



# office memorandum

**DATE:** July 13, 2023

**TO:** Darrel Pyle, City Manager *BA*

**THROUGH:** Kathryn Walker, City Attorney

**FROM:** Heather Poole, Assistant City Attorney *HP*

**SUBJECT:** Funding Agreement with Norman and Cleveland County Historical Society; Contract K-2324-42

**BACKGROUND:**

During the budgeting process for fiscal year 2023-2024 (FYE 2024), a number of requests from non-profit agencies for General Fund budget allocations were specifically reviewed, discussed, and approved by Council. Pursuant to those discussions, funding agreements were prepared and submitted to the various agencies for their execution. One of those agencies is the Norman and Cleveland County Historical Society.

**DISCUSSION:**

The FYE 2024 agreement which comes before Council at this time is the same basic form agreement for all agencies. The signed agreement provides that the Norman and Cleveland County Historical Society will use City funds of \$44,500 to assist with the operation of the museum.

The agreement includes a reporting procedure by the agency to the Council of expenditures of the funds in an amount not to exceed \$44,500. The agreement also provides for cancellation by either party with thirty (30) days written notice and specifically provides for cancellation and return of any unexpended funds should the agency fail to use the funds for the purpose for which they are intended or should the agency be dissolved or cease to exist any time during the contract period.

The agreement also includes an automatic renewal provision [section C(3)], which provides that the agreement automatically renews annually provided that the Agency requests the same amount of funding each year and City Council appropriates sufficient funding in the budget.

**RECOMMENDATION:**

Staff recommends that the funding agreement submitted herewith be approved. Funds in the amount of \$44,500 should be disbursed from City Council-Contributions and Organizations (10110101-44741).

**FUND DISBURSEMENT AGREEMENT**

This agreement is made and entered into on the 19<sup>th</sup> day of July, 2023, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "City" and

NORMAN AND CLEVELAND COUNTY HISTORICAL SOCIETY

(Name of Organization)

party of the second part, and hereinafter referred to as "the Organization", witnesseth:

The City of Norman purchased those certain structures located at 508 North Peters Street and at 123 East Beal Street in said City for the purpose of creating and locating a museum to contain artifacts, programs, displays and other activities related to the early days and historical development of the City of Norman and of Cleveland County.

The City Council has determined that the most eminently qualified organization to establish said museum and to maintain and operate the same is the Cleveland County Historical Society, an organization made up of a broad base of citizens interested in preserving the history and heritage of the City and County's early-day citizens.

A. That in consideration for the performance by the organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse to the Organization a sum not to exceed \$44,500 for the purpose of providing a grant to assist with the operation of the museum.
2. Disbursement of funds shall be made annually to the Organization at the beginning of the City's fiscal year subject to, and contingent upon, the City Council appropriating funds annually to fund this agreement.
3. Provide at least one oral presentation per year on the activities of the Organization to the Norman Board of Parks Commissioners and to provide a written report on the activities of the Organization to the City, said report to be sent to the attention of the Director of Parks and Recreation. The annual report shall include a summary of all activity along with the revenue and expenditure summaries for all activity for the preceding year. All detailed records associated with the Norman Historical Society shall be made available for review within ten (10) days by the Norman Historical Society upon request by the City of Norman.

B. That in consideration for the performance of the covenants and agreements of the City as stated herein, the Organization covenants and agrees:

1. To expend funds granted by the City for the purpose as listed above.
2. Allow a representative of the City to hold an ex-officio position on the Organization's Board of Directors if requested by the City.

3. To provide a written annual report on the activities of the Organization to the City, said report to be sent to the attention of the Norman City Clerk.
4. Keep all City funds in a separate bank account from any other funds collected by the Society.

