centers and adjacent residential areas, as opposed to distance.*
  - *Promote pedestrian access between buildings.*
  - *New, transformative housing developments must have multiple access points onto the road network to ensure adequate external connections to the larger neighborhood community.*
  - *Create incentives for establishing natural, undeveloped spaces for ecological conservation and interconnectedness of these areas across multiple developments (i.e. wildlife habitat corridors).*
  - *Protect and/or preserve wetlands when developing east towards the 2045 Reserve.*

ACTION ITEMS

- Continue to work with developers on dedication of park land for neighborhood parks.
- Based on the most recent Transportation Plan, expand access to public transit.
- Update regulations to:

CORRIDOR AREAS

CHARACTERISTICS & INTENT

Corridor Areas are developed or undeveloped land on both sides of a roadway; primarily designated, although not limited to, commercial and mixed-use development with auto-centric design. Scale and location affect the type and intensity of these uses. Corridor character is determined by scale and is recognized in three main areas.

Gateway Corridors

Major thoroughfare that serves as an important entrance or means of access to the community marked by orientation of buildings to highway; on-site parking; and large set-backs for buildings. Anticipating high public transit access, including stops and shelters in locations safe for passengers and operations. Interstate-35, North Flood Avenue, Alameda Street, Main Street west of 24th, and Highway 9 are Gateway Corridors managed under this Character Area.

In-Town Corridors

Arterial streets servicing neighborhood needs including commercial, residential, civic, and recreational uses. Already or likely to experience uncontrolled strip development if growth is not properly managed. Anticipating high public transit access, including stops and shelters in locations safe for passengers and operations. These corridors are managed under Suburban Neighborhood Character Area policies and Action Items.

Downtown Corridors

Key commercial areas of transition from auto-centric to pedestrian-friendly design. These corridors are managed under Core Neighborhood Character Area policies and Action Items.

GOALS

- Encourage high-quality destination commercial and mixed-use development that highlights Norman's role as a collegiate town.
- Promote Transit Oriented Development (TOD) design with emphasis on first- and last-mile connections to alternative forms of transportation.

OPPORTUNITIES

- Access to public transit systems.
- New and redevelopment opportunities.
- Convenient connections to nearby neighborhoods.

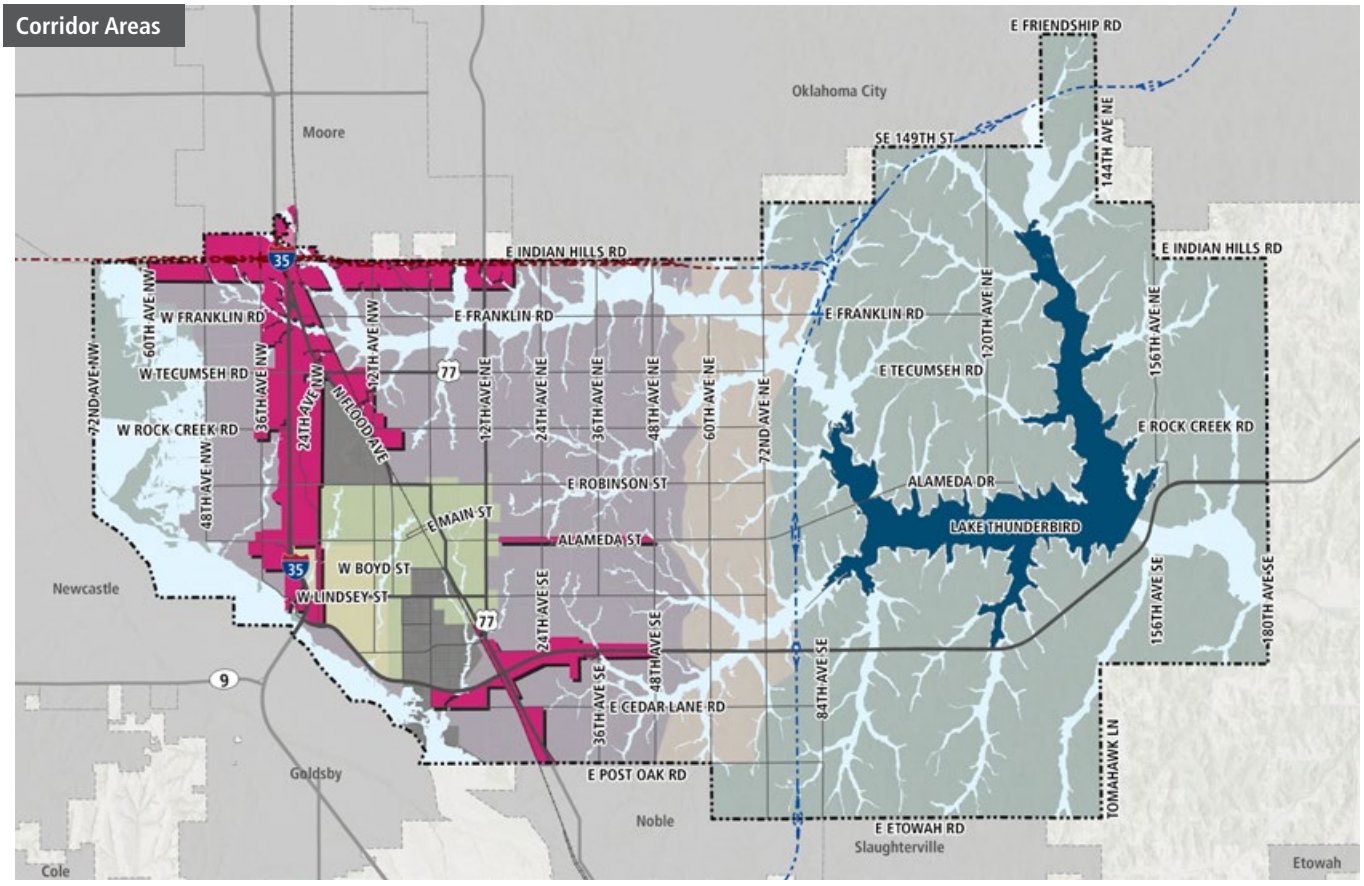
CHALLENGES

- Poor existing sidewalk and bike connections, especially to public transit.
- Underused/vacant sites.

POLICIES

- Support the natural phasing out of older and lower-yield commercial and industrial uses with regulations and incentives that support mixed-uses and local businesses.

Corridor Areas



- Use screening, with natural materials when possible, to lessen noise pollution and visual clutter from existing and future uses along the corridor.
- Promote circulation and manage access to keep traffic flowing by:
  - *Including access along and into properties for vehicles, public transit, pedestrians, and bicyclists during street and interchange improvements.*
  - *Projects should not create fragmented parcels or impede on- and off-site circulation through, to reduce restriction of future development.*
  - *Allowing redevelopment of excess parking areas or commercial building space for residential uses, especially along public transit routes and areas with strong existing or planned pedestrian connections.*
  - *Requiring shared entrances, cross-access, and avoiding multiple access points for new commercial developments at major intersections.*
- Commercial developments should offer both internal and external pedestrian connections, especially between hotels, restaurants, and retail services.
  - *Connections to the corridors and through developments should improve safety for those walking, bicycling, or using mobility devices.*
- Allow redevelopment for high density residential and mixed-residential uses near public transit stops, along pedestrian routes, and where site design does not create secluded enclaves of apartments.
- Add density through development of sites behind properties directly facing streets.
- Retrofit or mask existing strip development or other unsightly features, as necessary.
- Explore requiring that stormwater management and detention have lower impact than historic stormwater conditions for all new or redevelopment along corridors.

ACTION ITEMS

- Complete corridor-specific plans for Ed Noble Parkway and the potential Transit Oriented Development (TOD) sites that identify residential development opportunities that have good access management, improved site design, and low impact transitions to non-residential uses.
- Offer wayfinding and gateway features that welcome and orient visitors.
- Conduct a parking study with intent to reduce parking abundance by evaluating the amount of parking needed at the development or block level rather than at the individual business level.
- Establish incentives for the I-35 Corridor that:
  - *Elevate the image of the community as compared to other sections of the I-35 corridor in the metropolitan area. Examples may include, but are not limited to: limiting signage and low-quality building materials, increasing landscaping features, showcasing renewable energy, and/or featuring public art and lighting.*
  - *Improve efficiency of land use in the area and avoid large expanses of parking and disconnected uses.*
- Update regulations to:
  - *Emphasize community aesthetics, high-quality building design and materials, and image for Gateway Corridors.*
  - *Protect and/or preserve wetlands and wildlife habitat when developing east towards the 2045 Reserve.*
  - *Streamline projects that increase cross access between land uses and/or properties.*
- Elevate the image of all Gateway Corridors from the roadway. Examples may include, but are not limited to: limiting signage and low-quality building materials, increasing landscaping features, showcasing renewable energy, and/or featuring public art and lighting.

2045 RESERVE AREAS

CHARACTERISTICS & INTENT

The 2045 Reserve is an area of deep concern for the community of Norman. The area is currently sparsely developed, with large-lot residential uses and agricultural/grazing lands. Most of the area follows vestige section line streets, with smaller, private roadways serving residential uses. High intensity development is not present in this area.

New development in this area should be done with sensitivity and only when City services are available to adequately serve future use.

GOALS

- Conservation of natural resources including wildlife habitat, surface water, and ground water.
- Ensuring intermediate development does not hinder the ability of City utilities to adequately serve future development.
- Change in land use should not increase pollutants or sediments into the Lake Thunderbird watershed.

OPPORTUNITIES

- Future connections to infrastructure.
- Natural and wild areas for wildlife habitat protection, aquifer recharge, upland forests, and riparian areas.

CHALLENGES

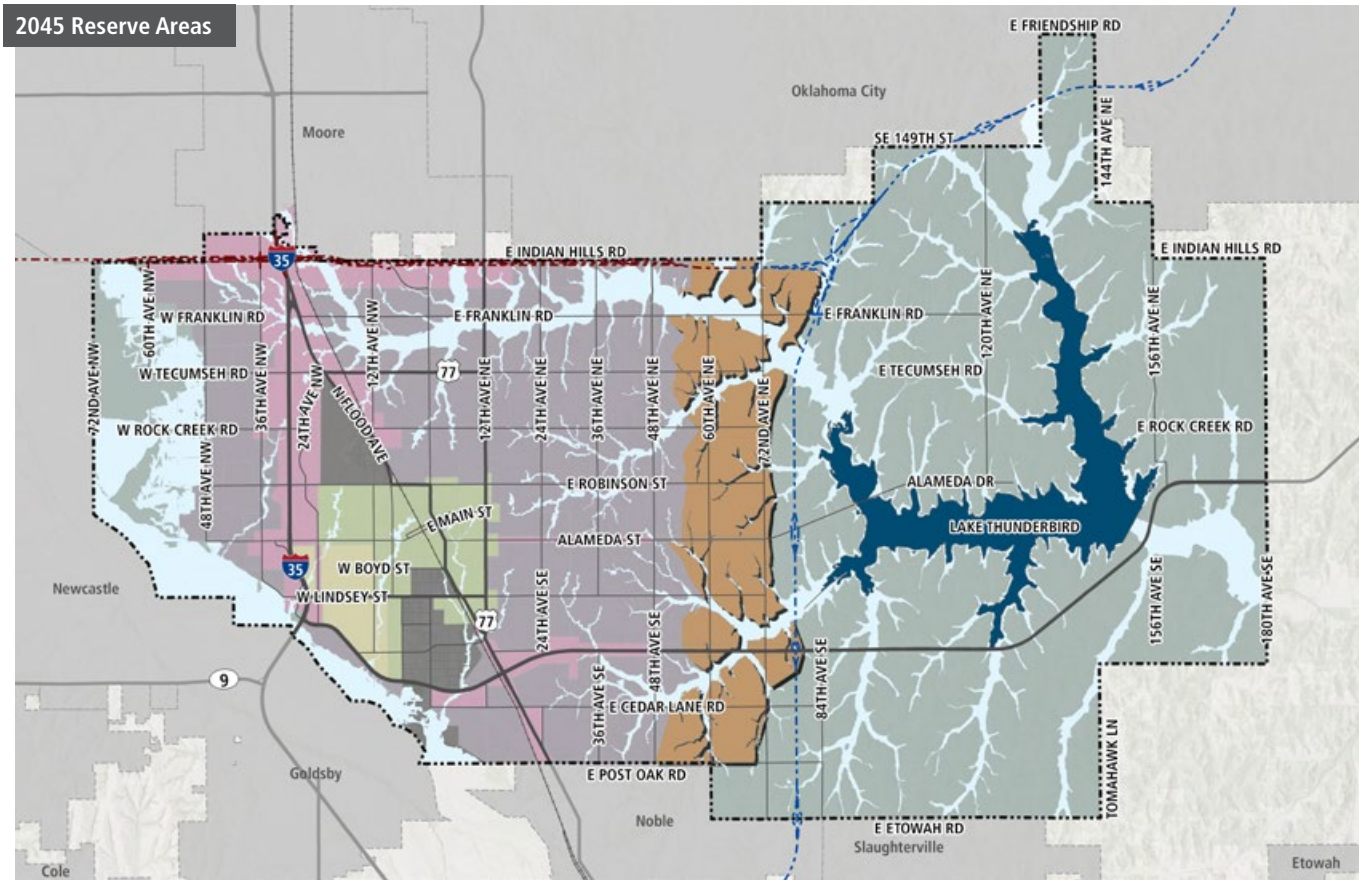
- Limited access to existing infrastructure.
- Heavy influence on the runoff water quality of the Lake Thunderbird watershed.

POLICIES

As water and sewer services within the Suburban Neighborhood Character Area reach capacity, development in this area may be permitted such that:

- It is contiguous with existing development. In order to be considered contiguous a development must:
  - *Be in close proximity to existing or platted development (adjoining land that touches the subject property at a common corner or property line),*
  - *Connect to or use existing or planned sewers, streets, and other utilities,*
  - *Not require the construction or extension of unplanned public improvements, and*
  - *Not result in the creation of unplatted parcels between new and existing development.*
- Further, development must:
  - *Clearly define and designate stormwater practices that protect water quality and are in line with the most recently adopted Stormwater Plan.*
  - *Include trail corridors and safe, convenient access to adjoining trails.*

2045 Reserve Areas



  - *Contain housing typologies reflective of the goals from the most recently adopted Housing Plan.*
  - *Contain well defined transportation systems connecting to existing and future systems, as outlined in the most recently adopted Transportation Plan.*
  - *Clearly define a strategy for regionalizing lift stations and building out the sewershed.*
- Allow for cluster development where at least 65% of the development is preserved in an out-lot held for conservation or as a through line for future urban services.
- Infrastructure extensions into these areas should only occur after existing service areas have been fully developed, or as identified in appropriate master plans.
- New development should not be permitted within the floodplain, except for appropriate recreational and conservatory uses.
- Continue Water Quality Protection Zone (WQPZ) policies and regulations.
- Expand any of these areas within the City's most recently adopted Stormwater Master Plan.
- Preserve drainageways with proper buffering according to the most recent Stormwater Master Plan to allow for stormwater absorption, water quality protection, and access to recreational trails.
- Improvements to the Transportation Network should provide for all modes.

ACTION ITEMS

- Monitor future corridor planning of a north-south turnpike segment for potential changes in land use policy.
  - *Develop detailed land use plans for geographically limited areas around proposed interchanges that include: proper buffering for lower intensity uses and rural landscape and protection and expansion of wetlands and wildlife habitat.*
- Update regulations to protect and/or preserve wetlands when developing east towards the 2045 Reserve.

RURAL AREAS

CHARACTERISTICS & INTENT

The area of Norman east of the 2045 Reserve is dominated by Lake Thunderbird, publicly owned land, and large agricultural/grazing land tracts. There are also historic farmsteads and pockets of large-lot residential subdivisions with pastoral views and a high degree of building separation. Commercial activity is primarily located at arterial intersections. Most of the area follows vestige section line streets, with smaller, private roadways serving residential uses. High intensity development is not present in this area. Recreational amenities offered by Lake Thunderbird are the largest economic attraction of the area.

Future growth and development in Norman should continue to remain to the west of the 2045 Reserve area and therefore, land use patterns in this Character Area are likely to remain unchanged in the next twenty years.

GOALS

- Protect agricultural uses and maintain Rural Character.
- Anticipate and plan for impacts of potential turnpike and interchanges on development.

OPPORTUNITIES

- Large, unplatted lots offer agricultural uses.
- Natural and wild areas for wildlife habitat protection.

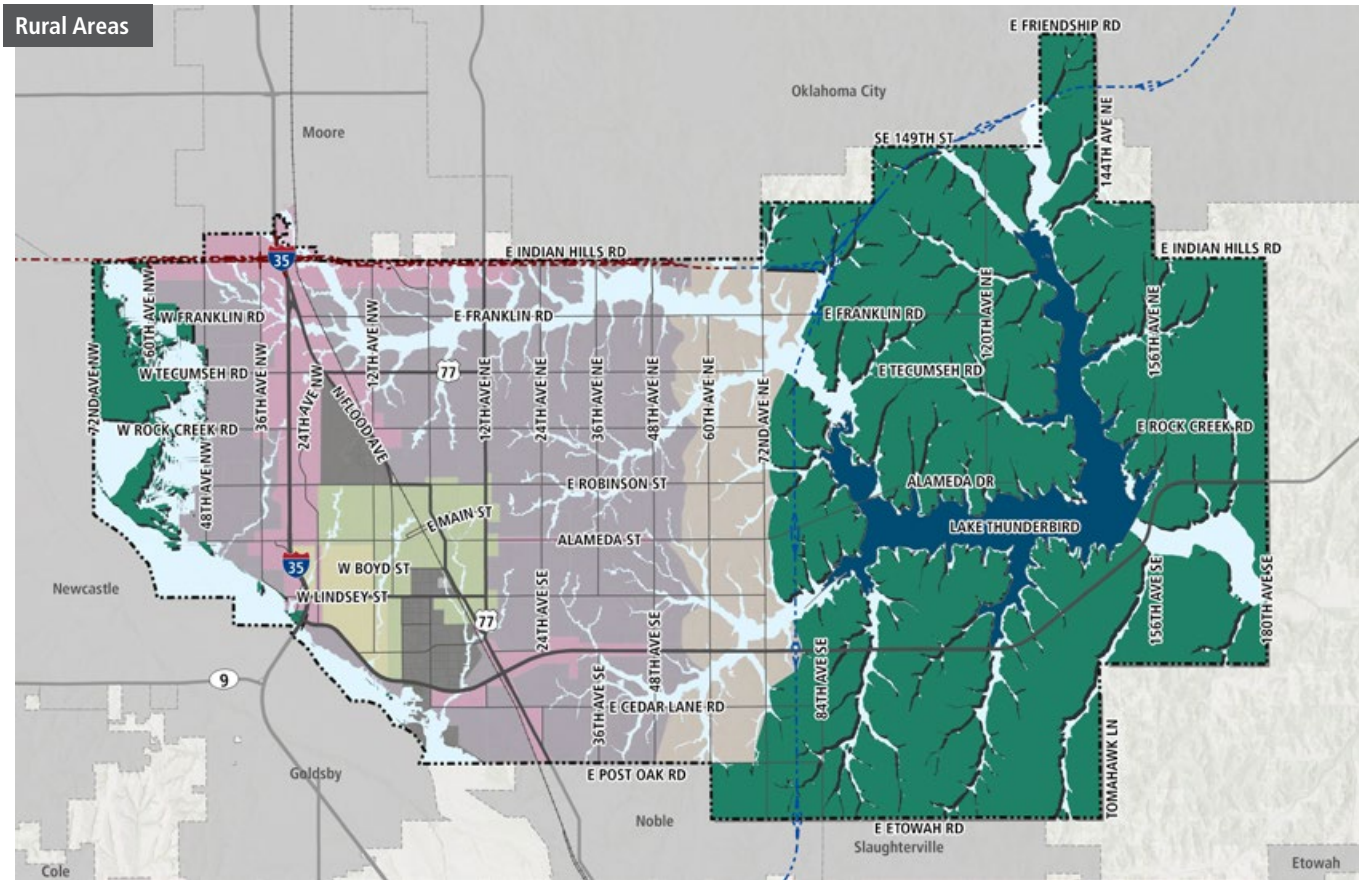
CHALLENGES

- Limited access to infrastructure connections.
- Heavy influence on the Lake Thunderbird watershed.

