

Ordinance

Version 3.2 released on 8/3/21

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



CITY COUNCIL USE ONLY

Date Received: _____
 Committee Date: _____
 1st Agenda Date: _____

Tracking #: _____

Committee: _____
 Hearing Date: _____
 2nd Agenda Date: _____

CITY CLERK USE ONLY

☐ Scanned

Date: 07.27.2022

☐ Posted

Item #: 2207.01584

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

☒ Yes ☐ No

Department
 Streets and Stormwater

Contact Name
 Gary McColpin

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.Abst>Title5413102.6001-4043122-541102-\$30,000.01)

Approvals

Department: _____

Legal: _____

Board: _____

Mayor: _____

Other: _____

Date: 6/28/2022

Date: 07/25/2022

Date: _____

Date: JUL 27 2022

Date: _____

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 City's annual City-Wide Infrastructure Rehabilitation and Improvements contract. Staff has determined that limiting the review and calculations to this single contract does not represent an accurate average unit cost for sidewalks and ADA infrastructure. This ordinance amendment allows the Director to use the lowest valid responsive bids submitted within the previous twelve months from similar construction contracts in the calculation of the sidewalk and ADA infrastructure costs. The current fee-in-lieu of cost per square foot of sidewalk construction is \$6.44 and the current cost for each ADA compliant Ramp is \$950.00. After reviewing this section of the ordinance it has been determined that the fee language needs to be adjusted for clarity. The cost for Arterial ADA infrastructure should be 100% of the calculated costs of the reviewed contracts and the costs for Non-Arterial ADA infrastructure should be 80% of the calculated costs.

Provide background information on the requested action.

Summation of the Requested Action

TRO Title 35, Chapter 6, Section 602, Paragraph J has been rewritten with the changed language outlined above. Staff requests that the Mayor and the City Council approve this ordinance amendment.

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,

_____, 2022).

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 SEPTEMBER 1, 2022; REPEALING ORDINANCES IN CONFLICT HERewith 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 valid responsive bid(s) submitted to the City for similar work within the previous twelve months, and 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: Six Dollars and Forty-Four Cents (\$6.44) per square foot for eighty percent (80%) of the average unit cost of Eight Dollars and Five Cents (\$8.05) per square foot.
2. Non-Arterial ADA-Compliant Ramp Construction: Seven Hundred Sixty Dollars (\$760.00) each for eighty percent (80%) of the average unit cost of Nine Hundred Fifty Dollars (\$950.00).
3. Arterial Sidewalk Construction: Eight Dollars and Five Cents (\$8.05) per square foot for one hundred percent (100%) of the average unit cost.

4. Arterial ADA-Compliant Ramp Construction: Nine Hundred Fifty Dollars (\$950.00) 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 September 1, 2022.

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:

Deputy City Clerk

APPROVED:

City Attorney