

Ordinance

Version 3.5 released on 2/29/24  
Use for all Ordinances including: TRO, Budget, Zoning, Declarations,  
Trust Indentures, etc.

PW0120875



<b>CITY COUNCIL USE ONLY</b>	Tracking #:	<b>CITY CLERK USE ONLY</b>
Date Received:	Committee:	<input type="checkbox"/> Scanned      Date: 09.18.2024
Committee Date:	Hearing Date:	<input type="checkbox"/> Posted      Item #: 2409.02480
1 <sup>st</sup> Agenda Date:	2 <sup>nd</sup> Agenda Date:	

All department items requiring Council approval must be submitted through the Mayor's Office.

Primary Details

<b>Dept. Tracking No.</b>	<b>Board Approval</b>	<b>Other Board Name</b>	<b>City Council Approval</b>
			<input checked="" type="radio"/> Yes <input type="radio"/> No
<b>Department</b> Public Works	<b>Contact Name</b> Gary McColpin	<b>Email</b> gmccolpin@cityoftulsa.org	<b>Phone</b> 918-576-5514
<b>Subject (Description)</b> Ordinance Amending Title 35-602 "Required Sidewalk and Fee in Lieu Option		<b>Ordinance Type</b> Amending Previous Ordinance	
<b>Section</b>	<b>Township</b>	<b>Range</b>	<b>Lot</b>
<b>Block</b>	<b>Address</b>		<b>BA / CT Number</b>
<b>Amending Ord. No.</b>	<b>TRO Title No.</b> 35 e.g. 43	<b>TRO Subtitle</b> e.g. G	<b>Property/Non-Property</b>
<b>Council District</b>	<b>Zoning No.</b>	<b>PUD No.</b>	<b>Planning District</b>



Budget

Funding Source(s)

TOTAL:

Enter the funding source(s) using the appropriate Munis funding format: Org (Allocation Code)-Object-Amount (1001211-531401-\$10.00) or Project String-Amount (144104.Abst>Title5413102.6001-4043122-541102-\$30,000.01)

Approvals

<b>Department:</b>		<b>Date:</b> 8/20/2024
<b>Legal:</b>		<b>Date:</b> SEPT. 12 XXIV
<b>Board:</b>		<b>Date:</b>
<b>Mayor:</b>		<b>Date:</b> SEP 18 2024
<b>Other:</b>		<b>Date:</b>

1124-4449

Policy Statement

Background Information

TRO Title 35, Chapter 6, Section 602, Paragraph J requires that the Director of the Streets and Stormwater Department to review and calculate, at least annually, the average unit costs to construct sidewalk and ADA -compliant ramp infrastructure. The ordinance requires that the Director base the review and calculations on the lowest valid bids submitted to the City for similar work and the City's annual City-Wide Infrastructure Rehabilitation and Improvements contract. The current fee-in-lieu of cost per square foot of sidewalk construction is \$10.85 for Arterial Sidewalks and \$8.68 for Non-Arterial Sidewalks and the current cost for each Arterial ADA compliant Ramp is \$680.00 and each Non-Arterial ADA compliant Ramp is \$544.00. After reviewing this section of the ordinance and calculating the average unit costs from similar sidewalk related projects and the City-Wide Infrastructure Rehabilitation and Improvement Contract it has been determined that these fees need to be adjusted to ensure that adequate funds are collected to provide service capacity of future City sidewalk Infrastructure.

Provide background information on the requested action.

Summation of the Requested Action

Request that the Mayor and the City Council approve the amendment to the fee structure as follows:

- 1. Arterial Sidewalk Construction: Eight Dollars and Seventy-Six Cents (\$8.76) per square foot for one hundred percent (100%) of average unit cost.
- 2. Non- Arterial Sidewalk Construction: Seven Dollars and One Cent (\$7.01) per square foot for Eighty percent (80%) of average unit cost.
- 3. Arterial ADA-Compliant Ramp Construction: One Thousand Two Hundred Fifty Dollars and Zero Cents (\$1,250.00) each for one hundred percent (100%) of average unit cost.
- 4. Non- Arterial ADA-Compliant Ramp Construction: One Thousand Dollars and Zero Cents (\$1000.00) each for Eighty percent (80%) of average unit cost.