POLICIES

- Continue Water Quality Protection Zone (WQPZ) policies and regulations.
  - *Expand any of these areas within the City's most recently adopted Stormwater Master Plan.*
- New development should not be permitted within the floodplain, except for appropriate recreational and conservatory uses.
- New development should not exceed the intensity of existing development patterns on abutting properties.
- Development, including recreation amenities and services related to the Lake, may be allowed:
  - *A stormwater management plan that includes Best Management Practices is established and realistically implemented.*
  - *Drainageways are preserved with easements and proper buffering.*
  - *When possible, safe, convenient connections to the trail system are included.*

Rural Areas



ACTION ITEMS

- Monitor future corridor planning of a north-south turnpike segment for potential changes in land use policy.
  - *Develop detailed land use policies for areas around proposed interchanges and along the turnpike that include: proper buffering for lower intensity uses and rural landscape and protection and expansion of wetlands and wildlife habitat.*
- Update regulations to protect and/or preserve wetlands when developing east towards the 2045 Reserve.

PROTECTED & SENSITIVE AREAS

CHARACTERISTICS & INTENT

The Protected and Sensitive Areas encompass the FEMA designated floodways and floodplain, and the Stream Planning Corridors. Primarily undeveloped natural lands and environmentally sensitive areas not suitable for development, e.g., scenic views, steep slopes, floodplains, wetlands, watersheds, wildlife management areas and other environmentally sensitive areas.

GOALS

- For the health and safety of residents, development within these areas should be avoided, exclusive of low-impact recreational and conservatory uses.

OPPORTUNITIES

- Space for conservation and low-impact uses like parks.

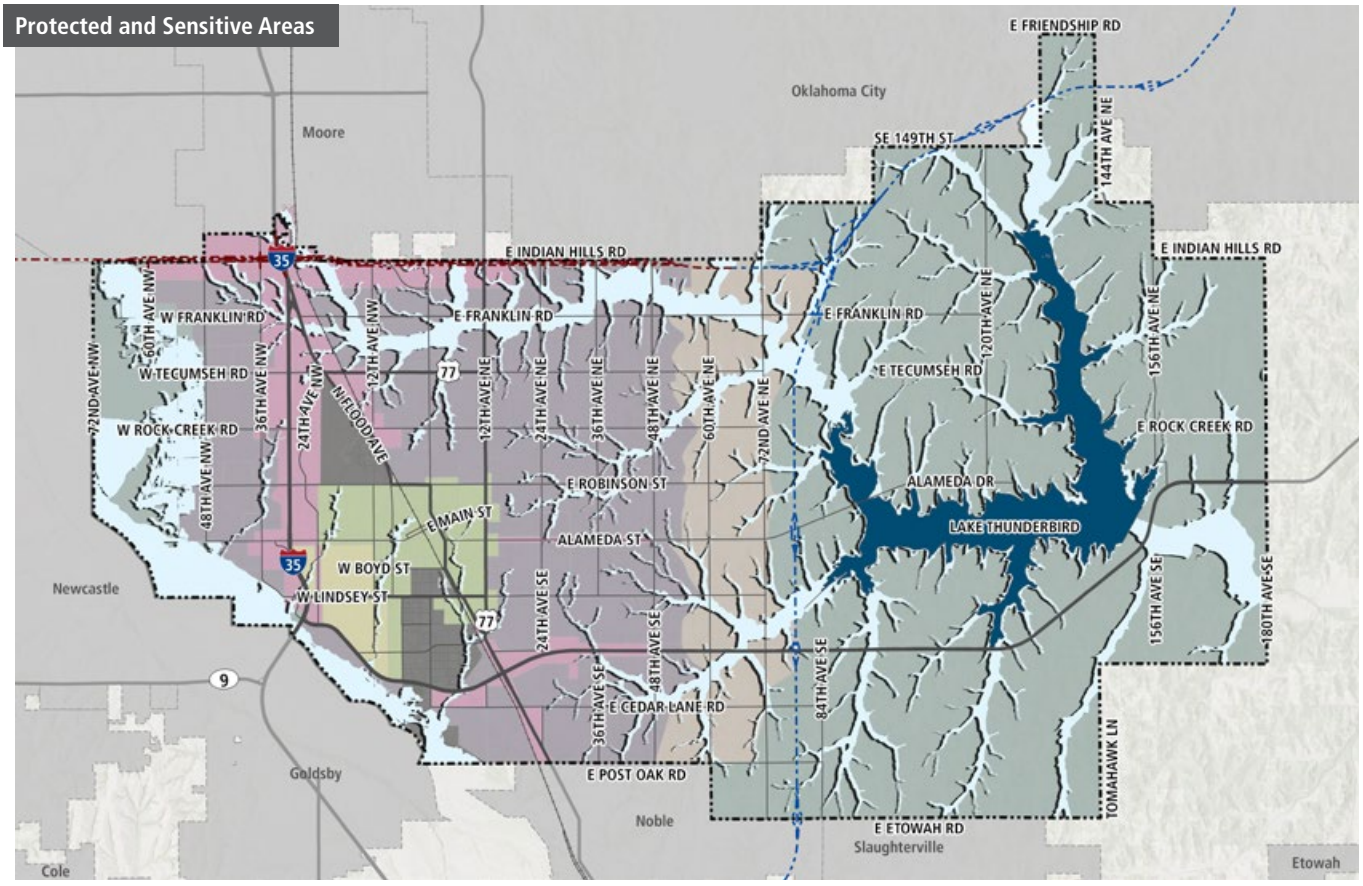
CHALLENGES

- Lucrative property locations can distract from the need to protect these areas for the health, safety, and welfare of the public.

POLICIES

- Development within the floodway is not appropriate.
- Development within the floodplain is suitable only for recreational and conservatory uses that do not require placing fill or insurable structures.
- Development in and adjacent to these areas should include trails and safe, convenient access to the trail system.
- Areas within the Protected and Sensitive Character Area will automatically adjust with the update of any floodway, floodplain or WQPZ boundary.

Protected and Sensitive Areas



DEVELOPING THE LAND USE MAP

This map shows general patterns of proposed uses, rather than the use of individual sites or lots. The map provides a general vision of Norman's land use future and guidance for private and public sector decision-makers.

Where different land use categories are located on the Land Use map depends on such factors as:

- **Existing land use patterns.** The land use map reflects how land is used today, unless the overall comprehensive plan recommends major redevelopment or redirection.
- **Adjacencies.** Adjacent uses should be reasonably compatible with each other. Locational criteria should be followed to ensure reasonable compatibility.
- **Infrastructure.** Systems should be adequate to serve the recommended development pattern either with existing or cost-effective extensions.
- **Transportation.** Transportation facilities should be adequate to serve proposed uses, with higher intensity uses located at points or areas with maximum transportation service.
- **Environmental impact.** Proposed use patterns should minimize impact on major environmental resources, including Lake Thunderbird, the Garber-Wellington aquifer, drainageways, and wetland areas.

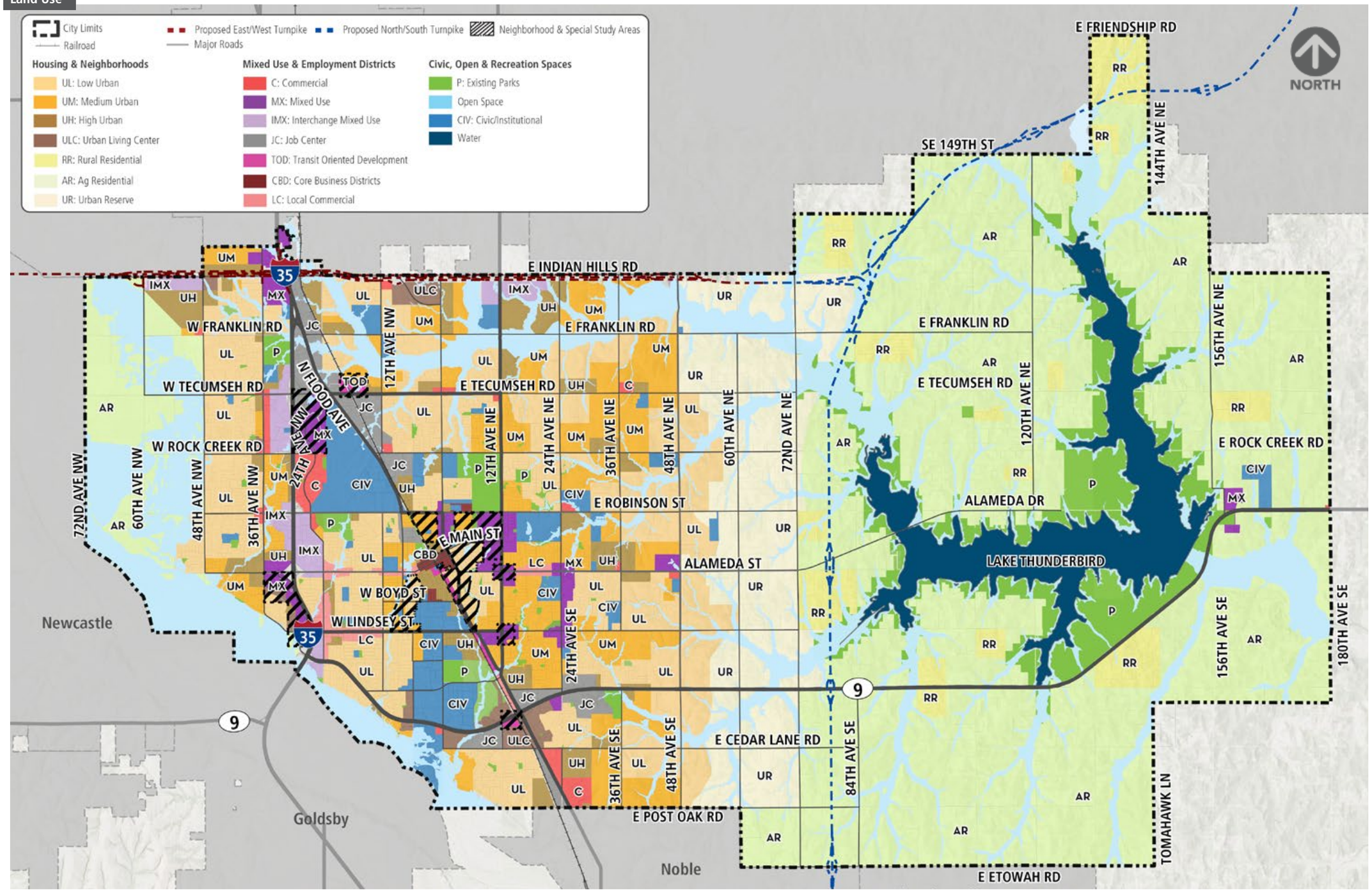
URBAN NEIGHBORHOODS

These categories are primarily residential, but include some non-residential uses and different intensities. Uses are grouped together in terms of their impact rather than their specific type of use. In all cases, these areas use urban infrastructure now or in the future.

- **UL: Urban Low.** This category includes built-up areas of largely single-unit developments within the Current Development Character Area east of 12th Avenue East and west of Interstate 35. New growth UL areas are located toward the interior of areas bounded by major streets east of 24th Avenue East, open sites where the predominant form are relatively large lot, urban single-unit subdivisions, and in areas to the east where development densities transition to more rural levels to the east.
- **UM: Urban Medium.** Urban Medium includes most of Norman's established neighborhoods west of 48th Avenue East. Within new growth UM areas, this category is located along and behind section-line arterials that can support higher density environments and neighborhoods with a variety of housing forms. It also follows potential trail and greenway corridors where creative site design can provide larger stormwater management facilities and recreational, walking, and bicycling amenities can serve more people.
- **UH: Urban High.** This category is located along major transportation and amenity corridors and corridors with high residential demand. These include the Classen Boulevard/Legacy Trail/BNSF corridor, on the edges of major mixed-use centers, near and around major intersections, around the OU campus, between Downtown and OU, and as a transitional use between potential commercial nodes and low- and medium density neighbors.
- **ULC: Urban Living Center.** These very high density centers, are focused at points of very high transportation access and existing or future urban services, making a walking distance environment feasible. Other locations include redevelopment projects, such as conversion of underused commercial centers to mixed-uses.

MIXED-USE & EMPLOYMENT CENTERS

- **C: Commercial.** The commercial category is generally reserved for large format retail and commercial concentrations. Mixed-uses may be included, but commercial uses dominate. The land use map recognizes existing commercial concentrations such as University North Park and proposes new focuses at principal arterial intersections, including the access points of the east-west Turnpike.
- **MX: Mixed-Use Development.** This category includes both existing developed areas that include a variety of uses with opportunities for greater connectedness and infill development (12th Avenue East and 24th Avenue East at Alameda and Lindsay; Porter and Robinson; and Ed Noble Parkway); redevelopment sites (Griffin Hospital); and new Turnpike related areas (Indian Hills and I-35).
- **IMX: Interchange Mixed-Use.** This category is logically located along Interstate corridors with parallel service streets, creating the linear pattern with diverse uses along I-35 between 24th and 36th Avenues West.
- **JC: Job Center.** Employment-intensive uses, including low-impact industry, office, and research uses, along major transportation corridors.
- **TOD: Transit Oriented Development.** TODs are very high intensity mixed-use areas within easy pedestrian or bicycle distance from major transit stations. These are located at future stations of a proposed passenger rail line from Norman to Edmond through Downtown Oklahoma City. TODs may also develop along bus rapid transit lines or a major community transit center.



NOTE ON SHOWN TURNPIKE ROUTES:

AIM Norman does not endorse or influence the development and alignment of proposed turnpikes planned in east and north Norman by the Oklahoma Turnpike Authority ("OTA"). While the north-south connector turnpike is demonstrated in the position originally disclosed by the OTA, it is subject to change and an anticipated general shift westward. At this time, the actual nature and extent of the alignment shift for the north-south connector turnpike has not been specified by the OTA.

- **CBD: Core Business District.** This encompasses Norman's two "main street" mixed-use areas with street-oriented, pedestrian environments – Downtown and Campus Corner. New commercial or mixed-use development could conceivably generate a similar type of district in developing areas.

- **LC: Local Commercial Corridors.** These urban corridors are characterized by a mix of commercial and limited residential uses and relatively shallow commercial sites with small-scale businesses and strip centers. Policies will include spot redevelopment, improved multi-modal access, and introduction of residential uses while building on the character of these urban streets. This category includes the Main, Lindsay, and Porter corridors.

RESERVE AND RURAL CATEGORIES

- **UR: Urban Reserve.** These areas extend out to approximately 72nd Avenue East and represent the likely limit of Norman's future urban development outside the life of this plan. Acreage subdivision would compromise the feasibility of future urban services.
- **RR: Rural Residential.** This designation is limited to existing large lot or rural subdivisions in the eastern fringes of the city and are unlikely to ever change in character.

- **AR: Agricultural Residential.** This category includes land that is unlikely to receive urban services and where rural subdivision is likely to be the end use for the foreseeable future. Conservation development should be encouraged in these areas, permitting smaller lots with preservation of open space to achieve the permitted density.

LAND USE

Land Use Category Descriptions

The following attributes for each land use category help guide rezoning, site plan approvals, and other site development decisions.

BUILDING TYPES

The scale and transparency of buildings dictate the feel and intensity of the areas. Larger commercial spaces or buildings with more residential units generate more trips, impacting factors like parking demand. Scale also influences the feel of an area, such as the difference between a block of one- and two-story structures versus structures with five or more stories. Transparency, or the ability to see into or out of a structure (often with windows), can make an area feel more comfortable, safe, and interesting for pedestrians. The recommendations in this section guide how to regulate and administer building types and uses in the adopted Development Codes.

SITE DESIGN

The area and shape of lots, streets, sidewalks, parking, landscaping, design of open spaces, and access all influence the feel of a development and should be handled differently based on the intensity of the use. Site design can often mitigate the effects of higher intensity uses on less intense neighboring uses. The recommendations in this section guide how to regulate and administer site design standards through the adopted Development Codes.

TRANSPORTATION NETWORK, CIRCULATION & ACCESS

Transportation accommodations vary depending on the intensity of the use. For example, commercial uses that generate more traffic will require access to arterial and collector streets. Site design will guide circulation and access within a site, but projects also need to consider how circulation and access are addressed between sites and future developments. The recommendations in this section guide how to regulate and administer access and circulation standards through the adopted Development Codes.

UTILITY ACCESS

Access to public services - water, wastewater, and regional stormwater management - may be required depending on the location and/or intensity of a development. Utility access recommendations in this section are strict to ensure services can support the development.

PUBLIC SPACE TYPES

Public spaces are open and accessible to anyone in the community. These spaces can include plazas, parks, courtyards, natural areas, and more. They create a sense of community and a way for residents to interact with their neighbors. The recommendations in this section guide where public spaces are needed and guide standards through the adopted Development Codes.

LOCATIONAL CRITERIA

Location Criteria considers the influence of a use on adjacent properties and land uses. The recommendations in this section guide how to administer compatibility of adjacent land uses and their influence on one another through the adopted Development Codes.

ZONING DISTRICTS

This section identifies the most appropriate zoning districts (based upon the current code) for each land use designation. For properties within an Overlay Zoning District, the base Zoning District will apply.