C. It is further understood and agreed by both parties:

1. In the event the Organization is dissolved all such funds not yet expended for the purposes provided herein shall immediately revert back to the City and the Organization shall immediately deliver such unexpended funds to the City.
2. In the event the Organization should mishandle the expenditure of funds as provided herein, such action will be considered a breach of this agreement, and any unexpended funds as provided by this agreement, from the date of notice by the City, shall immediately revert back to the City and the Organization shall immediately deliver such unexpended funds to the City.
3. This agreement shall automatically renew annually upon City Council approval of the annual budget subject to and contingent upon the appropriation of funds to fund this agreement.
4. This agreement may be canceled by either party upon the giving of thirty (30) days written notice of cancellation to the other. Upon cancellation any unexpended funds as provided by this agreement, from the date of notice of cancellation, shall immediately revert back to the City, and the Organization shall immediately deliver such unexpended funds to the City.

D. It is further understood and agreed by both parties that the Organization and any employee of the Organization is a separate entity from the City and the Organization and its employees are responsible for its actions and that the Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, action, loss, and expense from liability of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with the Organization's management, operation and services.

E. There are no other terms, either express or implied, than those expressly stated herein.

F. This contract will supersede any previous contract, agreement or resolution.

G. The City shall provide maintenance, repairs and upkeep of the premises, as well as utility costs.

H. The Organization agrees to have the museum open to the public a minimum of twenty (20) hours per week, a reasonable portion of such time shall include weekend hours.

I. The Organization shall be entitled to charge and collect reasonable fees and apply those fees towards the operation of the museum.

J. In witness hereof, the parties hereto have executed this agreement on the day first above written.

NORMAN AND CLEVELAND COUNTY  
HISTORICAL SOCIETY

  
\_\_\_\_\_  
President

ATTEST:


\_\_\_\_\_  
SECRETARY

CITY OF NORMAN

Approved by:.

  
\_\_\_\_\_  
Darrel Pyle, City Manager

Approved as to form and legality by the office of the City Attorney this 19<sup>th</sup> day of July, 2023.

  
\_\_\_\_\_  
Office of the City Attorney

# 2022-2023 Budget

## Projected Income

City of Norman Grant Funds	\$41,500.00
Norman Arts Council Operational Support Grant	\$6,306.00
Norman Arts Council ARPA Grant	\$8,457.00
Gift Shop, Book Sales & Royalties, Member Dues	\$3,500.00
Rentals, Photographer Fees, & Birthday Parties	\$500.00
Donations	\$2,000.00
Camp, Workshop, & Tea Party Enrollment Fees	\$1,000.00
Interest from OCCF, CD, and Bank Accounts	\$1,800.00
<b>Total Income</b>	<b>\$65,063.00</b>

## Projected Expenses

Payroll & Payroll Taxes	\$32,000.00
Manager's Health Insurance	\$5,770.00
Accountant Fees	\$3,500.00
Utilities & Internet	\$3,200.00
Supplies	\$6,000.00
Events and Programming	\$8,000.00
Staff Development & Organizational Dues	\$1,500.00
Gift Shop Stock & Sales Tax on Gift Shop Sales	\$2,000.00
Postage & Advertising	\$2,000.00
Website	\$325.00
Stained Glass Repair	\$1,375.00
Miscellaneous	\$2,000.00
<b>Total Expenses</b>	<b>\$67,670.00</b>





**CITY OF NORMAN, OK**  
**CITY COUNCIL FINANCE COMMITTEE MEETING**  
Municipal Building, Executive Conference Room, 201 West Gray, Norman,  
OK 73069  
Thursday, March 16, 2023 at 4:00 PM

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## **AGENDA**

*It is the policy of the City of Norman that no person or groups of persons shall on the grounds of race, color, religion, ancestry, national origin, age, place of birth, sex, sexual orientation, gender identity or expression, familial status, marital status, including marriage to a person of the same sex, 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.*

### **CALL TO ORDER**

### **AGENDA ITEMS**

1. DISCUSSION REGARDING THE FYE 2024 CITY OF NORMAN BUDGET.
2. CONTINUED DISCUSSION REGARDING FLOCK SAFETY CAMERA SOLUTIONS FOR THE COMMUNITY.
3. DISCUSSION REGARDING MONTHLY REVENUE AND EXPENDITURE REPORTS.