Summarize the pertinent details of the requested action.

Emergency Clause?

- ☒ Yes
- ☐ No

Reason for Emergency Clause

The ordinance is currently being used for calculations in pending developments.

Explain why you are requesting that the City Council approve this action with an emergency clause.

Processing Information for City Clerk's Office

Post Execution Processing

- ☐ Mail vendor copy (add'l signature copies attached)
- ☐ Must be filed with other governmental entity
- ☐ Add'l governmental entity approval(s) required

Additional Routing and Processing Details

(Published in the  
Tulsa World,

\_\_\_\_\_, 2024).

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING SUBSECTION J, TITLED “DETERMINATION OF SIDEWALK FEES” OF SECTION 602, TITLED “REQUIRED SIDEWALK AND FEE-IN-LIEU OPTION” OF CHAPTER 6, TITLED “FAMILIAR RIGHTS OF WAY ACTIVITIES,” OF TITLE 35 TITLED “INFRASTRUCTURE DEVELOPMENT”, OF THE REVISED ORDINANCES OF THE CITY OF TULSA; PROVIDING AN OPERATIVE DATE OF NOVEMBER 1, 2024; REPEALING ORDINANCES IN CONFLICT AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY OF TULSA:

*Section 1. That Subsection “J” of Section 602, of Chapter 6, of Title 35, of Tulsa Revised Ordinances, be and the same is hereby amended to read as follows:*

“**J. Determination of Sidewalk Fees.** The Director of the Streets and Stormwater Department, or the Director's successor, shall review and calculate, at least annually, the average unit cost to the City with respect to sidewalk infrastructure constructed for the City based on the lowest responsive bid(s) submitted to the City for similar work or the annual City-Wide Infrastructure Rehabilitation and Improvement Contract (or similar contract with a different title), and shall determine if the average unit costs of sidewalk infrastructure construction for fee-in-lieu purposes should be adjusted. The unit costs so calculated shall be the basis for the fee-in lieu amounts required. Eighty percent (80%) of the average unit cost of sidewalk and ADA-compliant ramp construction as determined and adjusted by the Director shall be the required fee-in-lieu amount for sidewalks on or along streets not designated as arterial streets, parkways, scenic drives, commercial/industrial streets, or collector streets in the Tulsa Metropolitan Area Major Street and Highway Plan (applicable to "Non-Arterial Sidewalk Construction" below in numerical 1 and 2 of this subsection), and one hundred percent (100%) of the average unit cost of sidewalk construction and ADA-compliant ramp construction as determined and adjusted by the Director shall be the required fee-in-lieu amount for sidewalks and for ADA-compliant ramps on or along streets designated as arterial streets, parkways, scenic drives, commercial/industrial streets, or collector streets in the Tulsa Metropolitan Area Major Street and Highway Plan and (applicable to "Arterial Sidewalk Construction" below in numerical 3 and 4 of this subsection). The existing average unit costs of sidewalk infrastructure adopted for fee-in-lieu purposes, until otherwise adjusted by the Director, are as follows:

1. Non-Arterial Sidewalk Construction: Seven Dollars and One Cent (\$7.01) per square foot for eighty percent (80%) of the average unit cost.
2. Non-Arterial ADA-Compliant Ramp Construction: One Thousand Dollars (\$1000.00) each for eighty percent (80%) of the average unit cost.
3. Arterial Sidewalk Construction: Eight Dollars and Seventy-six Cents (\$8.76) per square foot for one hundred percent (100%) of the average unit cost.
4. Arterial ADA-Compliant Ramp Construction: Twelve Hundred and Fifty Dollars (\$1250.00) each for one hundred percent (100%) of the average unit cost.”