ZONING DISTRICTS IN GREEN ARE TYPICALLY APPROPRIATE IN THE DESIGNATED LAND USE

ZONING DISTRICTS IN YELLOW MAY BE APPROPRIATE IN THE DESIGNATED LAND USE, BUT REQUIRE INTENSE REVIEW

ZONING DISTRICTS IN RED ARE TYPICALLY NOT APPROPRIATE IN THE DESIGNATED LAND USE

Norman's Current Zoning Districts are:

- PUD: Planned Unit Development
- SPUD: Simple Planned Unit Development
- A-1: General Agricultural
- A-2: Rural Agricultural
- RE: Residential Estate Dwelling
- R-1: Single-Family Dwelling
- R-1-A: Single-Family Attached Dwelling
- R-2: Two-Family Dwelling
- RM-2: Low Density Apartment
- RM-4: Mobile Home Park
- RM-6: Medium Density Apartment
- R-3: Multi-Family Dwelling
- RO: Residence-Office
- O-1: Office-Institutional
- CO: Suburban Office Commercial
- C-1: Local Commercial
- C-2: General Commercial
- TC: Tourist Commercial
- CR: Rural Commercial
- C-3: Intensive Commercial
- I-1: Light Industrial
- I-2 Heavy Industrial
- M-1: Restricted Industrial
- MUD: Mixed-Use Development
- FH: Flood Hazard
- PL: Park Land
- CCFBC: Center City Form-Based Code

More information on Zoning and Overlay Districts may be found in Section 36-505 of the City of Norman Municipal Code.

LAND USE CATEGORY

Open Space (OP)

DESCRIPTION & CONTEXT

Contains valuable environmental features that should not be developed or would make good recreational spaces. Areas intended for parks can be developed with recreational features, while open space areas are more appropriate for wildlife habitat preservation with only passive recreation uses. Consists of relatively large areas appropriate for natural lands, floodplains, large parks (>30 acres), platted common areas larger than 2-3 acres that provide multiple benefits (stormwater management, recreation, tree preservation, interconnected wildlife habitats, etc.) to nearby areas, and major trail system components. Development is limited to park and trail uses due to overlap with 100-year floodplain.

BUILDING TYPES

- Small single-story structures designed to support the primary function as a recreation or natural amenity.

SITE DESIGN

Based around natural areas where wetlands, floodplains, native vegetation, wildlife habitats, and any other sensitive areas should be preserved. Minimal site disturbance.

- Development on the periphery should not remove healthy trees or other beneficial landscaping to help retain natural filtering and protection from pollutants.

TRANSPORTATION NETWORK, CIRCULATION & ACCESS

Streets, transit, sidewalks, and trails all have a role to play in maximizing access to these community resources. Within the OP Land Use itself, small access streets, trails, and walking paths provide both access and recreation functions.

UTILITY ACCESS

Some structures may require water and sewer service. Electricity for lighting and basic building functionality (lights, security, cleaning equipment, etc.) may be appropriate in some open spaces.

PUBLIC SPACE TYPES

All types and sizes of parks, trails, playgrounds, native ecosystem areas, pavilions, and passive and active recreation spaces are accommodated and appropriate.

LOCATIONAL CRITERIA

- Includes existing and potential future parks.
- Nearly all floodplain areas and space unfit for development to protect water quality.
- Open Space is compatible adjacent to all land uses.

ZONING DISTRICTS

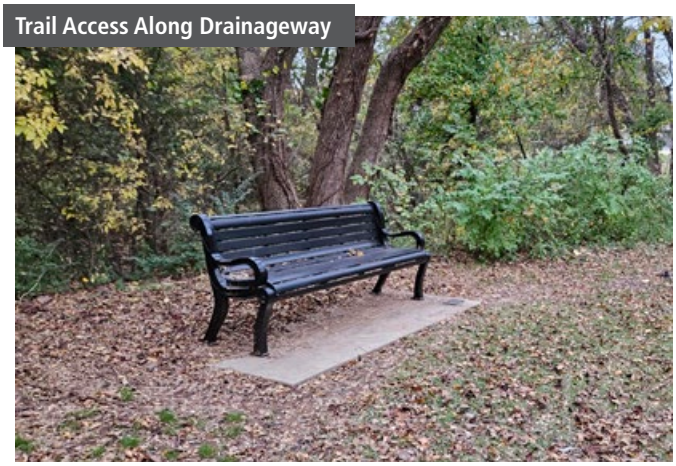
Properties within the FEMA 100-Year Floodplain and Floodways or the Stream Planning Corridors may qualify for this designation.

- If a property is removed from the regulatory floodplain, it is eligible for a Land Use change to higher intensity designations.

PL														
PUD	SPUD	A-1	A-2	RE	R1	R-1-A	R-2	RM-2	RM-4	RM-6	R-3	RO	O-1	CO
C-1	C-2	TC	CR	C-3	I-1	I-2	M-1	MUD	FH	CCFBC				

Park

Trail Access Along Drainageway



LAND USE CATEGORY

Agricultural Residential (AR)

DESCRIPTION & CONTEXT

Areas of Norman, far east and west of the City Core that are primarily agricultural uses or large-lot residential living. These areas are unlikely to develop during the life of this plan due to the lack of access to urban services and location within, or adjacency to, sensitive areas.

Future residential developments should have a minimum lot size of 10 acres.

- Lots down to 2 acres may be allowed as part of a Planned Unit Development (or other appropriate regulatory process) where 65% of the area is reserved as open space for preservation and conservation or undeveloped.

Commercial uses are inappropriate exclusive of:

- Support services related to Lake Thunderbird and agritourism.
- Small-scale services, where necessary to support the surrounding community.
- Small businesses using accessory structures associated with a residence.

BUILDING TYPES

- Houses, barns, silos, stables, and other structures associated with working farms/ranches.
- Accessory dwelling units are appropriate, but generally the area is a restrictive land use emphasizing single-unit housing, open space, natural vegetation, wildlife habitat, and agricultural activity.

SITE DESIGN

- Drainageways should be properly buffered and easements secured for access and maintenance.

TRANSPORTATION NETWORK, CIRCULATION & ACCESS

Personal/private vehicles are the only mode accommodated, with provisions for large slow-moving farm equipment. Most of this area is accessed directly from 2-lane arterial streets. Almost no street hierarchy exists. No pedestrian, transit, or on-street bike infrastructure is required. Provide regional trail connections, where feasible.

UTILITY ACCESS

No public water or sewer service provided. Electrical service provided to support very low intensity development.

PUBLIC SPACE TYPES

Located within or connected to occasional trail system components. May connect to larger, regional trail system if/when established.

LOCATIONAL CRITERIA

- Areas within city limits, but unlikely to see urban services during the life of the plan.
- Locations within the Rural Character Area.
- Commercial services primarily be located off State Highway 9 or near access points to Lake Thunderbird.
- Agricultural Residential is most compatible adjacent to: UL, RR, UR, and OP.
- Agricultural Residential is least compatible adjacent to: UM, UH, ULC, MC, IMC, CBD, LLC, C, JC, and TOD.

ZONING DISTRICTS

A-1	A-2													
PUD	SPUD	R-1	RE	CR	TC									
R-1-A	R-2	RM-2	RM-4	RM-6	R-3	RO	O-1	CO	C-1	C-2	C-3	I-1	I-2	M-1

Agricultural Lane

LAND USE CATEGORY

Rural Residential (RR)

DESCRIPTION & CONTEXT

Existing, suburban-style, large-lot residential (2+ acre lots).

Commercial uses are inappropriate or limited to businesses that use accessory structures associated with a primary residence, with no outdoor storage and traffic generating activities.

This use would not be appropriate in areas west of 72nd Avenue East, specifically in the 2045 Reserve or Suburban Neighborhood Character Areas.

BUILDING TYPES

- Single-unit homes in a very low density, quasi-suburban manner.
- Accessory dwelling units may be appropriate when properly situated.

SITE DESIGN

- Most lots between 2 and 5 acres and maximum net density of 1 unit per 2 acres.

TRANSPORTATION NETWORK, CIRCULATION & ACCESS

Personal/private vehicles are the only mode accommodated. Due to the lower densities, developments often lack access to urban amenities such as commercial services, sidewalks, parks, and access to fixed-route transit. Provide regional trail connections, where feasible.

UTILITY ACCESS

No public water or sewer service provided. Electrical service provided.

PUBLIC SPACE TYPES

May connect to larger, regional trail system if/when established.

LOCATIONAL CRITERIA

- Areas within city limits, but unlikely to see urban services during the life of the plan.
- This use would be inappropriate for areas west of 72nd Avenue East.
- Commercial services primarily located off State Highway 9 or near access points to Lake Thunderbird.

ZONING DISTRICTS

RE | R-1 | PUD | SPUD | A-1 | A-2 | R-1-A | R-2 | RM-2 | RM-4 | RM-6 | R-3 | RO | O-1 | CO | C-1 | C-2 | TC | CR | C-2 | I-1 | I-2 | M-1

Large Lot Single-Unit

LAND USE CATEGORY

Urban Reserve (UR)

DESCRIPTION & CONTEXT

Areas generally in agricultural use, and likely to experience limited development during the life of this plan. These areas consist of natural vegetation and wildlife habitat.

Commercial uses are inappropriate exclusive of:

- Small-scale services, where appropriate to support the surrounding community.
- Small businesses using accessory structures associated with a primary residence.

BUILDING TYPES

Existing: Existing residential uses in this area include large-lot single-unit homes.

New Development:

- Residential developments should have a minimum lot size of 30 acres. Lots down to two acres may be allowed as part of a Planned Unit Development (or other appropriate regulatory process) where 65% of the area is reserved for future urban level densities.
- Small-scale services, where appropriate to support the surrounding community.
- Accessory dwelling units are appropriate.

SITE DESIGN

New developments that meet the 30 acre lot size or 65% area reservation requirement should:

- Avoid large parcels without access to existing streets by identifying access points to the reserved areas.
- Provide access points to future urban water and sewer systems without crossing developed parcels.
- Identify possible wildlife and native vegetation preservation opportunities.

Developments including drainageways may allow smaller than 30 acre lot sizes if buffering is greater than minimum requirements and easements are secured for access and maintenance.

For Commercial uses, screen any outdoor storage or parking from adjoining residential uses or arterial and collector streets, and limit outdoor storage and traffic generating activities.

TRANSPORTATION NETWORK, CIRCULATION & ACCESS

Personal/private vehicles are the only mode accommodated, with provisions for large slow-moving farm equipment. Most of this area is accessed directly from 2-lane arterial streets. Almost no street hierarchy exists. Sidewalk, trail, and/or bike lane easements are required. Provide regional trail connections, where feasible.

UTILITY ACCESS

These areas may be served with municipal water and/or sewer service, but this will likely occur beyond the life of this plan. Managing development in this area to allow for the most efficient expansion of these services should be a priority. Existing homes and structures are on septic and private water wells. Electrical service provided supports very low intensity development.

PUBLIC SPACE TYPES

Located within or connected to occasional trail system components. May connect to larger, regional trail system if/when established.

LOCATIONAL CRITERIA

- Avoid development in these areas during the life of this plan. If necessary, design in such a way as not to inhibit the ability to provide City water and wastewater services in the future.
- Commercial uses would primarily be located off State Highway 9.
- Urban Reserve is most compatible adjacent to: UL, RR, AR, and OP.
- Urban Reserve is least compatible adjacent to: UH, ULC, MX, IMX, CBD, LCC, C, JC, and TOD.

ZONING DISTRICTS

LAND USE CATEGORY

Urban Low (UL)

DESCRIPTION & CONTEXT

An efficient, walkable pattern of lower-density urban development. Moderate to high building spacing and separation of uses, with further distances between destinations and fewer shared amenities.

- Low-intensity areas will be predominately residential over non-residential uses at compatible densities and scales.
- Gross densities in any single development should be greater than 3 units per acre.

BUILDING TYPES

Existing: All types of residential structures, primarily 1 or 2 story; single-story commercial, often with large parking lots, civic/institutional uses such as fire stations and schools are in close proximity.

New Development:

- Varied types of residential structures.
  - *Emphasis on single-unit detached and attached residential developments, including small-, standard, and large-lot single-unit detached, duplexes, and townhomes.*
- Attached housing may transition to higher intensities along collector and arterial streets, or adjacent to higher intensity uses.
  - *Attached housing may be allowed throughout a development to create variety.*
  - *Higher intensity multi-unit residential housing would be allowed when parcels are located along and with direct access to an arterial street.*
- 2 or 3 story commercial and higher density residential on arterials with limited parking areas.

SITE DESIGN

- It is critical that these locations take every opportunity to improve connectivity and help mitigate missing connections to nearby developed areas in order to strengthen neighborhood connectivity.
- The variety and diversity of housing stock should be improved as should the functionality of these areas, such as extensive street and sidewalk connections, a wider variety of lot sizes, and integration of and access to open spaces and other nearby activities should be incorporated into the design of new areas.

TRANSPORTATION NETWORK, CIRCULATION & ACCESS

Existing: The type and arrangement of streets means that almost all trips require a private vehicle to use at least one arterial road. Some of these areas have connections, or potential connections, to the regional trail network. Few of these areas have easy access to transit at this time.

Projected: A highly connected multi-modal network is required to support the current and future needs of these important areas. Improving access for pedestrians and bicyclists will be a priority, including modernizing multi-modal infrastructure.

UTILITY ACCESS

A full range of utilities should be available. If services are not already in place, they must be extended by the developer during the platting process to be suitable for development. If development occurs adjacent to existing facilities that are determined to be insufficient to meet the demands of the proposed development, the developer must upgrade the existing facilities to enhance the capacity of the utility systems.

PUBLIC SPACE TYPES

This UL Land Use supports a variety of public spaces including parks of various sizes, regional trails, natural areas including wildlife corridor, and walking paths.

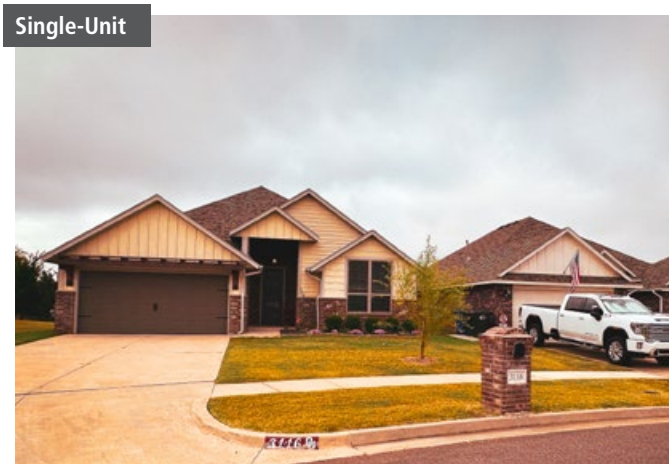
LOCATIONAL CRITERIA

- Low intensity residential uses shall be adequately buffered or spaced from intensities posing adverse effects including noise, odors, air and light pollution, and heavy traffic.
- Lower intensity residential uses are not appropriate along arterial streets and should be located behind higher intensity residential, commercial, or mixed-use developments along arterial streets.
- Non-residential development is appropriate along arterial and collector streets, primarily at intersections.
- Urban Low is most compatible adjacent to: UM, RR, AR, UR, LCC, TOD, and OP.
- Urban Low is least compatible adjacent to: ULC, CBD, and C and requires additional buffering from uses that generate more noise, odors, air and light pollution, and heavy traffic.

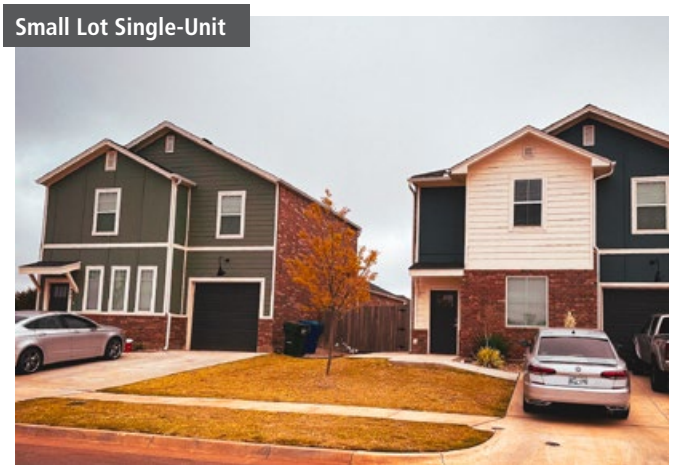
ZONING DISTRICTS

R-1	R-1-A	R-2	RO	O-1	CO	C-1				
MUD	PUD	SPUD	RM-4	C-2						
A-1	A-2	RE	RM-6	R-3	TC	CR	C-3	I-1	I-2	M-1

Single-Unit



Small Lot Single-Unit



LAND USE CATEGORY

Urban Medium (UM)

DESCRIPTION & CONTEXT

Fairly compact, walkable pattern of moderate urban development with variety in housing types. Allowances for commercial and recreational activities designed for community-wide access. Moderate to low building spacing and separation of uses, with pockets of mixed-use development.

- Medium-intensity strives for more residential than non-residential uses at compatible densities and scales, with opportunities for more intense master planned developments.
- Gross densities in any single development should be greater than 8 units per acre.

BUILDING TYPES

- Mostly small-scale; 2- and 3-story buildings are common. Developments may go up to 4 stories when located along an arterial street.
- A variety of housing types including small-lot single-unit detached, duplex, townhomes, triplex, quadplex, and appropriately scaled multi-unit buildings create cohesive neighborhoods.
  - *Higher intensity multi-unit residential housing would be allowed when parcels are located along and with direct access to an arterial street.*
- Architectural and design choices (i.e. front porches, visibility of the front door on the primary structure, avoidance of garage door more prominent than front doors) reinforce the built environment and enhance the area's character and history.
- Public and private spaces (i.e. by the prevalence of porches, recreational roof decks, outdoor dining, etc.) are clearly defined and cultivate a sense of place.
- Mixed-use buildings that include retail, work space, and residences are common.

SITE DESIGN

- The scale and layout of the built environment are conducive to walking.
- Parking is secondary to the movement of people and visibility of destinations.
- Layout of the streets and arrangement of lots should be thoughtfully considered with regards to transitioning between neighboring properties and uses and takes precedence over individual lot design.
- Street trees should form a continuous urban canopy over public areas and rights-of-way.

TRANSPORTATION NETWORK, CIRCULATION & ACCESS

Existing: The type and arrangement of streets means that most trips require a private vehicle to use at least one arterial road. Some of these areas have connections, or potential connections, to the regional trail network. Most areas do not have easy access to varied public transit at this time.

Projected: A highly connected multi-modal network is required to support the current and future needs of these important areas. Improving access for active transportation will be a priority, including modernizing multi-modal infrastructure.

UTILITY ACCESS

A full range of utilities should be available. If services are not already in place, they must be extended by the developer during the platting process to be suitable for development. If development occurs adjacent to existing facilities that are determined to be insufficient to meet the demands of the proposed development, the developer must upgrade the existing facilities to enhance the capacity of the utility systems.

