

PW0120875

Ordinance

Version 3.5 released on 2/29/24

Use for all Ordinances including: TRO, Budget, Zoning, Declarations, Trust Indentures, etc.



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

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

Primary Details

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

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.AbstrTitle5413102.6001-4043122-541102-\$30,000.01)

Approvals

Department:	<i>T. McColpin</i> (SWINEY)	Date:	<u>8/20/2024</u>
Legal:	_____	Date:	<u>SEPT. 12 XXIV</u>
Board:	_____	Date:	_____
Mayor:	<i>[Signature]</i>	Date:	<u>SEP 18 2024</u>
Other:	_____	Date:	_____

H24-4449

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

CDBG 23-001		R&L
4" CONCRETE SIDEWALK	SY	\$63.00
CURB RAMP	EA	\$1,200.00
CITYWIDE SIDEWALK GAPS - 2036S0002Z		TRI STAR
4" CONCRETE SIDEWALK	SY	\$60.00
CURB RAMP	EA	\$1,200.00
ADA TRANSITION - 144109 Trans Package #1		R&L
4" CONCRETE SIDEWALK	SY	\$48.00
CURB RAMP	EA	\$1,400.00
PEORIA - 2036A0017Z, 2036A0018Z, TMUA W 22-06		Becco
4" CONCRETE SIDEWALK	SY	\$70.00
CURB RAMP	EA	\$1,200.00
CURB RAMP	EA	\$1,300.00
CIRI 2024/2025		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
CIRI 2024/2025		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	\$8.76
80% - Non-Arterial	SF	\$7.01
Ramps 100% - Arterial	EA	\$1,250.00
Ramps 80% - Non-Arterial	EA	\$1,000.00

Last Years Fee-In-Lieu Costs

Arterial	SF	\$10.85
Non-Arterial	SF	\$8.68
Arterial Ramps	EA	\$680.00
Non-Arterial	EA	\$544.00