### **ADJOURNMENT**



## CITY OF NORMAN, OK CITY COUNCIL FINANCE COMMITTEE MEETING

Municipal Building, Executive Conference Room, 201 West Gray, Norman,  
OK 73069

Thursday, March 16, 2023 at 4:00 PM

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### MINUTES

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#### PRESENT

Mayor Larry Heikkila  
Councilmember Ward 3 Kelly Lynn

#### ABSENT

Councilmember Ward 6 Elizabeth Foreman

#### OTHERS PRESENT

Councilmember Ward 4 Helen Grant  
Councilmember Ward 7 Stephen Holman  
Anthony Francisco, Director of Finance  
Kim Coffman, Budget Manager  
Jacob Huckabaa, Budget Technician  
Dannielle Risenhoover, Administrative Tech IV  
Shawn O'Leary, Director of Public Works  
Mike White, Fleet Program Manager  
Rick Jackson, Deputy Police Chief  
Major Jamie Shattuck, Police Patrol Bureau  
Joyce Green, GIS Services Manager  
Brenda Hall, City Clerk  
Andy Couch, Executive Director & Curator for Fire House Art Center

#### CALL TO ORDER

Mayor Heikkila welcomed everyone to the meeting. The meeting began at approximately 4:00 PM.

## AGENDA ITEMS

### 1. DISCUSSION REGARDING THE FYE 2024 CITY OF NORMAN BUDGET.

Anthony Francisco discussed the Budget Reports. Three outside agencies are requesting additional General Fund financial support from the City of Norman in FYE 2023-2024. These agencies are Performing Arts Studio, Moore-Lindsay Historical Museum, and the Firehouse Art Center. Board Members were aware of the City's previous financial contributions to these agencies and informed of their requests for additional funding as follows:

- \$2200 requested by Performing Arts Studio
- \$3000 requested by Moore-Lindsay Historical House Museum, and
- \$60,000 requested by Firehouse Art Center.

Andy Couch, Executive Director & Curator for Firehouse Art Center, spoke to members regarding the Center's request for funds. Couch stated that Firehouse Art Center is requesting additional funds primarily due to the "cut to the arts in terms of grant funds received." He also stated that the Center is focused on providing more opportunities for children, adults and veterans. Included in Couch's plan for the Center is adding ceramics, printmaking, exhibits, and clay making. Councilmember Holman asked Mr. Couch if the additional request for funds is a one-time request or is it an on-going request. Couch's reply was, "I would hope that this would be this every year, but I am going to do my best to bring in new foundations to the Firehouse and individual donors." Couch does believe that the Center needs to host fundraisers to gain revenue.

Councilmembers Grant and Holman both showed support in granting the outside agencies request for additional funding out of the General Fund for FYE24.

Francisco highlighted the "Critical Vehicle Replacement Report" issued by the City of Norman Fleet Maintenance Division. This report lists vehicles that are more cost effective to replace than maintain. In the general governmental area alone, the report indicates that \$10.2 million in fleet is in critical need of replacement. A previous Fleet study revealed that the City of Norman should be spending approximately \$6 million per year replacing vehicles. Francisco stated, "Our full allocation of the 27% for capital outlay is about \$4 million for everything. As a management team we usually allocate about half of that \$4 million toward fleet replacements." Francisco pointed out how few vehicles would be replaced with this money. With police vehicles clearly qualifying for the use of seizure & restitution funds, discussion was had regarding using approximately \$1.4 million in this fund to help replace police vehicles. This would help replace approximately 17 police vehicles; thus, Francisco asked the Finance Committee is they would like to use seizure and restitution money for the replacement of police vehicles?

Councilmember Holman suggested that seizure and restitution funds be used in a more diversified way, such as for all vehicles, not just police vehicles; however, City Attorney Kathryn Walker's legal recommendation was that seizure and restitution funds be used for police & law enforcement purposes due to the direct source of the funds and the law becoming less clear when moving away from the police & law expenditures. The topic of spending seizure and restitution funds on police vehicles will be presented to City Council for further discussion at the time the City Manager's proposed budget is presented to the Council.