PUBLIC SPACE TYPES

This UM Land Use supports a variety of public spaces including parks of various sizes, regional trails, and walking paths.

LOCATIONAL CRITERIA

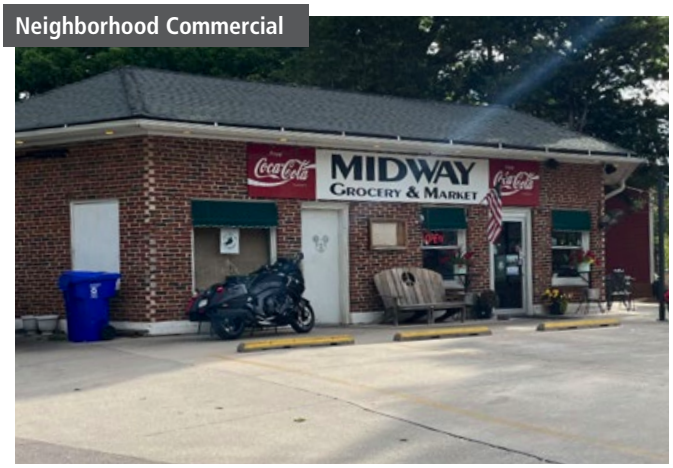
- Large commercial building footprints (≥ 10,000 sq. ft.) weaken the development pattern and are not appropriate, except along arterials and at arterial intersections.
- Lower intensity residential uses are not appropriate along arterial streets and should be located behind higher intensity residential, commercial, or mixed-use developments along arterial streets. Low intensity residential uses shall be adequately buffered or spaced from intensities posing adverse effects including noise, odors, air and light pollution, and heavy traffic.
- Urban Medium is most compatible adjacent to: UL, UH, LCC, JC, TOD, and OP.
- Urban Medium is least compatible adjacent to: AR and requires additional buffering from uses that generate more noise, odors, air and light pollution, and heavy traffic.

ZONING DISTRICTS

RM-2	RM-6	R-2	R-3	RO	O-1	C-1					
PUD	SPUD	MUD	RM-4								
A-1	A-2	RE	R-1	R-1-A	RM-4	TC	CR	C-3	I-1	I-2	M-1

Small-Lot Single Units in Oklahoma City, OK

Neighborhood Commercial



LAND USE CATEGORY

Urban High (UH)

DESCRIPTION & CONTEXT

Highly compact, walkable pattern of urban development prioritizing alternative means of transportation. Low to no building spacing and separation of uses. This area is intended to create opportunities for economic activities attracting a city-wide audience, and place residents closer to services and jobs.

- High-intensity areas strive for more residential than non-residential uses with frequent master-planned mixed-use development nodes. Non-residential uses may be more common in UH than in UM or UL due to higher concentrations of population.
- Gross densities in any single development should be greater than 12 units per acre.

BUILDING TYPES

- Medium and Small-scale 3- to 5-story buildings are common. Within existing developed areas, buildings may go up to 2-stories higher than surrounding properties.
- Multi-unit structures are the priority, but a variety of housing types from townhomes to apartments are expected.
- Mixed-use buildings including retail, work-spaces, and residences are most common.
- Public and private spaces (i.e. balconies, recreational roof decks, outdoor dining, etc.) are clearly defined and cultivate a sense of place.
- New developments that are single-use developments or predominantly single-unit or garden apartments are not appropriate.

SITE DESIGN

- The scale and layout of the built environment are conducive to walking. Trails and pathways are integrated throughout developments to connect to parks, neighborhoods, and community destinations.
- Multi-unit developments without connections to neighboring properties and uses weakens the development pattern and should be limited or avoided altogether.
- Street trees should form a continuous urban canopy over public areas and rights-of-way.
- Stormwater to be addressed at the project level, but designed as part of a larger neighborhood or sub-basin system.
- Site layout should take every opportunity to maximize the public infrastructure available in this area.

TRANSPORTATION NETWORK, CIRCULATION & ACCESS

This area features a relatively dense grid of streets and sidewalks. A full street hierarchy provides a variety of connections and route choices to people moving to, through, and within the area. Parking is a secondary use and should be as small as possible due to character and value of land in the area. Most of these areas have, or will have, easy access to public transportation (less than one half-mile walk of a stop). Improving access for pedestrians and bicyclists will continue to be a priority, including modernizing multi-modal infrastructure.

UTILITY ACCESS

A full range of utilities should be available. If services are not already in place, they must be extended by the developer during the platting process to be suitable for development. If development occurs adjacent to existing facilities that are determined to be insufficient to meet the demands of the proposed development, the developer must upgrade the existing facilities to enhance the capacity of the utility systems.

PUBLIC SPACE TYPES

Consisting of appropriately scaled public spaces including small parks, plazas, parklets, regional trail connections, and walking paths. Pedestrian amenities should commonly integrated into public and private projects.

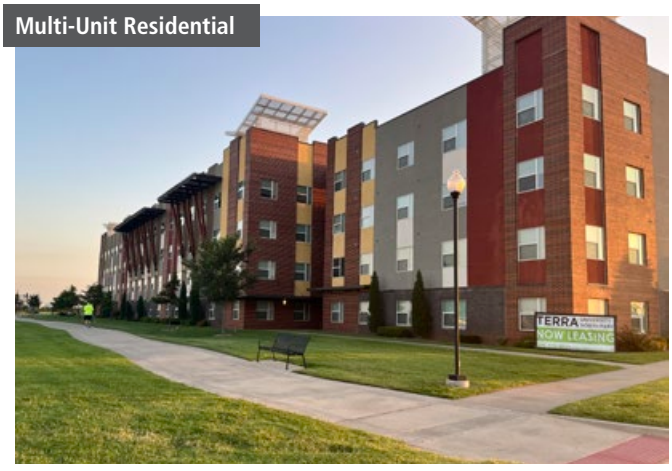
LOCATIONAL CRITERIA

- Large building footprints (>12,500 SF) compromise the development pattern and are not appropriate, except along arterials and at arterial intersections.
- Medium intensity residential uses should be discouraged along arterial streets and should be located behind higher intensity residential, commercial, or mixed-use developments along arterial streets.
- Medium intensity residential uses shall be adequately buffered or spaced from intensities posing adverse effects including noise, odors, air and light pollution, and heavy traffic.
- High Urban is most compatible adjacent to: UM, ULC, MX, IMX, CBD, LCC, C, JC, TOD, and OP.
- High Urban is least compatible adjacent to: AR and UR and requires additional buffering from uses that generate more noise, odors, air and light pollution, and heavy traffic.

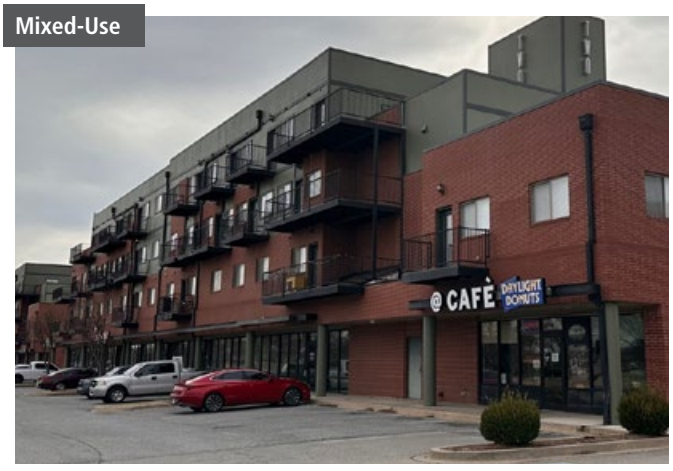
ZONING DISTRICTS

RM-2	RM-6	R-3	O-1	CO	C-1	C-2	C-3	MUD		
PUD	SPUD									
A-1	A-2	RE	R-1-A	R-2	RM-4	TC	CR	I-1	I-2	M-1

Multi-Unit Residential



Mixed-Use



LAND USE CATEGORY

Urban Living Center (ULC)

DESCRIPTION & CONTEXT

Most compact, walkable pattern of urban development. Low to no building spacing and separation of uses. Vibrant urban areas with an intense mix of uses that not only support residents and employers but leverage their location to attract visitors from throughout the region.

- Urban Living Center areas strive for a balance of residential and non-residential uses and predominance of mixed-use development of compatible densities and scales. Current market conditions and demand for housing over commercial spaces will likely result in a slightly higher mix of residential in these areas.
- Gross densities in any single development should be greater than 18 units per acre.

BUILDING TYPES

- Large and medium 4 to 5+ story buildings are common. It is anticipated that various articulations, scales, and architectural styles will create cohesive and compact sites with clear connections to other destinations.
- Public and private spaces (i.e. balconies, recreational roof decks, outdoor dining, etc.) are clearly defined and cultivate a sense of place.
- Mixed-use buildings that include retail, work-spaces, and residences are the most common.
- Single-use buildings are undesirable and should be limited, or avoided altogether.

SITE DESIGN

- The scale and layout of the built environment are very conducive to walking. Trails and pathways integrated throughout developments to connect to parks, neighborhoods, and community destinations.
- Multi-unit developments without connections to neighboring properties and uses weakens the development pattern and should be limited or avoided altogether.
- Design features, such as street/sidewalk level windows, should make larger scale structures appropriate at the pedestrian level.
- Street trees should form a continuous urban canopy over public areas and rights-of-way.
- Stormwater to be addressed at the project level, but designed as part of a larger neighborhood or sub-basin system.
- Site layout should take every opportunity to expand and maximize the public infrastructure available in this area.

TRANSPORTATION NETWORK, CIRCULATION & ACCESS

This area features a dense grid of streets and sidewalks. A full street hierarchy provides a variety of connections and route choices to people moving to, through, and within the area. Parking is a secondary use and should be as small as possible due to character and value of land in the area. Many housing options offer private parking rather than relying on street parking. Most of these areas have, or will have, easy access to public transportation (adjacent to or less than one quarter-mile walk of a stop). Improving access for pedestrians and bicyclists will continue to be a priority, including modernizing multi-modal infrastructure.

UTILITY ACCESS

A full range of utilities should be available. If services are not already in place, they must be extended by the developer during the platting process to be suitable for development. If development occurs adjacent to existing facilities that are determined to be insufficient to meet the demands of the proposed development, the developer must upgrade the existing facilities to enhance the capacity of the utility systems.

PUBLIC SPACE TYPES

Appropriately scaled public spaces including small parks, plazas, parklets, regional trail connections, and walking paths. Pedestrian amenities are commonly integrated into public and private projects.

LOCATIONAL CRITERIA

- Large building footprints (>12,500 SF) compromise the development pattern and are not appropriate, except at arterial intersections and along major thoroughfares.
- Medium intensity residential uses should be discouraged along arterial streets and should be located behind higher intensity residential, commercial, or mixed-use developments along arterial streets.
- Urban Living Center is most compatible adjacent to: UH, MX, IMX, CBD, LCC, C, JC, TOD, and OP.
- Urban Living Center is least compatible adjacent to: RR, AR, and UR and requires additional buffering from uses that generate more noise, odors, air and light pollution, and heavy traffic.

ZONING DISTRICTS

RM-2	RM-6	R-3	O-1	CO	C-1	C-2	C-3	MUD			
PUD	SPUD										
A-1	A-2	RE	R-1	R-1-A	R-2	RM-4	TC	CR	I-1	I-2	M-1

Mixed-Use; Prairie Queen, Papillion, NE

Commercial; Wheeler District, Oklahoma City, OK

LAND USE CATEGORY

Mixed-Use (MX)

DESCRIPTION & CONTEXT

Urban, compact, walkable pattern. Low to no building spacing and separation of uses. Cultivates vibrant urban areas with an intense mix of uses that not only support residents and employers but leverage their location to attract visitors from throughout the region. For areas requiring retrofit or redevelopment, neighborhood or site master plans should be developed to encourage more efficient and attractive land use along with higher densities.

- Mixed-use areas should have a slightly higher non-residential to residential mix and a predominance of mixed-use structures.
- Gross densities in any single development should be greater than 18 units per acre.

BUILDING TYPES

- Medium and Small-scale 3 to 5-story buildings are common. Within existing developed areas, buildings may go up to 2-stories higher than surrounding properties.
- Multi-unit structures are the priority, but a variety of residential uses including townhomes, walk-ups, apartments, lofts, condominiums are present.
- Mixed-use buildings that include retail, work-spaces, and residences are the most common.
- Public and private spaces (i.e. balconies, recreational roof decks, outdoor dining, etc.) are clearly defined and cultivate a sense of place.
- Single-use buildings are limited. Large single-use, single-story structures are not appropriate.

SITE DESIGN

- The scale and layout of the built environment is conducive to walking. Trails and pathways are integrated throughout developments to connect to parks, neighborhoods, and community destinations.
- Single-use commercial and single-use multi-unit residential developments without connections to neighboring properties and uses disturb the development pattern and should be limited or avoided altogether.
- Design features, such as street/sidewalk level windows, should make larger scale structures appropriate at the pedestrian level.
- Street trees should form a continuous urban canopy over public areas and rights-of-way.
- Residential developments should include trails or side paths that facilitate resident movement and encourage resident interactions.
- Stormwater to be addressed at the project level, but designed as part of a larger neighborhood or sub-basin system and, when possible, function as an amenity to the development.
- Site layout should take every opportunity to maximize the public infrastructure available in this area.

TRANSPORTATION NETWORK, CIRCULATION & ACCESS

This area features a dense grid of streets and sidewalks. A full street hierarchy provides a variety of connections and route choices to people moving to, through, and within the area. Parking should not be prominent, but rather it should be obvious that this area is designed to be a park-once environment. Shared parking is prevalent, with limited private parking options, which are screened from view of the right-of-way. Most of these areas have, or will have, easy access to public transportation (adjacent to or less than one quarter-mile walk of a stop). A future rail transit service is possible near some locations. It should be comfortable for users of all ages and abilities to move through this area safely. Access and connections to the regional trail network are vital assets to this land use.

UTILITY ACCESS

A full range of utilities should be available. If services are not already in place, they must be extended by the developer during the platting process to be suitable for development. If development occurs adjacent to existing facilities that are determined to be insufficient to meet the demands of the proposed development, the developer must upgrade the existing facilities to enhance the capacity of the utility systems.

PUBLIC SPACE TYPES

Appropriately scaled public spaces including small parks, plazas, parklets, regional trail connections, and walking paths. Pedestrian amenities are commonly integrated into public and private projects.

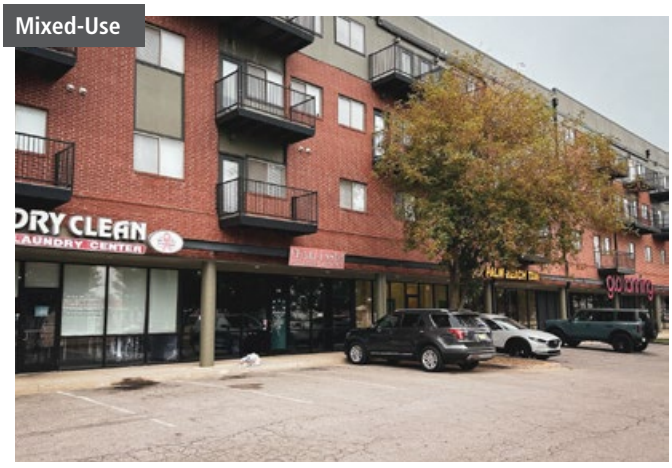
LOCATIONAL CRITERIA

- This land use is not to be located behind other uses, without direct access or frontage to collector and arterial streets.
- Large building footprints (>12,500 SF) compromise the development pattern and are not appropriate, except at arterial intersections and along major thoroughfares.
- Low and medium intensity residential uses shall be adequately buffered or spaced from intensities posing adverse effects including noise, odors, air and light pollution, and heavy traffic.
- Mixed-Use is most compatible adjacent to: UH, ULC, IMX, CBD, LCC, C, JC, TOD, and OP.
- Mixed-Use is least compatible adjacent to: RR, AR, and UR and requires additional buffering from uses that generate more noise, odors, air and light pollution, and heavy traffic.

ZONING DISTRICTS

RM-2	RM-6	R-3	RO	O-1	CO	C-1	C-2	C-3	MUD		
PUD	SPUD										
A-1	A-2	RE	R-1	R-1-A	R-2	RM-4	TC	CR	I-1	I-2	M-1

Mixed-Use



Mixed-Use in West Village, Oklahoma City, OK

LAND USE CATEGORY

Interchange Mixed-Use (IMX)

DESCRIPTION & CONTEXT

Characterized by major community and regional commercial developments that are large in scale and have high traffic impact. Efficient, walkable pattern of development with variety in commercial arrangements. Moderate building spacing and separation of uses. Allowances for commercial activities that draw from a regional level; neighborhood services are less common.

- Interchange Mixed-Use areas should be predominately non-residential with minimal residential uses at compatible densities.
- Gross densities in any single development should be greater than 18 units per acre.

BUILDING TYPES

Existing: Primarily medium to large single-story "boxes." Outparcel buildings, single-story, are common. Minimal high density residential uses.

New Development:

- Taller buildings (3+ stories), especially close to the Interstate itself, are appropriate.
- All building sizes can be accommodated.
- Buildings should be custom designed to be sensitive to the context of their site and the surrounding development and/or open space.
- High density housing types are present. These uses can be mixed in with commercial, but should be clearly incidental to the commercial use and are not appropriate on the ground floor of a mixed-use building.
- Single-use, medium density residential structures may be appropriate with extensive review along edges transitioning to residential areas.

SITE DESIGN

- Sites in this land use should be carefully planned to be attractive, especially from both Interstate-35 and potential turnpike corridors.
  - *Building design, articulation, and landscaping should contribute to the attractiveness of sites from the major roadways.*
    - » *Parking areas should be oriented away from sight lines from both Interstate-35 and potential Turnpike corridors.*
- Site layout should make it comfortable to walk throughout the area and experience the unique place.
- Adjacent buildings and uses should be clearly integrated with thoughtful design such as cross-access, shared parking, driveway closures, and connected pathways.
  - *Special attention to pedestrian circulation from tenant to tenant is important.*
- Accommodates a wide variety of activities that support commercial uses. Components such as well-designed outdoor seating, landscaping, bike and pedestrian improvements, site lighting improvements, diversified tenant mix, and other placemaking opportunities must be incorporated into proposed developments.

TRANSPORTATION NETWORK, CIRCULATION & ACCESS

Existing surface parking lots at these locations often present an opportunity to modify the circulation pattern, improve access, and add other benefits. New and redeveloped parking should be a secondary component, unless provided as public street parking, located in the rear, in alleys, screened from view of the right of way, and/or in large shared parking facilities or decks. A highly connected multi-modal network is required to support current and future needs of these important areas. Improving access for pedestrians and bicyclists will be a priority, including modernizing multi-modal infrastructure. Public transit accommodations should be integrated, if not already established.

