



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 10/11/2022

REQUESTER: Downtown Norman BID Association

PRESENTER: Kathryn Walker, City Attorney

ITEM TITLE: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-13 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA: ADOPTING AND RATIFYING THE ASSESSMENT ROLL FOR THE DOWNTOWN NORMAN BUSINESS IMPROVEMENT DISTRICT; ESTABLISHING THE TIME AND TERMS OF PAYMENT OF THE ASSESSMENTS AND OTHER EXPENSES; FIXING PENALTIES TO BE CHARGED FOR DELINQUENT PAYMENT OF THE ASSESSMENT OR AN INSTALLMENT THEREOF; SETTING FORTH THE TRACTS OR PARCELS OF LAND AGAINST WHICH THE ASSESSMENTS ARE BEING ADOPTED, RATIFIED AND LEVIED; DIRECTING THE CITY CLERK TO PREPARE, SIGN, ATTEST AND RECORD WITH THE COUNTY CLERK OF CLEVELAND COUNTY, FOLLOWING PASSAGE OF THE PAYMENT DEADLINE, A CLAIM OF LIEN FOR ANY UNPAID AMOUNT DUE AND ASSESSED AGAINST A TRACT OR PARCEL OF LAND; PROVIDING FOR THE SEVERABILITY THEREOF.

BACKGROUND:

The City is in receipt of a Petition in favor of the creation of Downtown Norman Business Improvement District ("BID"), as well as an Assessment Plat, Assessment Roll, and District Plan. BID's are allowed under the Improvement District Act (11 O.S. §39-101 et. seq.) as a means of providing funding for a variety of purposes, including landscaping, improvement of pedestrian malls, parking facilities, signs, benches, kiosks, pedestrian shelters, signs, trash receptacles, etc. Oklahoma law states that improvement districts may be created after a petition for such improvements containing signatures from the owners of record of more than one-half of the area liable to be assessed under the proposal is filed with the City Clerk. The City and the Norman Municipal Authority, as property owners liable for assessment in the proposed district, previously considered whether to sign the petition. This action was approved on August 23, 2022. The Petition now contains signatures from the owners of record of more than 50% of the area liable to be assessed under the proposal.

DISCUSSION:

There are several steps involved in establishing a business improvement district. First, the City must adopt a resolution (R-2223-28) acknowledging receipt of the Assessment Plat, determining the creation of the district is necessary, and instructing the City Clerk to give notice of a hearing on the district. Such notice must be given to each property owner at the address on file in the property records at Cleveland County. Council adopted Resolution R-2223-28 on September 13, 2022 setting a public hearing on the creation of the district and the initial assessment roll on September 27, 2022. The public hearing was postponed to October 11, 2022, and notice has been mailed and published in accordance with state law. Upon conclusion of the public hearing, the City Council will consider the adoption of Resolution R-2223-57, formally creating the Downtown BID. If Council adopts Resolution R-2223-57, Council will then consider adoption of an Ordinance containing the Assessment Roll (Ordinance O-2223-13) on Second and Final Reading.

Ordinance O-2223-13 empowers the City to assess the properties according to the formula set forth in the BID petition. Property owners will have thirty (30) days to object to the formation of the district and/or the assessment to their particular property.

RECOMMENDATION:

Staff recommends adoption of Ordinance O-2223-13 upon Second and Final Reading.