



CITY OF NORMAN, OK CITY COUNCIL STUDY SESSION

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

Tuesday, March 21, 2023 at 5:30 PM

MINUTES

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, relation, 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 405-366-5446, Relay Service: 711. To better serve you, five (5) business days' advance notice is preferred.

CALL TO ORDER

Mayor Heikkila called the Meeting to Order at 5:30 p.m.

PRESENT

Mayor Larry Heikkila
Councilmember Ward 2 Lauren Schueler
Councilmember Ward 3 Kelly Lynn
Councilmember Ward 4 Helen Grant
Councilmember Ward 5 Rarchar Tortorello
Councilmember Ward 6 Elizabeth Foreman
Councilmember Ward 7 Stephen Holman
Councilmember Ward 8 Matthew Peacock

ABSENT

None

AGENDA ITEMS

1. DISCUSSION REGARDING OPERATOR AGREEMENTS FOR THE YOUNG FAMILY ATHLETIC CENTER AND THE SENIOR CENTER.

Ms. Kathryn Walker, City Attorney, said the NORMAN FORWARD Sales Tax Initiative was approved by voters in 2015 and sales tax collection began in 2016. NORMAN FORWARD had a number of quality of life projects, including a Multi-Sport Facility, Indoor Aquatic Facility, and Senior Wellness Center. Over time, the Multi-Sport Facility and Indoor Aquatic Facility were merged into one building, the Young Family Athletic Center (YFAC), and a site was selected in 2020.

Ms. Walker said the Senior Wellness Center will be located on property at Norman Regional Hospital's Porter Campus at Findlay Avenue. The operator interviews were conducted in late 2020 and Columbus Corporation was selected as the operator of YFAC and Healthy Living Fitness was selected as operator of the Senior Wellness Center.

Young Family Athletic Center Agreement

Ms. Walker said Columbus Corporation is non-profit and has been the operator of the Santa Fe Family Life Center (SSFLC) in Oklahoma City (OKC) since 2007. The OKC location provides basketball, tennis, outdoor swimming, pickleball, adaptive sports, squash, volleyball, weight training, and futsal (small indoor football). In 2020, SSFLC served over 9,000 kids in youth sports leagues, donated over 1,500 hours of facility usage time, partnered with over 25 local non-profits, operated year-round multi-sport adaptive sports programming, and worked to ensure opportunities for underprivileged youth. They have provided over \$285,000 worth of donated services in 2020 benefitting over 3,000 individuals (or around 11,500 participants total).

Norman City Council approved a Memorandum of Understanding (MOU) in 2021, and lease and management agreement negotiations are ongoing. The YFAC Operator Agreement includes leased premises, which is everything but the portion operated, funded and/or leased by Norman Regional Hospital Authority (NRHA) for a term of five years with possible extensions of up to three additional five year terms. The Operator will provide operation, management, and maintenance of the leased premises and bears sole financial responsibility for start-up (approximately \$500,000), management, and operation. The Columbus Corporation will participate in planning and construction meetings as well as committee and Council meetings, when requested, and will work to secure any contracts, hire employees, etc., by opening date. The City will own the assets, including additions or modifications constructed by operator that cannot be removed without damage to the property. The operator may sublease, but only with City Manager's permission and if sub lessee or tenant complies with the contract with the City.

The YFAC will be open to members at least 65 hours per week (including four consecutive hours on one weekend day). Programming and services will be provided by the operator to include basketball, volleyball, indoor aquatics, pickleball, adaptive sports, and local, regional, and national competitions/tournaments. The operator will also gather community and user input to adapt programming and service offerings.

User fees will go towards operations and the types of fees will depend on the activity, i.e., league play, court rental, monthly usage fee, etc. The operator will be required to include a sliding scale fee schedule based on income levels, available user fee assistance, etc. Any increases that exceed the annual cap (still being negotiated) must be approved by the City Manager after presentation to the Parks Board.

Ms. Walker said City Manager approval will be required for any policies related to operation and use of the facility that includes lease premises use; prohibition against abuse of program participants; claims reporting and investigation, rental/booking policies; finance and accounting procedures; and safety procedures. The operator must provide quarterly and annual reports to the City setting forth offered, data related to utilization of services, financial reports, etc. The City has the right to audit the programs, services, and financial records of the operator and any tenant of the operator. The City Manager or his/her designee has the right to access the facility during hours of operation and the right to ensure public access.

The agreement includes non-discriminatory policies in compliance with the City's Civil Rights Ordinance and First Amendment. The operator is responsible for routine maintenance, general repairs, supplies, etc., while the City is responsible for maintenance, repair, and replacement of capital items (more than \$5,000 and life expectancy more than one year).

YFAC partnerships include Norman Regional Hospital Systems (NRHS) and the operator is developing partnerships with known user groups, i.e., Norman Public Schools, Norman Optimist Club, and Student Success Center. The City Manager or his/her designee will serve on the operator's Board of Directors in an ex-officio capacity. Ms. Walker said Staff is still working through insurance requirements as well as a termination clause (for cause and discretionary termination to ensure investment is protected).