UTILITY ACCESS

A full range of utilities should be available. If services are not already in place, they must be extended by the developer during the platting process to be suitable for development. If development occurs adjacent to existing facilities that are determined to be insufficient to meet the demands of the proposed development, the developer must upgrade the existing facilities to enhance the capacity of the utility systems.

PUBLIC SPACE TYPES

Plazas, café seating, and other outdoor spaces of significance should be present. Traditional public parks are not appropriate. Private parks within housing developments are permissible. Pedestrian amenities and connections to regional trails are commonly integrated.

LOCATIONAL CRITERIA

- Contained within a quarter-mile of the interchanges or along Freeway, Highway, and/or potential Turnpike corridors.
- Interchange Mixed-Use is most compatible adjacent to: UH, ULC, MX, LCC, C, JC, and TOD.
- Interchange Mixed-Use is least compatible adjacent to: RR, AR, and UR and requires additional buffering from uses that generate more noise, odors, air and light pollution, and heavy traffic.

ZONING DISTRICTS

0-1	CO	C-1	MUD												
PUD	SPUD	C-2	PL												
A-1	A-2	RE	R-1	R-1-A	R-2	RM-2	RM-4	RM-6	R-3	RO	TC	CR	C-3	I-1	I-2	M-1

LAND USE CATEGORY

Transit Oriented Development (TOD)

DESCRIPTION & CONTEXT

Includes a variety of concentrated urban uses that can be both origin and destinations points – a mix of office, commercial, service, and office oriented businesses that both serve residents living in the area and may be a workplace destination from outside the immediate area. Each of these areas has unique qualities that require individual guiding plans that include land use, density, and urban design characteristics that emphasize connection and walkability.

- TOD areas should be a mix of residential and non-residential uses with a large number of residential units that want convenient transit to jobs and destinations.
- Gross densities in any single development should be greater than 18 units per acre.

BUILDING TYPES

- Varied, mixed-use buildings are appropriate on a number of scales.
- It is anticipated that various articulations, scales, and architectural styles will create cohesive and compact sites with clear connections to other locations and transportation modes.

SITE DESIGN

- The initial activity in this land use should be flexible enough, in terms of articulation, massing, and accommodated modes of transportation, that it can exist without the presence of the rail transit component.
- Commercial, residential, and other uses should be closely integrated and mixed with clear, convenient connections between buildings.
- Due to the close integration with residential uses, stormwater features and regulations should be consistent across uses.
- Some locations may warrant 2-3 story parking decks serving multiple campuses or areas.

TRANSPORTATION NETWORK, CIRCULATION & ACCESS

Automobiles are accommodated within TODs but must not dominate a project's urban environments. Regional shared use trails can have some of the same catalytic influence as major public transportation facilities. Substantial office and employment centers with a high concentration of employees should focus on arrival by transit rather than car. Projects should provide clear pedestrian and bicycle paths to and from the transit station or stop.

UTILITY ACCESS

A full range of utilities should be available. If services are not already in place, they must be extended by the developer during the platting process to be suitable for development. If development occurs adjacent to existing facilities that are determined to be insufficient to meet the demands of the proposed development, the developer must upgrade the existing facilities to enhance the capacity of the utility systems.

PUBLIC SPACE TYPES

Primarily focused on providing comfortable places for passengers to gather; open space plazas accommodating active transportation and community gathering to break up more intense design patterns.

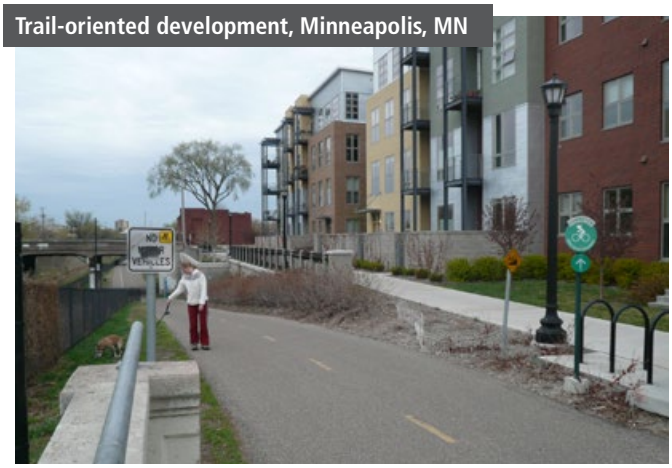
LOCATIONAL CRITERIA

- Located around the proposed commuter rail stations or other facilities that involve points of high access to public transportation such as transit centers or high performance transit lines like bus rapid transit (BRT).
- Provides convenient access and/or integration with trail connections.
- Transit Oriented Development is most compatible adjacent to: UL, UM, UH, ULC, MX, IMX, CBD, LCC, C, JC, OP, and CIV.
- Transit Oriented Development is least compatible adjacent to: RR, AR, and UR.

ZONING DISTRICTS

PUD	SPUD	RM-2	RM-6	R-3	C-1	C-2	C-3	MUD						
A-1	A-2	RE	R-1	R-1-A	R-2	RM-4	RO	O-1	CO	TC	CR	I-1	I-2	M-1

Trail-oriented development, Minneapolis, MN



Mixed density development near T stop, Boston, MA

LAND USE CATEGORY

Local Commercial Corridor (LCC)

DESCRIPTION & CONTEXT

A fairly compact, walkable pattern of moderate development with a variety of commercial arrangements. Offers commercial activities that draw from a community-wide level. Moderate to low building spacing and separation of uses with pockets of more diverse, mixed-use development. Features a diverse tenant mix, including offices, shops, restaurants, and services, which may center on anchor activities such as big box retailers.

- Existing Local Commercial Corridors have very little residential. Over time residential may be added but the dominate use will likely continue to be moderate intensity commercial uses, with opportunities for more intense master-planned developments.
- Gross densities in any single development should be greater than 18 units per acre.

BUILDING TYPES

Existing: Small to medium single-story structures including stand-alone single-use buildings, multi-tenant structures, or a combination are the most common. Housing types typically include multi-unit structures or attached townhomes.

New Development: An opportunity exists to revitalize and/or intensify aging areas with rehabilitated and new buildings, including 2 to 3-story and/or mixed-use options.

SITE DESIGN

Existing: Parking lots in front and along building sides, set back from the street – many locations have excess parking. Service and loading typically in the rear, often abutting residential development. Some sparse landscaping may have the opportunity to reach maturity if properly maintained.

New Development:

- Negative impacts, including service and loading, to adjacent properties should be mitigated through design and operations.
- Adjacent buildings and uses should be clearly integrated with thoughtful design such as cross-access, shared parking, and closures of driveways, and connected pathways.
- Landscaping should be improved and replaced so that these areas can contribute to the tree canopy.
- Accommodates a wide variety of activities that support commercial uses. Components such as well-designed outdoor seating, comfortable landscaping, bike and pedestrian improvements, site lighting improvements, diversified tenant mix, and other placemaking opportunities must be incorporated into proposed developments.
- Residential developments should include trails or side paths that facilitate resident movement and provide for resident interactions.
- Existing excessive parking lots provide opportunity for infill commercial and/or residential development where appropriate.

TRANSPORTATION NETWORK, CIRCULATION & ACCESS

Existing: The type and arrangement of streets means that most trips require a private vehicle to use at least one arterial road. Parking lots in front and along building sides, set back from the street. Often near an intersection of two arterial streets, taking access from one or both. Some of these areas have connections, or potential connections, to the regional trail network. Many sites are scaled for pedestrians, but the site layout was not designed to accommodate current options for pedestrians and bicyclists. Few of these areas have easy access to varied public transit at this time.

Projected: A highly connected multi-modal network is required to support the current and future needs of these important areas. Existing surface parking lots at these locations often present an opportunity to modify the circulation pattern, improve access, and add other benefits. Improving access for pedestrians and bicyclists will be a priority, including modernizing multi-modal infrastructure.

UTILITY ACCESS

A full range of utilities should be available. If services are not already in place, they must be extended by the developer during the platting process to be suitable for development. If development occurs adjacent to existing facilities that are determined to be insufficient to meet the demands of the proposed development, the developer must upgrade the existing facilities to enhance the capacity of the utility systems.

PUBLIC SPACE TYPES

These areas rarely provide significant public spaces. Well-designed outdoor seating can serve as a semi-public space for visitors and employees to relax.

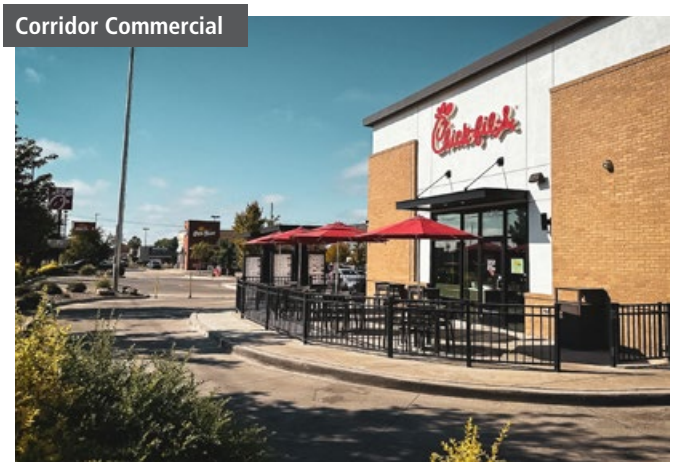
LOCATIONAL CRITERIA

- For new facilities, typically at median breaks or intersections of collector and/or arterial streets.
- Low intensity residential uses shall be adequately buffered or spaced from intensities posing adverse effects including noise, odors, air and light pollution, and heavy traffic.
- Residential uses are generally behind or above commercial uses that are fronting the urban arterial street.
- Local Commercial Corridor is most compatible adjacent to: UL, UM, UH, ULC, MX, IMX, CBD, C, JC, TOD, OP, and CIV.
- Local Commercial Corridors are least compatible adjacent to: UL, RR, AR, and UR and requires additional buffering from uses that generate more noise, odors, air and light pollution, and heavy traffic.

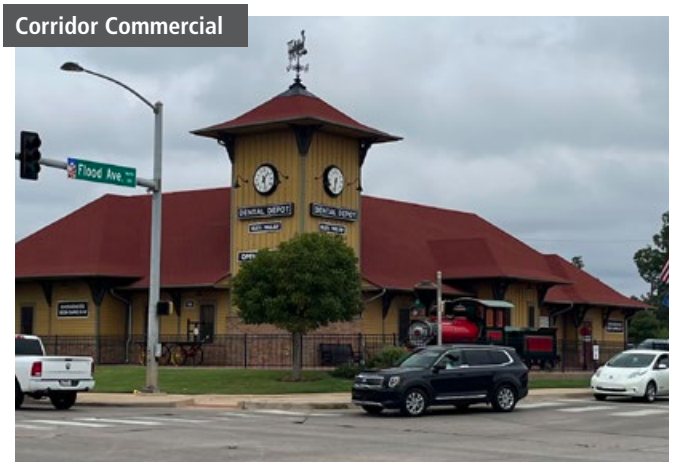
ZONING DISTRICTS

R-2	RM-2	RO	O-1	CO	C-1	C-2
PUD	SPUD	MUD	RM-4			
A-1	A-2	R-1	R-1-A	RE	RM-6	R-3
TC	CR	C-3	I-1	I-2	M-1	

Corridor Commercial



Corridor Commercial



LAND USE CATEGORY

Commercial (C)

DESCRIPTION & CONTEXT

Efficient, walkable pattern of development with a variety in commercial arrangements. Moderate building spacing and separation of uses. Allowances for commercial activities that draw from a regional level, while still supporting neighborhood services. Primarily featuring retail establishments that have a large trade area and are auto-centric in design. The large retail site often acts as an attractor to other activities that rely on pass-by vehicle trips.

- Predominately non-residential uses with a smaller percentage of residential uses at compatible densities and scales.

BUILDING TYPES

Existing: Complexes of large single-story main structures and small single-story out-parcel structures.

New Development:

- Focus on big-box retail, office, small-scale manufacturing, and distribution.
- Developments are mostly non-residential. Multi-unit residential can be a transitional use to a lower intensity residential neighborhood or as part of employer housing.

SITE DESIGN

Existing: Very large parking lots are common, often excessive for related uses; service and loading often located behind the structure, limiting visibility from the customer. Landscape usually installed to meet minimum criteria and screen the site and its buildings from the street.

New Development:

- Parking lots may be converted into buildable sites.
- Some locations may warrant 2-3 story parking decks serving multiple campuses or areas.
- Special attention to pedestrian circulation from tenant to tenant.
- Shared waste streams for garbage and grease, limited off-hour deliveries, and inclusion of other design features that mitigate service and loading impacts on adjacent lower intensity uses.
- Landscaping should be thoughtfully planned and maintained to cultivate an attractive environment.
- Stormwater management should be integrated into projects and designed, when possible, as a site or district amenity.

TRANSPORTATION NETWORK, CIRCULATION & ACCESS

Existing: Sites usually take direct access from a major arterial, often via multiple drive-ways. Much of the internal circulation is accomplished by using the drive-lanes of the parking lot. Typical pedestrian activity involves walking through a portion of the parking lot directly to the front door without clear, safe tenant to tenant connections for pedestrians and bicyclists.

Projected: High-connectivity grid pattern providing viable locations for higher intensity land uses, and allowing multiple access points and routes between uses. Most of the arterials have or will have adequate pedestrian facilities, giving people the option of walking to get to and from these locations. Existing surface parking lots at these locations often present an opportunity to modify the circulation pattern, improve access, and add other benefits. Improving access for pedestrians and bicyclists will be a priority, including modernizing multi-modal infrastructure. Locations at major transit stations highly preferred, transit accommodations should be integrated, if not already established.

UTILITY ACCESS

A full range of utilities should be available. If services are not already in place, they must be extended by the developer during the platting process to be suitable for development. If development occurs adjacent to existing facilities that are determined to be insufficient to meet the demands of the proposed development, the developer must upgrade the existing facilities to enhance the capacity of the utility systems.

PUBLIC SPACE TYPES

Plazas, café seating, and other small, well-designed outdoor spaces. Traditional public parks are not appropriate. Pedestrian amenities and connections to regional trails are commonly integrated.

LOCATIONAL CRITERIA

- Limited distribution and logistics uses may be allowed along freeways and highways provided they mitigate any anticipated negative impacts on adjacent land uses and operations that are visible to these corridors through landscaping, buffering, and screening.
- New facilities anticipated at regional highway interchanges or at arterial intersections with regional access.
- Commercial is most compatible adjacent to: UH, ULC, MX, IMX, CBD, LCC, JC, TOD, and CIV.
- Commercial is least compatible adjacent to: UL, RR, and AR and requires additional buffering from uses that generate more noise, odors, air and light pollution, and heavy traffic.

ZONING DISTRICTS

RM-2	RM-6	R-3	RO	O-1	CO	C-1	C-2			
PUD	SPUD	MUD	C-3							
A-1	A-2	RE	R-1	R-1-A	R-2	TC	CR	I-1	I-2	M-1

Commercial

Commercial

LAND USE CATEGORY

Core Business Districts (CBD)

DESCRIPTION & CONTEXT

Efficient, walkable pattern of development with a broad range of retail services, offices, civic institutions, and residential uses. Includes Norman's two most historic business districts - Downtown Norman and Campus Corner.

Allowances for commercial and recreational activities that draw from a regional level, while still supporting neighborhood services.

- The mix of residential to non-residential may be slightly different between the two Core districts. Downtown Norman likely features more non-residential uses, including office spaces in upper stories, whereas Campus Corner's upper stories may primarily be residential.
- Net density should be 18 units per acre or greater for new construction. Density minimums do not apply to conversion to residential of upper-stories in existing structures.

BUILDING TYPES

Existing: Buildings typically 3-stories or less, primarily office and retail uses. Core Business Districts include some of the city's oldest commercial structures.

New Development:

- Multi-story (3+), pedestrian scale buildings are appropriate in this land use. New single-story buildings are not recommended. Multi-story structures ensure that this relatively small area is used efficiently.
- Mixed-use buildings accommodating a variety of uses are encouraged.
- Existing commercial structures should be rehabilitated or reused, as opposed to redeveloped.
- Large-scale stores or large single-story offices are not appropriate.
- Single-use, medium density residential structures may be appropriate along edges transitioning to residential areas.

SITE DESIGN

- Design elements, such as street level windows and visibility of front doors, should focus on interactions between the first floor and the street grid.
- Pedestrian scale design is required to make this area vibrant and attractive.
- Medium and high density housing types are integrated into upper stories, with lower stories dedicated to uses that are accessible to the public.
- Site layout should make it comfortable to walk throughout the area and experience the unique place.

TRANSPORTATION NETWORK, CIRCULATION & ACCESS

Parking should not be prominent, but rather it should be obvious that this area is designed to be a park-once environment. New and redeveloped parking should be a secondary component, unless provided as public street parking, located in the rear, in alleys, screened from view of the right of way, and/or in large shared parking facilities or decks. Single occupancy vehicles can be accommodated, but not to the detriment of pedestrians and bicyclists. A highly connected multi-modal network is required to support the current and future needs of these important areas. Improving access for pedestrians and bicyclists will be a priority, including modernizing multi-modal infrastructure.

UTILITY ACCESS

A full range of utilities should be available. If services are not already in place, they must be extended by the developer during the platting process to be suitable for development. If development occurs adjacent to existing facilities that are determined to be insufficient to meet the demands of the proposed development, the developer must upgrade the existing facilities to enhance the capacity of the utility systems.

PUBLIC SPACE TYPES

A variety of small-scale public spaces exist and are appropriate. These include public parks and plazas associated with a specific building. Roof-top gathering space would be a welcome addition to the public spaces in this land use. Public spaces should be added and/or improved.

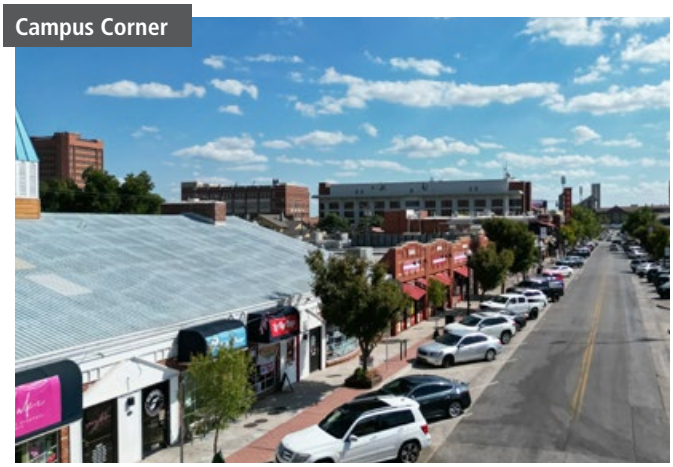
LOCATIONAL CRITERIA

- Within one half-mile of Downtown Norman or Campus Corner hub; must be contiguous.
- Core Business Districts are most compatible adjacent to: UH, ULC, MX, LCC, C, JC, TOD, OP, and CIV.
- Core Business Districts are least compatible adjacent to: UL, RR, AR, and UR.