Section 2. *OPERATIVE CLAUSE. Following passage of this ordinance by the City Council, with separate approval of its Emergency Clause; and approval by the Mayor, this ordinance shall be operative on and after November 1, 2024.*

Section 3. *REPEAL OF CONFLICTING ORDINANCES. That all ordinances or parts of ordinances in conflict herewith be and the same are now expressly repealed.*

Section 4. *EMERGENCY CLAUSE. That an emergency is now declared to exist for the preservation of the public peace, health and safety, by reason whereof this ordinance shall take effect immediately from and after its passage, approval and publication.*

ADOPTED by the Council: \_\_\_\_\_  
Date

\_\_\_\_\_  
Chair of the Council

ADOPTED as an emergency measure: \_\_\_\_\_  
Date

\_\_\_\_\_  
Chair of the Council

#### OFFICE OF THE MAYOR

Received by the Mayor: \_\_\_\_\_, at \_\_\_\_\_  
Date Time

G. T. Bynum, Mayor

By \_\_\_\_\_  
Secretary

APPROVED by the Mayor of the City of Tulsa, Oklahoma: \_\_\_\_\_  
Date

at \_\_\_\_\_  
Time

\_\_\_\_\_  
Mayor

(Seal)  
ATTEST:

---

City Clerk

APPROVED:

---

City Attorney

*OK-MDS*



<b>CDBG 23-001</b>		R&L
4" CONCRETE SIDEWALK	SY	\$63.00
CURB RAMP	EA	\$1,200.00
<b>CITYWIDE SIDEWALK GAPS - 2036S0002Z</b>		TRI STAR
4" CONCRETE SIDEWALK	SY	\$60.00
CURB RAMP	EA	\$1,200.00
<b>ADA TRANSITION - 144109 Trans Package #1</b>		R&L
4" CONCRETE SIDEWALK	SY	\$48.00
CURB RAMP	EA	\$1,400.00
<b>PEORIA - 2036A0017Z, 2036A0018Z, TMUA W 22-06</b>		Becco
4" CONCRETE SIDEWALK	SY	\$70.00
CURB RAMP	EA	\$1,200.00
CURB RAMP	EA	\$1,300.00
<b>CIRI 2024/2025</b>		Becco
CONCRETE SIDEWALK (UNDER 10 SY) (SD-1)	SY	\$90.00
CONCRETE SIDEWALK (10 SY TO UNDER 50 SY) (SD-1)	SY	\$100.00
CONCRETE SIDEWALK (50 SY TO UNDER 100 SY) (SD-1)	SY	\$100.00
CONCRETE SIDEWALK (OVER 100 SY) (SD-1)	SY	\$100.00
<b>CIRI 2024/2025</b>		Becco
SIDEWALK RAMP (TYPE "A")	EA	\$1,100.00
SIDEWALK RAMP (TYPE "B")	EA	\$1,500.00
SIDEWALK RAMP (TYPE "C")	EA	\$1,300.00
SIDEWALK RAMP (TYPE "D")	EA	\$1,100.00
SIDEWALK RAMP (COMBINATION)	EA	\$1,200.00

#### Averages (Proposed Fee-In-Lieu)

Sidewalk	SY	\$78.88
100% - Arterial	SF	<b>\$8.76</b>
80% - Non-Arterial	SF	<b>\$7.01</b>
Ramps 100% - Arterial	EA	<b>\$1,250.00</b>
Ramps 80% - Non-Arterial	EA	<b>\$1,000.00</b>

#### Last Years Fee-In-Lieu Costs

Arterial	SF	<b>\$10.85</b>
Non-Arterial	SF	<b>\$8.68</b>
Arterial Ramps	EA	<b>\$680.00</b>
Non-Arterial	EA	<b>\$544.00</b>