Adult Wellness and Education Center Agreement (previously known as Senior Wellness Center)

The non-profit operator of Healthy Living OKC provides group fitness classes; personal training; aquatic activities; organized sports (pickleball, basketball); art instruction; and interest groups as well as numerous other lifelong learning. The facility served more than 6,500 members in the first two plus years with 762 average daily visits and averages more than 100 new members each month.

Norman City Council approved an MOU with Healthy Living Norman in 2021 and lease and management agreement negotiations are still ongoing with anticipated Council consideration in April.

Leased premises include everything on site including improvements, fixtures, and facilities with a five year lease term that can be extended for up to three additional five year terms. The operation date will be the date the Center is substantially complete. The operator will provide operation, management, and maintenance of the lease premises as well as bearing financial responsibility for start-up, management, and operation with some exceptions. Exceptions include the City's contribution to operational and maintenance costs not to exceed \$125,000 annually; utility assistance (decreasing amount over the first three years); janitorial services for first three years; lawn and landscaping services during first five years; pool maintenance during first five years; and fitness equipment. Potential for up-fronting some of the funding in the first year is still under negotiation.

The operator will participate in planning and construction meeting as well as committee and Council meetings when requested; and will work to secure contracts, hire employees, etc., by opening date. The City owns all assets, including additions or modification constructed by operator (with City's permission) that cannot be removed without damage to property. The operator may sublease, but only with the City Manager's permission and if sub lessee or tenant complies with contract with City.

The Adult Wellness and Education Center will be open to members 65 hours per week (including at least four consecutive hours on one weekend day). Programming and services to be provided include group exercise classes; personal training; art instruction; social programs; lifelong learning opportunities; physical therapy; massage therapy; health screenings; health education; immunizations; and dietician consultants (final activities being developed). Operator will gather community and user input to adapt programming and services offered, which they have already been doing.

User fees will go toward operations and requires a sliding scale fee schedule based on income levels, available use fee assistance, etc., and any change to user fees must be approved by the City Manager.

The City Manager will provide oversight and approval for any policies related to operation and use of the facility that includes lease premises use; prohibition against abuse of program participants; claims reporting and investigation; rental/booking policies; finance and account procedures; and safety procedures. The operation will provide quarterly and annual report provided to the City setting forth services offered, data related to utilization of services, financial reports, etc. The City has the right to audit programs, services, and financial records of the operator and any tenant of the operator. The City Manager has the right to access the facility during hours of operation and to ensure public has access.

The agreement includes non-discriminatory policies in compliance with City's Civil Rights Ordinance and First Amendment. The operator is responsible for routine maintenance, general repairs, supplies, etc., while the City is responsible for maintenance, repair, and replacement of capital items (more than \$5,000 and life expectancy more than one year).

The Adult Wellness and Education Center partnerships include Norman Regional Hospital System (NRHS) as the exclusive healthcare provider and the operator is developing partnerships with known user groups. The City Manager or his/her designee will serve on the operator's Board of Directors in an ex-officio capacity. Ms. Walker said Staff is still working through insurance requirements as well a termination clause (for cause and discretionary to ensure investment is protected).

Councilmember Tortorello said many senior citizens are upset they are going to have to pay a fee to participate in services and asked why they have to pay a fee. Mr. Jason Olsen, Director of Parks and Recreation, said there is a \$30 per year fee for the current Senior Center, but it is not a required fee, it is a voluntary fee. Mr. Olsen said the Adult Wellness and Education Center is offering state-of-the-art expanded services not currently offered, such as a swimming pool, workout equipment, wellness exam rooms, organized arts and crafts, etc. He said along with the proposed \$35 per month fee there will be different scholarship opportunities based on a sliding scale.

Mr. Darrel Pyle, City Manager, said the fee is not new and is similar to paying Westwood Golf and Westwood Aquatic Facility fees. He said the fees will enable the City to keep equipment current and maintained to the standards the community has grown to expect. He said it would be wonderful if the City could provide the services at no cost, but there is not enough capacity in the General Fund to provide a revenue stream.

Mr. Pyle said there is a program known as Silver Sneakers offered at no additional cost to seniors on eligible Medicare plans, but he did not know if the City could program that into the Adult Wellness and Education Center. Mr. Olsen said there is an opportunity for that and while there are some stringent requirements, Staff is working towards the ability to accept Medicare's Silver Sneakers Program for qualified applicants. He said Healthy Living will work with people to ensure everyone has the opportunity to become a member regardless of their ability to pay.

Mr. Pyle said the full concept and evolution of the Center was driven by senior community members wanting more services and membership fees to ensure access to all activities and services.

Mr. Pyle said there will be future discussions about how to utilize the current Senior Center and Mr. Olsen said a Request for Proposal (RFP) will be sent to user groups wanting to utilize the building. He said the RFP's will be reviewed by the Parks Board for recommendations to City Council.

Items submitted for the record

1. PowerPoint presentation entitled, "Operator Agreements – YFAC and Senior Wellness Center," dated March 21, 2023
2. Draft Contracts K-2223-130 and K-2223-135

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ADJOURNMENT

The meeting was adjourned at 6:14 p.m.

ATTEST:

City Clerk

Mayor