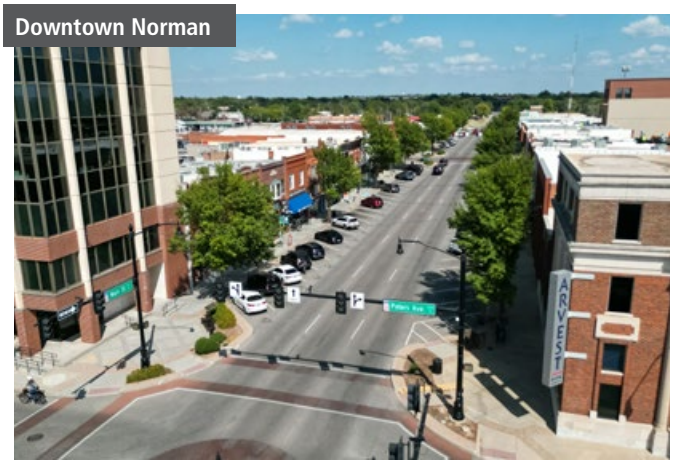
ZONING DISTRICTS

RM-2	RM-6	R-3	RO	O-1	CO	C-1	C-2	C-3	MUD		
PUD	SPUD										
A-1	A-2	RE	R-1	R-1-A	R-2	RM-4	TC	CR	I-1	I-2	M-1

Campus Corner



Downtown Norman



LAND USE CATEGORY

Job Center (JC)

DESCRIPTION & CONTEXT

Emphasis on concentration of high-quality jobs. Vital to the long-term health of the city, these activities have special considerations to aid in maximizing their benefits to the community, including accommodations for freight traffic, above average utility usage (water, electric, natural gas), and temporary outdoor storage for materials awaiting transport. Most activities within this land use occur inside a building or under a purpose-built cover. These locations are conducive to larger scale manufacturing, warehousing, and research/technology campuses.

Residential uses are typically not appropriate. Multi-unit residential uses can be mixed into corporate campuses or employee provided housing arrangements. Adjacent residential uses may be appropriate.

BUILDING TYPES

Appropriate and common structures are mid-rise offices, large warehouse-type structures, and other buildings that support the primary function, for example a gate house.

SITE DESIGN

- Relatively simple site layouts are appropriate.
- Primarily providing employee parking, although parking lots may seem small compared to the building.
- Attention should be paid to appropriate landscaping designed to screen or buffer sites.
- Building design, articulation, and landscaping should contribute to the attractiveness of sites from the major roadways.
- Industrial uses with high external effects like noise and odor must mitigate anticipated adverse impacts on adjacent land uses. Adjacent residential uses are not appropriate in this context.
- Includes access to sidewalks, trails, and side paths from entrances to streets with transit services and/or potential transit service.

TRANSPORTATION NETWORK, CIRCULATION & ACCESS

Clear and simple access to the highway network is important to activities - both for movement of goods and for employees, many of whom live in neighboring cities or counties. As the area intensifies, an evaluation for extending/expanding transit service would be appropriate. Convenient access and/or integration with trail connections.

UTILITY ACCESS

A full range of utilities should be available. If services are not already in place, they must be extended by the developer during the platting process to be suitable for development. If development occurs adjacent to existing facilities that are determined to be insufficient to meet the demands of the proposed development, the developer must upgrade the existing facilities to enhance the capacity of the utility systems.

PUBLIC SPACE TYPES

Plazas/gathering areas designed for employees to relax and socialize are appropriate. Publicly owned parks are unlikely.

LOCATIONAL CRITERIA

- Strong, if not direct, access to regional highway network. Typically, along connector and arterial streets or at places of high accessibility.
- May connect to regional commercial centers, though not required.
- Job Center is most compatible adjacent to: UM, UH, ULC, MX, IMX, CBD, LCC, C, TOD, OP, and CIV.
- Job Center is least compatible adjacent to: UL, RR, and AR. and requires additional buffering from uses that generate more noise, odors, air and light pollution, and heavy traffic.

ZONING DISTRICTS

I-1	I-2	M-1								
PUD	SPUD									
A-1	A-2	RE	R-1	R-1-A	R-2	TC	CR	I-1	I-2	M-1

Office

Industrial

LAND USE CATEGORY

Civic (CIV)

DESCRIPTION & CONTEXT

Recognized spaces for large scale institutional, educational, and other public and quasi-public uses including educational campuses, the Max Westheimer airport, municipal services, and major utilities. Smaller scale public and semi-public uses such as places of worship and elementary schools are allowed in other land use types and are not limited to Civic Land Use.

BUILDING TYPES

- Large 1 to 2-story structures are common; additional building styles are allowed.
- Many contain unique buildings such as stadiums or auditoriums either as separate structures or connected to the other portions of the development.

SITE DESIGN

- Higher intensity civic uses that generate noise, odor, or require outdoor storage should be located adjacent to higher or similar intensity uses.
- Civic institutions should follow the same standards for site design and stormwater management as enterprises of similar intensity.

TRANSPORTATION NETWORK, CIRCULATION & ACCESS

Existing: These areas tend to take direct access from one or more major arterial streets and often result in the installation of traffic signals at their driveways. Due to their scale and design, priority for moving vehicles to, from, and through the site. Pedestrian and bicyclist access is limited.

Projected: Higher intensity civic uses that generate consistent levels of higher traffic should have direct access to arterial streets and include proper buffering from lower intensity uses. Connections to alternative forms of transportation should be integrated, especially in municipal projects or when public services are offered from the space.

UTILITY ACCESS

Full utility access is required to develop these areas.

PUBLIC SPACE TYPES

Integration of public spaces is often appropriate, except in the cases of schools, places of worship, and utility facility locations, and many locations have public venues that the community enjoys on a regular basis. Native landscapes should be preserved or installed with landscaping projects.

LOCATIONAL CRITERIA

- Small-scale civic uses are appropriate in any area with proper access and parking.
- Larger scale developments and uses with more industrial and storage requirements should be located in areas with similar characteristics.
- Civic is most compatible adjacent to: MX, IMX, CBD, LCC, C, JC, TOD, and OP.

ZONING DISTRICTS

Where rezoning is required, it will most likely occur in the form of a Special Use Permit. Individual review of proposals should include an assessment of operating characteristics, project design, and traffic management.

School Uses

Worship Uses

IMPLEMENTATION

AIM NORMAN IMPLEMENTATION

This chapter outlines the maintenance and implementation process for the land use plan and summarizes the initiatives outlined in the plan with additional information guiding follow-through.

PLAN IMPLEMENTATION

Plan implementation should:

1. Use consistent decision-making processes.
2. Make development decisions transparent.
3. Be financially sustainable with public investment by considering costs and benefits.
4. Regularly review and update the Land Use Plan.

1. Use consistent decision-making processes.

AIM Norman is not designed to predict every situation that might arise in the future. Leaders and staff will have to make decisions considering the vision and intent of the Plan. Decision makers should contemplate the following criteria when evaluating land use amendments, rezonings, ordinance amendments, and capital investments:

- Whether it aligns with the vision and goals of the Land Use designation and Development Principles.
- Public cost, including impact and timetable.
- Annual operating costs for public services, including public safety, recreation, infrastructure, and utility services.
- Possible strategies to add new civic and community uses.
- Protection or enhancement of environmental features, including wildlife habitat and water quality.
- Economic development opportunities.

ADMINISTRATIVE PROCESSES

The AIM Norman Comprehensive Land Use Plan is designed to be applied with flexibility. Though amendments are not expected to be a common occurrence, this section sets forth guidance for how this document may be updated and amended periodically, or by specific request.

Character Areas

The Plan's Character Areas define how the built environment fits together, based on (a) community features such as streets, parks, and stormwater infrastructure connectivity; and (b) how the area looks and functions. These Character Areas set important policies guiding development for the life of the Plan.

This Plan is not designed to accommodate individual requests to Character Area Designations or boundaries. Any amendment to the Character Areas (designation, boundary or policy language) may only be brought as a City initiative, and may be founded upon broader public engagement and analysis of relevant data and municipal services and needs.

Land Use Designation Amendments

Requests for Land Use designation amendments may be considered by the City Council after a recommendation by the Planning Commission, and shall be subject to the same notice provisions as apply to zoning ordinance amendments, or as otherwise may be specified for Land Use Designations amendments in the Norman Zoning Ordinance. Such amendments may be requested at any time. Staff will prepare a complete analysis of the impact of the proposed amendment and will identify all impacted portions of the Plan.

Land Use designation amendment requests may be initiated by the record owner(s) of a parcel or area of land, by the Planning Commission, or by City Council. Major amendments (identified as amendments for 50+ acres) proposed by individual property owners may require greater than thirty day review time by staff prior to being considered by Planning Commission.

The following criteria must be evaluated by City Council in determining whether to approve Land Use designation amendment requests:

1. The compatibility of the proposed Land Use to the existing and adjacent Land Uses based upon intensity (See Land Use Compatibility Guide, including the Compatibility Matrix).
2. An evaluation of the likelihood of adverse impacts to surrounding properties based on the following information provided by the applicant and in Staff's report to the Planning Commission and City Council:
   - *Character Area policies;*
   - *Land Use characteristics, including: Building types, site design, transportation, utility access, public space, locational criteria;*
   - *Designation or inclusion in a Neighborhood Study Area/Plan or Special Study Area; and*
   - *Other AIM Norman Master Plan Policies, as applicable.*

Additionally, when the property or area of land subject to a Land Use designation amendment request is found within the 2045 Reserve Character Area AND the proposed amendment would EITHER remove the property from OR amend the property to an Urban Reserve Land Use designation, the following shall also apply:

3. A Land Use designation change to a higher level of intensity (see Land Use Compatibility Guide) must be contiguous to urban development and must demonstrate implementation of the policies set forth for the 2045 Reserve Area, and
4. As applicable, planned unit developments, or similar regulatory mechanisms, proposed within the Urban Reserve area should only be utilized when 65% of the area is reserved for future urban level densities (3+ units per acre).

Amendment to Neighborhood Study Area or Special Study Area

The Plan identifies Neighborhood Study Areas, some of which are detailed in existing neighborhood plans. Further neighborhood plans, based upon Neighborhood Study Areas identified in this plan, are anticipated to be considered and potentially adopted by City Council in the future pursuant to this Plan. Inclusion within Neighborhood Study Areas, and any adopted neighborhood plans, are not subject to individual amendment, and may only be amended by City initiative (and as may be set forth in said Neighborhood Plan), and may be founded upon broader public engagement and analysis of relevant data and municipal services and needs.

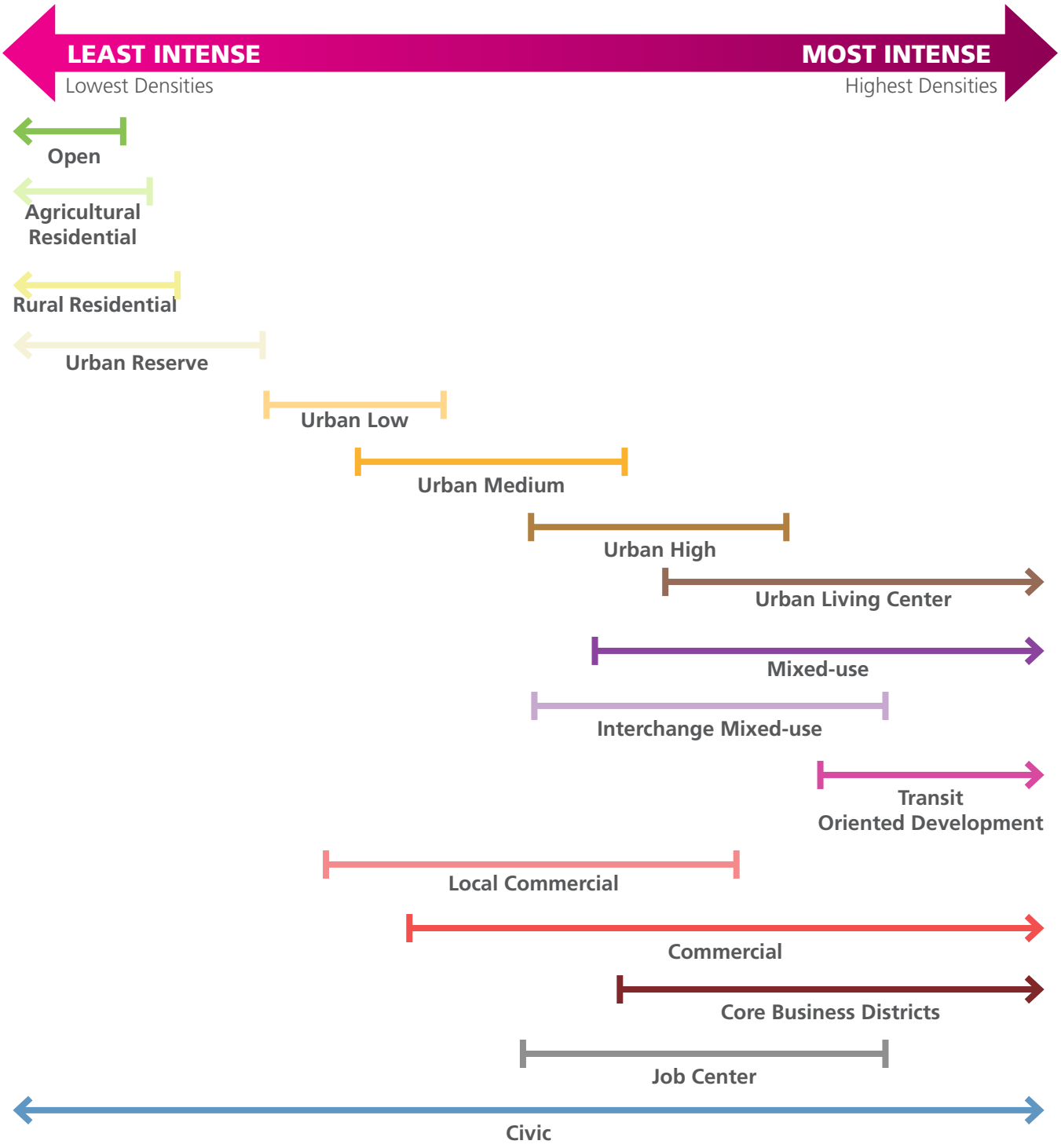
The Plan also identifies Special Study Areas, chosen for further study due to unique characteristics and opportunities. Amendment to Special Study Areas (inclusion, designation, or boundary), or any studies or master plans adopted pursuant to the goals and policies set forth in this Plan, are not subject to individual amendment, and may only be amended by City initiative, and may be founded upon broader public engagement and analysis of relevant data and municipal services and needs.

Other Plan Amendments

Other amendments to the Plan and/or its language may be proposed by staff or City initiative. Items identified in the plans annual review or development of neighborhood plans are two examples of why staff may initiate amendments. Any Neighborhood Plan or further plan for any Special Study Area pursuant to this Plan may incorporate community input but would be prepared by the City (or its consultant(s)).

LAND USE COMPATIBILITY GUIDE

INTENSITY SCALE



LAND USE COMPATIBILITY MATRIX & KEY

The further apart uses are on the intensity scale, the greater the level of mitigation is needed to protect or buffer - as defined in the zoning code - the less intense use. Potential mitigation techniques, and necessary documentation as determined by the Director of Planning and Community Development, should be outlined with the Zoning and Subdivision ordinances. Higher numbers on this matrix represent a greater level of compatibility between land uses.

1. **The proposed use does not overlap on the intensity scale.** Any development proposed requires documentation to illustrate how external effects are mitigated.
2. **The proposed use is adjacent on the intensity scale.** Major effects must be mitigated to prevent impact on adjacent uses. Documentation is required to assess project impact and define development design.
3. **The proposed use overlaps minimally.** Uses may have potential conflicts with adjacent uses, which may be resolved or minimized through project design. Potential conflicts and solutions should be documented. If mitigation is not offered or proposed, reasons should be documented.
4. **The proposed use significantly overlaps.** Uses are basically compatible with the existing adjacent uses. Building elements and scale should be consistent with surrounding development.
5. **The proposed use overlaps completely.** Development should be designed consistent with good planning practices.

	UL	UM	UH	ULC	RR	AR	UR	MX	IMX	CBD	LC	C	JC	TOD	OP	CIV
UL	-	4	3	2	4	4	5	3	3	3	4	3	2	3	5	3
UM	4	-	4	3	2	2	2	4	4	4	5	4	3	4	5	3
UH	3	4	-	4	2	2	1	5	5	5	4	4	4	5	5	3
ULC	2	3	4	-	1	1	1	5	5	4	3	4	4	5	5	3
RR	4	2	2	1	-	5	5	1	1	1	2	1	1	1	5	3
AR	3	2	1	1	5	-	5	1	1	1	2	1	1	1	5	3
UR	5	2	1	1	5	5	-	1	1	1	2	2	2	1	5	3
MX	3	4	5	5	1	1	1	-	5	5	4	5	4	5	5	3
IMX	3	4	5	4	1	1	1	5	-	2	4	5	5	5	3	3
CBD	3	4	5	4	1	2	1	5	2	-	4	2	2	5	4	3
LC	4	5	4	3	2	2	2	4	4	4	-	4	4	4	4	3
C	3	4	4	4	1	2	2	5	5	2	4	-	5	5	3	3
JC	2	3	4	4	1	2	2	4	5	2	4	5	-	4	4	3
TOD	3	4	5	5	1	2	1	5	5	5	4	5	4	-	4	3
OP	5	5	5	5	5	5	5	5	3	4	4	3	4	5	-	3
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2. Make development decisions transparent.

This means more than just keeping people informed but keeping them engaged as part of visionary decision-making processes. For example:

- Invest time and resources (staff time and funding) to stay up-to-date in city communications including website information and community engagement.
- Maintain communication and continued coordination between the City and neighboring and related governmental jurisdictions.
- Partner with the school districts, trade schools, and higher education organizations, where sharing facilities, services, and programs can benefit students and citizens to achieve the goals of AIM Norman.
- Continual conversation with electric, energy, and communications providers and Internet providers on improving services for residents in the most fiscally responsible way.
- Draw on a variety of funds and partnerships to implement the Plan rather than having the City assume all financial burdens.

3. Be financially sustainable with public investment by considering costs and benefits.

AIM Norman's Master Plans work together in an effort to ensure efficient and effective use of city resources and promote fiscal sustainability. For the City, focus should be on regular maintenance and update of these plans. Plans should be updated when:

- Circumstances change, including economic or environmental.
- Better practices, tools, data, or resources become available.
- Plans are nearing the end of their useful life.

4. Regularly review and update the Land Use Plan.

The initiatives and action items of AIM Norman are ambitious and long-range, and its recommendations will require continued community support and funding. AIM Norman should be viewed as a dynamic and living document that adapts to conditions and markets changes. The process should include an annual action and evaluation program.

ANNUAL EVALUATION

An annual evaluation of the Comprehensive Land Use Plan should be assembled by staff and reported to the Planning Commission and City Council at the end of each calendar year. This evaluation should include a written report that:

- Summarizes key land use developments and decisions during the past year and relates them to the Land Use Plan.
- Reviews actions taken by the City during the past year to implement plan recommendations.
- Defines any City initiated changes that should be considered for the Land Use Plan.

♥ HOLIDAY
□ FILING DEADLINE
○ MEETING DATE

CITY OF NORMAN
Planning & Community Development
- 225 N. Webster Ave. Norman, OK 73069
- Phone: (405) 307-7112
- Email: Current.Planning@NormanOK.gov

2026 Board of Adjustment

January

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Board of Adjustment meets on the 4th Wednesday of each month at 4:30 p.m. except for November when the meeting will take place on the 1st Wednesday of December and December when the meeting will take place on the 5th Wednesday. All meetings will be held in the Council Chambers, 201 W. Gray Street.

♥ HOLIDAY
□ FILING DEADLINE
○ MEETING DATE

CITY OF NORMAN
Planning & Community Development
- 225 N. Webster Ave. Norman, OK 73069
- Phone: (405) 307-7112
- Email: Current.Planning@NormanOK.gov

2026
Historic District Commission

January

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Apr. 6

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July 6

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Oct. 5

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Sept. 1

November

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December

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Jan. 4

Historic District Commission meets on the 1st Monday of each month at 5:30 p.m. except for September when the meeting will take place on Monday, August 31st at 5:30 p.m. All meetings will be held in the Council Chambers, 201 W. Gray Street.

HOLIDAY
FILING DEADLINE
MEETING DATE

CITY OF NORMAN
Planning & Community Development
- 225 N. Webster Ave. Norman, OK 73069
- Phone: (405) 307-7112
- Email: Current.Planning@NormanOK.gov

2026 Planning Commission

January

S	M	T	W	T	F	S
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February

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March

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Dec. 1 ... Apr. 9

April

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May

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June

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Mar. 2 ... July 9

July

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August

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September

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June 1 ... Oct. 8

October

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November

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December

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Sept. 1 ... Jan. 14

Planning Commission meets on the 2nd Thursday of each month at 5:30 p.m. in the Council Chambers, 201 W. Gray Street.

♥ HOLIDAY
□ FILING DEADLINE
○ MEETING DATE

CITY OF NORMAN
Planning & Community Development
- 225 N. Webster Ave. Norman, OK 73069
- Phone: (405) 307-7112
- Email: Current.Planning@NormanOK.gov

2026 Pre-Development

January

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February

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March

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April

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August

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September

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October

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November

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22	23	24	25	♥	♥	28
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December

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Pre-Development meetings are generally the 4th Thursday of each month in 30 minute intervals except for November and December when they will be held on the 3rd Thursday.

MISCELLANEOUS TOPICS

Miscellaneous Topics Summary
Executive Session Confidentiality
Executive Session Confidentiality Agreement
Cell Phone and iPad Policy for Elected Officials
Change Order Policy
Citizens Recognition Policy
Tort Claims Policy for Administrative Approval
Statutory Training for Elected Officials

MISCELLANEOUS TOPICS

A. Council Mandatory Education

In 2005, the Oklahoma Legislature passed a new section of law (11 O.S.§8-114) requiring all Councilmembers to attend 8 hours of municipal government training within 1 year of taking office. The training is conducted by the Oklahoma Municipal League and the City Clerk's office typically assists with enrolling new Councilmembers in the training. Failure to obtain the training results in a forfeiture of office without any affirmative vote required by the remaining Councilmembers.

B. Media Inquiries

The City has policies and procedures for media inquiries made of Staff, but oftentimes, members of the media will contact Councilmembers directly for interviews. The City's Chief Communications Officer, Tiffany Vrska, is available to assist with any media inquiry and can gather helpful information if needed for a requested interview. Keep in mind, one Councilmember cannot speak on behalf of the entire Council or the City. Care should also be taken to not discuss anything that was the subject of an Executive Session or other confidential communication. If clarification is needed, the City Attorney's office can assist you in determining whether a particular topic may be discussed with a reporter.

C. Employees as Citizens

11 Okla. Stat. §22-101.1

- City employees can attend and express their views at City Council meetings
- City employees can actively participate in partisan and nonpartisan political activities.
    - If political activity, it should be done during off-duty hours and while not in uniform

11 Okla. Stat. §22-101.2: It is <u>unlawful</u> for a City Council member to directly or indirectly coerce or attempt to coerce any municipal employee to participate or refrain from participation in municipal political activities or public meetings.

Similar provisions are also found in the City's collective bargaining agreements.

D. Open Meeting Act – 25 O.S. §§ 301-314

- Keep in mind the public policy behind the Act – "to encourage and facilitate an informed citizenry's understanding of the governmental processes and governmental problems".

- Meetings of the public body (a quorum together discussing City business) shall be held at specific times and places that are convenient and open to the public; advance public notice is required. Staff will ensure notice and agendas are posted timely.
- The agenda has to list the topics of the meeting – the public should be able to ascertain what is being discussed
- All decision making of the public body must be made in a public meeting – no votes behind closed doors
- A meeting may occur when a quorum of the body is together physically in person or electronically.
    - Don't use text or any other communication app to discuss City business with a quorum of Council
    - Avoid "reply all" on emails to Council
- Executive Sessions are only for limited purposes and for discussion only – See included memorandum titled "Executive Session Confidentiality"
- Willful violation of the Act can result in civil penalties and criminal charges
- Section 2-107 of the City's Code requires all City boards, commissions, committees, council sub-committees, and ad hoc committees follow the Open Meeting Act.

E. Open Records Act – 51 O.S. §§ 24A.1 – 24A.40

- Keep in mind the public policy behind the Act – "people are vested with the inherent right to know and be fully informed about their government"
- A "record" includes anything related to the transaction of public business, expenditure of public funds, or administering of public property
- "Records" subject to disclosure can include documents, emails, and digital records, like social media posts, text messages, GroupMe chats, etc.
- Think before you write – "Am I okay with this being in the newspaper?"

F. Best Practices for Social Media Use

- You have less freedom as an elected official because you are now the "government", the "public official", etc.

- Keep your private page private – don't use it to communicate City business with constituents
    - Avoids becoming a "public forum"
    - Can block people and delete comments
    - Not subject to Open Records Act
- Do use your "Councilmember for Ward X" page to communicate with constituents
    - This is a "public forum"
    - Don't delete comments; don't block people
    - Subject to Open Records Act

- Don't be an administrator of a Ward page

- Don't use other organization pages to communicate City business

- Open Records Act and Open Meetings Act apply to "public officials" and the conduct of public business – this includes communications with constituents and each other about City business regardless of the medium (Slack, GroupMe, etc.) and regardless of who owns the device on which the information exists.

G. Cell Phone and iPad Policy for Elected Officials

Please see included policy.

H. Vendors Reaching Out to Councilmembers

- Vendors/salespeople reach out directly to City staff, and more recently Councilmembers, frequently. Sometimes, the vendors or salespeople have talked to Staff and approach Councilmembers after being told the City doesn't need the service, or the City would have to go through a process to select the vendor.

- The City has both codified processes and internal processes for the selection of a provider of a good or service. To avoid the appearance of a conflict, favoritism and the like, it is important to be careful not to give one potential vendor preferential treatment (real or perceived) over another.

- Recommendation: Don't invite a single vendor or service provider to a public meeting to present their product or service. Do refer them to the City's website to see a list of upcoming RFP's/RFQ's and Bids. (https://www.normanok.gov/businesses/bids-rfps-rfqs) If a potential vendor, service provider, consultant, etc. wants to present you with an idea, handle that with a one on one meeting, and then share the idea with the City Manager to assess whether there is a need and how it might be accomplished within the confines of adopted procedures.

I. Change Order Policy

See attached Resolution R-1112-55

J. Citizens Recognition Policy

See attached Resolution R-1718-82 adopting amendments to the policy. Policy attached to the Resolution.

K. Tort Claims Policy for Administrative Approval

The City is governed by the Governmental Tort Claims Act, 51 O.S. §151, et. seq., which essentially waives sovereign immunity for the City for torts, subject to certain limitations and exceptions. The City is liable for loss resulting from its torts or the torts committed by

its employees within the scope of their employment. The Act requires a claimant to file a tort claim against the City within a certain amount of time of the alleged tort occurring. Resolution R-2021-76 establishes a policy that allows for a more efficient administration of tort claims by allowing for approval of such claims by the City Manager, provided they do not exceed $10,000. Claims exceeding $10,000 require Council approval. See attached Resolution R-2021-76.

EXECUTIVE SESSION CONFIDENTIALITY

Section 307 of Title 25 of the Oklahoma Statues authorizes executive sessions for certain enumerated purposes. An Executive Session is a meeting of a public body, not open to the public, where confidential communication can occur. Purposes for which Executive Session may be held include:

"B. Executive sessions of public bodies will be permitted only for the purpose of:

1. Discussing the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee;

2. Discussing negotiations concerning employees and representatives of employee groups;

3. Discussing the purchase or appraisal of real property;

4. Confidential communications between a public body and its attorney concerning a pending investigation, claim, or action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest;

5. Permitting district boards of education to hear evidence and discuss the expulsion or suspension of a student when requested by the student involved or the student's parent, attorney or legal guardian;

6. Discussing matters involving a specific handicapped child;

7. Discussing any matter where disclosure of information would violate confidentiality requirements of state or federal law;

8. Engaging in deliberations or rendering a final or intermediate decision in an individual proceeding pursuant to Article II of the Administrative Procedures Act; or

9. Discussing the following:

a. the investigation of a plan or scheme to commit an act of terrorism,

b. assessments of the vulnerability of government facilities or public improvements to an act of terrorism,

c. plans for deterrence or prevention of or protection from an act of terrorism,

d. plans for response or remediation after an act of terrorism,

e. information technology of the public body but only if the discussion specifically identifies:

(1) design or functional schematics that demonstrate the relationship or connections between devices or systems,

(2) system configuration information,

(3) security monitoring and response equipment placement and configuration,

(4) specific location or placement of systems, components or devices,

(5) system identification numbers, names, or connecting circuits,

(6) business continuity and disaster planning, or response plans, or

(7) investigation information directly related to security penetrations or denial of services, or

f. the investigation of an act of terrorism that has already been committed.

For the purposes of this subsection, the term "terrorism" means any act encompassed by the definitions set forth in Section 1268.1 of Title 21 of the Oklahoma Statutes.

As can be noted from the list contained in the Statute, there are a number of matters that lend themselves to confidential communication. Confidential communication is often essential to being effective in handling a variety of municipal matters, not only as a protection against municipal and individual liability, but also to allow candid and open communication between City Council members as staff attempts to glean a course of action that could be acceptable to a majority of Council members. Observance of the confidential nature of communication in Executive Session is crucial for Council members to feel secure in candidly expressing their opinions regarding Executive Session matters.

The Oklahoma Open Records Act, 51 O.S. §§ 24A.1 through 24A.30, also contains a general grant of confidentiality for executive sessions:

> This act does not apply to records specifically required by law to be kept confidential including:
>
> a. records not discoverable under state law such as material prepared in anticipation of litigation or trial; or
>
> b. records protected by a state evidentiary privilege such as the attorney-client and the identity of informer privileges; or
>
> c. records of what transpired during meetings of a public body lawfully closed to the public such as executive sessions authorized under the Oklahoma Open Meeting Act.

51 O.S. § 24A.5(1); *Tulsa Tribune Co. v. Oklahoma Horse Racing Comm'n*, 1986 OK 24, ¶ 18, 735 P.2d 548, 553, superseded on other grounds by statute, *Oklahoma Public Employees Ass'n v. State ex rel. Oklahoma Office of Personnel Management, Okla.*, 2011 OK 68, 267 P.3d 838 ("[i]n addition to these clearly granted exemptions from disclosure, the Open Records Act contains a general grant of confidentiality at 51 O.S.Supp. 1985 § 24A.5(1)").

The Sanction for violation of the Open Meeting Act regarding Executive Sessions is set out in Subsection F as follows:

“F. A willful violation of the provisions of this section shall:

1. Subject each member of the public body to criminal sanctions as provided in Section 314 of this title; and

2. Cause the minutes and all other records of the executive session, including tape recordings, to be immediately made public.”

CONFIDENTIALITY AGREEMENT FOR EXECUTIVE SESSION

This Confidentiality Agreement between the parties signing below establishes that all information discussed, heard, or read in the Norman City Council Executive Session on **_____,** will not be released, copied, discussed, or shared in any manner with any individual other than City Council or staff members that were present in the Executive Session. Breach of this Confidentiality Agreement may result in personal liability and potential violation of the Oklahoma Open Meeting Act § 25-307; Executive Sessions.

I have read the above statement regarding confidentiality and agree to abide by it to the best of my ability.

Signed on _____

_____ _____
Stephen Tyler Holman, Mayor

_____ _____
David Gandesbery, Councilor Ward 1

_____ _____
Jacy Deck, Councilor Ward 2

_____ _____
Robert Bruce, Councilor Ward 3

_____ _____
Helen Grant, Councilor Ward 4

_____ _____
Trey Kirby, Councilor Ward 5

_____ _____
Kyle Steele, Councilor Ward 6

_____ _____
Kimberly Blodgett, Councilor Ward 7

_____ _____
Scott Dixon, Councilor Ward 8

CITY OF NORMAN

CELL PHONE AND IPAD POLICY FOR ELECTED OFFICIALS

The City has provided tablets to its elected officials for a number of years to aid in the dissemination of information from the City to each official and to assist in Councilmember communications. The Charter Review Commission was asked to consider whether to amend the Charter to require the City to provide a cell phone to each elected official. The Commission felt that this was more of an administrative decision and did not recommend a change to the Charter. Elected officials, particularly those who use their personal cell phone to conduct businesses with privacy and confidentiality implications, have expressed concern over the years about the potential for personal or business information on personal cell phones to be compromised to comply with an Open Records Act request or with a subpoena related to City business. As such, beginning in FYE22, Norman's elected officials have been provided with both City owned cell phones and tablets. The purpose of this policy is to set forth the expectations for the use of such phones and tablets.

General Provisions

1. Elected officials will take care to not lose or damage their City provided tablet or cell phone. If a device is lost or damaged, please inform the City Clerk within 48 hours. Each official should ensure the "Find My" app is turned on and operable on any City provided tablet or cell phone.

2. City provided tablets or cell phones shall only be used for City-related communications, unless no other immediate means of communication is available to the elected official.

3. All City business should be conducted on the City provided tablet or cell phone. This includes social media posts, GroupMe, Slack and other apps or programs that may be used to communicate about City business.

4. Each elected official shall set a passcode for the City provide tablet or cell phone and provide it to the City Clerk.

5. In the event of an Open Records Request for information on an elected official's cell phone or tablet, the City Clerk will notify the elected official of such request, and the elected official shall turn the requested device into the City Clerk within 48 hours of the request. If the official is out of town when the request is made, the device(s) shall be turned in to the City Clerk within 48 hours of the elected official's return to Norman.

6. The City is not responsible for any misuse of a City provided tablet or cell phone at any time.

Signed: _____

Date: _____

Resolution

R-1112-55

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, DELEGATING ADMINISTRATIVE AUTHORITY TO APPROVE CERTAIN CHANGE ORDER REQUESTS TO THE CITY MANAGER AND DIRECTING THE REPORTING THEREOF.

§ 1. WHEREAS, the Citizens Contract Advisory Committee (CAC) was formed during the fall of 2004; and

§ 2. WHEREAS, the CAC discussed issues with the performance of certain public construction contracts on City of Norman projects; and

§ 3. WHEREAS, the CAC discussed management of contracts for public construction contracts and the procedures used to manage and implement these contracts; and

§ 4. WHEREAS, as a result of the work of the CAC, Council approved Resolution No. R-0405-78 on April 12, 2005, requiring all change orders be presented to City Council at a conference in advance of presenting them on the Council Agenda for approval; and

§ 5. WHEREAS, a review of change orders that have been processed since the adoption of Resolution No. R-0405-78 indicates that they have been processed appropriately; and

§ 6. WHEREAS, many times change orders are for amounts less than forty thousand dollars ($40,000) or, in fact, are change orders that result in savings to the City; and

§ 7. WHEREAS, the Oklahoma Competitive Bidding Act, 61 O.S. § 121 allows change order adjustments up to forty thousand dollars ($40,000) or 10% of any contract, whichever is less, to be approved administratively with the reasons for approval to be recorded in the permanent records of the governing body; and

§ 8. WHEREAS, the permanent records of the governing body of the City of Norman are kept by the City Clerk of the City of Norman; and

§ 9. WHEREAS, the delegation of authority to approve change order requests that fall with the statutory guidelines to the City Manager will result in a more efficient process, result in savings to the City of Norman on certain projects, and result in more confidence by contractors working with the City of Norman that are asked to perform work on behalf of the City of Norman prior to formal approval of a change order request.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§10. That the Council delegates administrative authority to the City Manager or his designee, at his discretion, to approve change order requests that result in adjustments up to forty thousand dollars ($40,000) or 10% of any contract, whichever is less.

§11. That such administrative approvals of change orders shall be reported to the City Council with the City Manager's Report and at the next regularly scheduled Council meeting and shall be filed with the original contract in the permanent records of the City Clerk.

§12. That change orders in excess of forty thousand dollars ($40,000) or 10% of a contract, whichever is less, will continue to be presented to City Council at a conference in advance of presenting them on the Council Agenda for approval.

§13. That contractors electing to complete additional work requiring approval by City Council before receiving such approval shall be advised that such work is being done at their own risk.

PASSED AND ADOPTED this 8th day of November, 2011.

ATTEST:

Brenda Hall
City Clerk

Cindy S. Rosenthal
Mayor

CITY OF NORMAN CORPORATE SEAL OKLAHOMA

Resolution

R-1718-82

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE STREET NAME CHANGE PORTION OF THE CITIZENS RECOGNITION POLICY FOR THE CITY OF NORMAN.

§ 1. WHEREAS, the Citizens Recognition Policy adopted in 2008 by Resolution R-0809-60 contains a section that governs permanently changing the name of a current street; and

§ 2. WHEREAS, the procedure for permanently changing a current street name adopted in in Resolution R-0809-60 requires a petition containing signatures of at least seventy-five percent (75%) of the property owners adjacent to the street being changed and payment of a $200 application fee; and

§ 3. WHEREAS, City Council has requested an amendment to the procedure for permanently changing a current street name adopted in Resolution R-0809-60 that gives City Council some flexibility if the name of a current street name is determined to be offensive or derogatory as measured by the Civil Rights and anti-discrimination policy of the City set forth in Section 7-101(a) of the City's Code of Ordinances; and

§ 4. WHEREAS, the Council Oversight Committee in its meeting on November 8, 2017, discussed and reviewed the amended Citizens Recognition Policy and recommends adoption of the policy; and

§ 5. WHEREAS, City Council in a study session on December 12, 2017, reviewed the amended Citizens Recognition Policy and indicated that amended Policy should be placed on an Agenda for formal approval.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 6. That the amended Citizens Recognition Policy, attached hereto and made a part hereof, is hereby adopted to provide City Council some flexibility if the name of a current street name is determined to be offensive or derogatory as measured by the Civil Rights and anti-discrimination policy of the City set forth in Section 7-101(a) of the City's Code of Ordinances.

PASSED AND ADOPTED this 13th day of February, 2018.

CITY OF NORMAN CORPORATE SEAL OKLAHOMA

Mayor

ATTEST:

Deputy City Clerk

CITIZENS RECOGNITION POLICY

It is the desire of City Council to provide a policy for formal recognition of individuals, groups, and organizations whose outstanding service and contributions have enriched the Norman community. Norman's Citizen Recognition Policy will provide an avenue for showcasing the people, programs, and events that make Norman unique.

Annual Volunteer Appreciation Ceremony

At least once a year, a volunteer appreciation ceremony will be held to recognize those citizens who volunteer to serve countless hours on the City's Boards and Commissions and by doing so, enhance and improve the quality of life for the citizens of Norman.

AWARDS AND RECOGNITIONS

Citizen Honor Roll of Service

This recognition is intended to honor an individual whose work benefits or has benefited the quality of life in Norman by building on and making the efforts of government richer and more successful. Award recipients will be recognized for their specific deeds, actions or contributions to the Norman community through Community Involvement, Community Leadership, and/or Noteworthy Citizen Actions.

1. **COMMUNITY INVOLVEMENT** - In recognition of volunteer service on City boards, commissions, and/or ad hoc committees or activities which promote the welfare of the citizens of Norman and a sustained commitment that has an enduring impact on the community.

2. **COMMUNITY LEADERSHIP** - In recognition of those individuals who have assumed a positive leadership role in the community and whose leadership activities have resulted in the advancement of the goals of the community, the enhancement of the community's quality of life, economic vitality and/or livability.

3. **NOTEWORTHY CITIZEN ACTIONS** - In recognition of actions by a citizen which are above and beyond the normal responsibilities of citizens and that result in a positive event or outcome of benefit to the community. Such actions include acts of heroism, significant donations of financial resources to fund community programs or projects and other humanitarian acts.

Each recipient will be recognized and presented a certificate and plaque at a City Council meeting as well as an engraved nameplate for each Citizen Honor Roll of Service recipient to be displayed on a plaque in City Hall.

Human Rights Award

The Norman Human Rights Commission seeks to promote and encourage fair treatment and mutual understanding among all citizens and to combat all prejudice, bigotry, and discrimination that prevent individuals from reaching their full potential as human beings.

The Norman Human Rights Commission annually recognizes a citizen for outstanding contributions to the struggle of human rights. Each recipient will be recognized and presented a resolution and plaque at a City Council meeting as well as an engraved nameplate for each Human Rights Award recipient to be displayed on a plaque in City Hall.

NAMING OF PUBLIC FACILITIES

Public facilities are dedicated to the service and enjoyment of all citizens and shall carry designations befitting their intended function and use, origin, and/or location. Exceptional circumstances may prompt the City to consider naming a facility in honor of an individual's service and leadership to the community. Any such consideration will be pursuant to the following:

Policy

The City Council shall designate the names of city buildings, public places, facilities and natural features by resolution. The City Council shall consider a name or the consideration of a name change for a specific building, public place, facility, or natural feature at a regularly scheduled and advertised meeting.

Procedure

1. The Mayor, a City Councilmember, the City Manager, or any citizen or interested group may request the naming or renaming of a public building, place, facility, or natural feature. Requests should be made in writing to the Office of the Mayor.

2. Suggestions for names may be solicited from organizations, individuals, and the media. All suggestions, solicited or not, shall be acknowledged and recorded for consideration by the City Clerk's Office.

3. If a contest or competition is to be held, the City Clerk's Office shall provide guidelines and rules for the contest.

4. The City Clerk's Office will make every effort to contact and solicit comments from surrounding property owners, residents, and affected parties before taking action on any naming or renaming of a public building, place, facility, or natural feature.

5. The Mayor, in consultation with the City Council, will forward requests for naming or name changes to the City Council Planning Committee for review and recommendation at a regular scheduled public meeting. Any proposal regarding a City owned park or natural park feature, ball field, sports complex, and/or recreation facility must be submitted to the Board of Parks Commissioners for consideration and recommendation prior to consideration by the City Council.

Principles and Priorities

The election of names for public facilities shall conform to the following principles and priorities:

1. As a general policy, names which commemorate the culture and history of Norman shall be given first priority.

2. The name of an individual shall be considered to honor many years of service and leadership to the general public interest or the interests of the City. Except in extraordinary circumstances, naming shall be done posthumously. Outstanding service shall be performed in one or more of the following categories:

   (A) Involvement in a leadership role in civic organizations which are devoted to community improvement.

   (B) An active leadership role in developing and implementing programs directed to the improvement of the visual aesthetic appearance of the community at the commercial, public, or residential level.

   (C) An active leadership role in developing programs and/or facilities for collecting, promoting, and retaining the many aspects of the natural or historical heritage of the community.

(D) An active leadership role in developing programs and the facilities directed toward the improvement of community, social, and health needs as well as programs directed toward humanitarian purposes.

3. Preference may be given to names of long established local usage and names that lend dignity to the facility to be named.

4. Names selected shall be of enduring, honorable fame, not notoriety, and shall be commensurate with the significance of the facility.

5. Names with connotations which, by contemporary community standards, are derogatory or offensive shall not be considered.

6. Names must be tasteful and non-controversial. The name should be no more than three words preceding the designation (i.e., Park, Building, Room, Field, Complex, etc.).

Contribution Dedication Guidelines

1. Displays of public recognition in the name of an individual shall be considered for interior features or a portion or special section of a building, facility, or park area as a condition of a gift of cash or property or to honor meritorious service and leadership over a period of time.

2. The following are guidelines for which a dedication opportunity may be extended:

(A) There shall be a $50,000 contribution or 10% of total cost, whichever is greater, in either cash or property.

(B) Projects not budgeted and for which other funding is not designated may require a 100% contribution in order to be implemented and a naming opportunity considered.

(C) For major capital projects, a specifically tailored plan of donor recognition and dedication may be submitted to the City Council Planning Committee for review and recommendation to City Council.

3. Displays of public recognition for such minor items as benches, trees, refuse cans, flagpoles, water fountains, or similar items are encouraged and are not subject to these guidelines or procedures. Current and appropriate signage guidelines will apply.

4. Nothing in this policy shall preclude the City from entering into a contractual agreement with other governmental, non-profit, and private entities to undertake a significant public-private venture that depends upon the participation of multiple funding sources and may include the stipulation of naming rights in the financing agreement. (A local example of such an arrangement would be the Sam Noble Museum of Natural History.)

Change of Name

Once established, a name shall not be changed unless, after investigation by the City of Norman, the name is found to be inappropriate or otherwise scheduled to terminate.

Recommendations of Community Organizations or Citizen Groups

1. In the selection of names for City owned facilities the suggestions, comments, and recommendations of community organizations or citizen groups shall be duly considered; provided that such suggestions, comments and recommendations meet all the provisions of this policy.

2. Any community organization or citizen group may propose the naming of a City owned facility by submitting to the City Manager a request for such action and setting forth the proposed name, a description of the facility, and a statement evidencing that the proposed name meets all the provisions of this policy.

STREET RENAMING DESIGNATIONS

Honorary Street Names

Persons wishing to request an honorary street name designation shall meet the following criteria.

1. The designation shall not be on an arterial roadway.

2. There shall be only one honorary designation per right-of-way.

3. Names of living persons should be used only in exceptional circumstances.

4. Consideration should be given to an important community event, organization or well-known person defined as follows:

   - A person or entity who has made a sustained contribution above and beyond the call of duty and demonstrated leadership relating to governance, human relations and development, or neighborhood development.

   - A person who has made specific and sustained contributions to an organization located in or in proximity to the facility.

   - A person or entity who has demonstrated vigilance in changing the nature and characteristics of the specific neighborhood, community or city.

   - An important community event that commemorates local history, places, or culture.

   - An important community event that strengthens neighborhood identity.

   - Environmental contribution.

5. Consideration should be given to a local area or historic significance.

6. The important community event, organization or well-known person shall be directly related to the public facility or the public right-of-way, i.e., lived, worked, went to school, etc., at the location specified. Only one honorary designation shall be permitted for each person or community event. Preference shall be given to intersections and other limited locations.

7. An application form and process shall be established as promulgated by the City Manager. To advance the honorary street name designation proposal, the proponent must demonstrate input was received from 75% of the official addresses, with 75% in favor (total 56%). Additionally, a

majority of all registered neighborhood and/or business organizations must provide written support for the honorary street name designation.

8. The City Clerk shall forward a resolution to establish the Honorary Street Name Designation to the City Council to hold a public hearing on the proposal. The designation will automatically sunset in ten (10) years which is the estimated life of the street name signs.

9. Each sign contemplated by any honorary naming request must have a financial sponsor whose name and contact information shall be identified in the request. An application fee in the amount of $200, plus the charge for the sign(s), which will cover the cost of design, fabrication, installation and maintenance over the ten-year expected life of the sign, shall be payable to the City of Norman and will be deposited in the City's General Fund.

10. Upon approval of the request and receipt of the fee for the sign(s) the Public Works Department will prepare and install the appropriate signage.

Permanent Street Name Changes

A. Persons Wishing to Propose a Change in a Current Street Name

1. Persons wishing to propose a change in a current street name should contact the Public Works Department to determine if the proposed name is acceptable. The criteria for the Public Works staff to determine acceptability of the proposed change should include: (a) verification that the name is not a duplicate; (b) whether the proposed change contains vulgarity or vulgar innuendo; (c) whether the proposed change is likely to cause confusion with other street names by Emergency Services; and (d) whether the proposed change meets current U.S. Postal addressing criteria.

2. Once acceptability criteria have been met, the Public Works Department should also be presented a petition containing the names of at least 75% of affected property owners along with the application fee of Two Hundred Dollars ($200). As used in this Policy, the term "affected property owners" means owners of property on the street proposed to be renamed whose property address will change if the street is renamed.

3. The Public Works staff will verify property ownership records against the petition. If the mailing address of the property owner set forth on the ownership record is not the same as the property address, notice of the

petition via First Class shall be mailed to the property address to ensure all rental tenants receive notification.

4. Once property ownership records are verified, the Petition requested the name change and supporting documentation will then be forwarded to the City Clerk for placement on the agenda of a regular Council meeting for consideration. If approved by City Council, the City Clerk will cause the resolution to be filed in the Cleveland County Clerk's Office. The Public Works staff will send all affected property owners a copy of the Resolution renaming the street, make the require signage changes, and notify the 9-1-1 Association of Central Oklahoma Governments (9-1-1 ACOG), the United States Post Office, etc. The Public Works staff will also identify all multi-unit properties and consult USPS databases to locate individual unit mailing addresses to ensure all rental tenants receive a copy of the Resolution renaming the street.

5. The petitioner(s) is required to pay the full cost to manufacture the new street sign(s).

B. Requests by the Mayor, Three (3) Councilmembers, or the Human Rights Commission to Change a Street Name

1. The Mayor, three (3) Council members, or the Human Rights Commission may request initiation of the process to change a street name when it is deemed offensive or derogatory as measured by the Civil Rights and anti-discrimination policy of the City set forth in Section 7-101(a) of the City's Code of Ordinances.[1] The request shall be submitted to the City Manager in writing.

2. In accordance with established deadlines, at the next regular City Council meeting, staff will request City Council action to decide whether to initiate the process to review whether to change the street name. If approved by City Council, the street name request will be submitted through the review process outlined below.

3. The City Clerk's Office will make every effort to contact and solicit names from surrounding property owners, residents, and affected parties before taking action on any naming or renaming a street.

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[1] Section 7-101(a) of the City's Code of Ordinances states, "[i]t is the policy of the City of Norman that all citizens of this community shall have ... an equal opportunity in ... social and economic life of the City, without regard to race, color, religion, ancestry, sex, national origin, age, place of birth, handicap, or familial status. It is further declared and determined to be the policy of the City of Norman that all citizens of this community should be provided with an opportunity to reach their full potential as human beings, without being inhibited by conditions relating to race, color, religion, ancestry, sex, national origin, age, place of birth, handicap, or familial status.

4. The request with proposed new street name(s), if any, shall be forwarded to the Public Works Department. The Public Works staff shall determine if the proposed name is acceptable. The criteria for the Public Works staff to determine the acceptability of the proposed change should include: (a) verification that the name is not a duplicate; (b) whether the proposed change contains vulgarity or vulgar innuendo (c) whether the proposed change is likely to cause confusion with other street name by Emergency Services; and (d) whether the proposed change meets current U.S. Postal addressing criteria.

5. Following Public Works staff review, the proposed name change shall be placed on the agenda of the Community Planning and Transportation Committee or a committee assigned by the Mayor if the Community Planning and Transportation Committee no longer exists. Notice via First Class mail shall be sent to affected property owners at least ten (10) days before the proposed change is considered by the Community Planning and Transportation Committee. If the mailing address of the property owner set forth on the ownership record is not the same as the property address, notice via First Class shall be mailed to the property address at least ten (10) days before the proposed change is considered by the Community Planning and Transportation Committee to ensure all rental tenants receive notification.

6. The notice shall inform affected property owners and their tenants, if any, of the date, time and location of the meeting of the Community Planning and Transportation Committee. Notice should also be given to the community at large by publication in a newspaper of general circulation at least ten (10) days prior to the Community Planning and Transportation Committee meeting. Following the receipt of public comments at the advertised meeting, the Community Planning and Transportation Committee shall make a recommendation to City Council regarding the proposed change and proposed new street name, if applicable.

7. City Council shall consider the recommendation of the Community Planning and Transportation Committee at a regularly scheduled City Council Meeting by Resolution.

8. If a majority of City Council approves the Resolution renaming a street, the City Clerk will cause the Resolution to be filed in the Cleveland County Clerk's office. The Public Works staff will make the required signage changes and notify the 9-1-1 Association of Central Oklahoma Governments (9-1-1 ACOG), the United States Post Office, etc. The Public Works staff will also send the property owners required to be notified in paragraph B(5) and their tenants, if any, a copy of the Resolution renaming the street.

Resolution

R-2021-76

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING THE CITY MANAGER TO APPROVE TORT CLAIMS IN AN AMOUNT UP TO TEN THOUSAND DOLLARS ($10,000).

§ 1. WHEREAS, all political subdivisions are governed by The Governmental Tort Claims Act, 51 O.S. §151, et seq.; and

§ 2. WHEREAS, a political subdivision shall be liable for loss resulting from its torts or the torts of its employees acting within the scope of their employment subject to the limitations and exceptions specified in The Governmental Tort Claims Act; and

§ 3. WHEREAS, a person having a claim against a political subdivision shall file a Notice of Tort Claim in writing with the office of the governing body within the scope of The Governmental Tort Claims Act within one (1) year of the date of the loss occurs or the claim shall be forever barred; and

§ 4. WHEREAS, the Notice of Tort Claim shall include the amount of damages claimed; and

§ 5. WHEREAS, the process for payment to claimant can take a number of weeks for review, investigation and submission to City Council for approval, which can result in a hardship to claimants; and

§ 6. WHEREAS, the current amount for administrative approval by the City Manager of tort claims is $1,500 or less; and

§ 7. WHEREAS, authorization for administrative approval by the City Manager in an amount up to $10,000 would reduce the hardship to claimants and create a more efficient approval process.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 8. That, from and after the adoption of this resolution, it shall be the policy of the City of Norman that:

The City Manager has been authorized to approve tort claims in an amount up to $10,000

PASSED AND ADOPTED this 12th day of January, 2021.

Mayor

ATTEST:

City Clerk

CITY OF NORMAN CORPORATE SEAL OKLAHOMA

Oklahoma Statutes Citationized

Title 11. Cities and Towns

Chapter 1 - Oklahoma Municipal Code

Article Article VIII - Officers - General Provisions

Section 8-114 - First Time Elected or Appointed Officers Required to Attend Institute for Municipal Officers

Cite as: O.S. §, __ __

A. Each person elected or appointed for the first time as an officer of a municipality as defined by paragraph 6 of Section 1-102 of this title, shall be required within one (1) year after taking the oath of office to attend an institute for municipal officials. The Institute shall be conducted at all times, in cooperation with the Oklahoma Department of Career and Technology Education, by or under the supervision of a statewide organization that is exempt from taxation under federal law and designated pursuant to the provisions of the Internal Revenue Code, 26 U.S.C., Section 170(a). The statewide organization shall demonstrate to the Oklahoma Department of Career and Technology Education that it has represented municipalities, had statutory functions and conducted **training** programs for municipalities for at least fifteen (15) years prior to November 1, 2005. It shall further demonstrate that its continuous official purpose is to promote the general welfare of cities and towns, to foster or conduct schools, short courses and other **training** sessions, to provide technical assistance and consultive services and other aids for the improvement and increased efficiency of city and town government, and to serve as the representative of cities and towns in carrying out the duties and prerogatives conferred on it by state law.

B. The Institute shall consist of eight (8) hours of instruction. A certificate of completion shall be awarded to those persons who attend and successfully complete the Institute and a list of those persons shall be filed with the Oklahoma Department of Career and Technology Education.

C. The curriculum for the Institute shall include, but not be limited to: municipal budget requirements, the Oklahoma Open Meeting Act, the Oklahoma Open Records Act, ethics, procedures for conducting meetings, conflict of interest, and purchasing procedures.

D. The Institute shall be held at a minimum of six regional locations in the state. Every effort shall be made by the Institute to accommodate **training** through long-distance learning.

E. A person elected or appointed to a municipal office who fails to satisfy the education requirements of this section shall cease to hold the office commencing at the next scheduled meeting of the governing body following the first-year anniversary of the person’s taking the oath of office.

F. At the time of filing, the designated statewide organization shall provide the necessary information to the candidate of the option for attendance at the Institute as provided for in this section. In the case of officials nominated and elected for municipal offices at town meetings, the presiding officer of the town meeting shall notify the candidate of the option.

Historical Data

Laws 2005, SB 587, c. 147, § 1, eff. November 1, 2005; Amended by Laws 2006, HB 2421, c. 301, § 2 eff. November 1, 2006 (superseded document available); Amended by Laws 2007, HB 1401, c. 60, § 1, eff. November 1, 2007 (superseded document available); Amended by Laws 2008, HB 2557, c. 23, § 1, emerg. eff. April 11, 2008 (superseded document available).

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