



Notice and Agenda Work Session Meeting of The Bixby City Council

Dawes Conference Room
113 West Dawes, Bixby, Oklahoma 74008
May 9th, 2022 at 5:00 P.M.

Call to Order

Mayor Guthrie

Roll Call

Shannon Duran

Agenda

1. Discussion on OMAG Recognition Program.

Charles Barnes

2. Discussion on Flats @151st architectural design.

Jared Cottle

3. Discussion on recent rainfall and flooding event.

Mayor Guthrie

Notice of Posting

This Notice and Agenda was posted on the bulletin board May 6th on or before 5:00 p.m., at City Hall, 116 West Needles Bixby Oklahoma.

Respectfully submitted,

Shannon Duran
City Clerk



City Council Meeting Agenda

City Hall Municipal Building
116 W. Needles Ave., Bixby, OK 74008
May 9th, 2022 at 6:00 P.M.

Public comments are limited to items listed on the agenda. Those wishing to speak on agenda items will need to appear in the City Council Chamber.

Call to Order

Mayor Guthrie

Roll Call

Shannon Duran

Pledge of Allegiance

Invocation

Consent Agenda

City Clerk's Report

Consider and approve:

- a) Minutes for the Work Session meeting dated 04/25/22.
- b) Minutes for the City Council meeting dated 04/25/22.
- c) Consider and/or approve surplus equipment for Planning Department. (General Fund).
- d) Discuss and/or approve the Proclamation for the National Police Officer Week 2022.

- e) Discuss and/or take action on Construction Funding Agreement with the Oklahoma Department of Transportation for the East Fry Creek Trail from 131st to 118th.
- f) Discussion and possible action to enter into a contract with CBEW for the FY-22 audit for the third year of a three year commitment in the amount of \$9,700 (General Fund portion).
- g) Dura Edge Infield Mix for Softball fields known as Quad 3 Fields 9-12 renovation. Sole Source from Dura Edge Engineered Soils \$230.00/ton estimated each field will take 22- 25 tons. Quantity 100 tons. Total not to exceed \$23,000.00 budgeted out of Concrete & Aggregate 5-10-7230.

Regular Agenda

1. Consider and take action to correct the delay in approving and filing Final Plat for Byrnes Mini Storage, PUD-77 and acknowledge final plat approval BXPT-22.07 by Bixby Planning Commission, April 18, 2022.

Donna Crawford

2. Discuss and/or take action on awarding contract to PbX Corporation for the Bridge Nos. 167 & 168 Rehabilitation; PbX Corporation submitted the lowest and best bid of \$240,997.39.

Justin Dowd

3. City Manager's Report

Jared Cottle

4. New Business

Mayor or Vice-Mayor

5. Adjournment

Mayor or Vice-Mayor

Notice of Posting

This Notice and Agenda was posted on the bulletin board this day of May 6th, 2022, on or before 6:00 p.m., at City Hall, 116 W. Needles Bixby Oklahoma.

Respectfully Submitted

Shannon Duran
City Clerk

For Special Accommodations

Persons who require a special accommodation to participate in this meeting should contact City Clerk, Shannon Duran: 116 West Needles Avenue, Bixby, Oklahoma, 918-366-4430 or email City Clerk, [Shannon Duran](mailto:sduran@bixbyok.gov) (sduran@bixbyok.gov), as far in advance as possible and preferably at least 48-hours before the date of the meeting. Persons using a Telecommunication Device for the Deaf may contact **Oklahoma Relay** at 1-800-722-0353 and voice calls should be made to 1-800-522-8506 to communicate via telephone with hearing telephone users and vice versa.

Bixby Public Works Authority Meeting

Board of Trustees
Municipal Building
116 W. Needles Ave., Bixby, OK 74008

May 9th, 2022

Time: 6:00 P.M. or immediately Following the City Council Meeting

Call to Order

Chairman

Roll Call

Secretary

Consent Agenda

Secretary's Report

Consider and approve:

- a) Minutes for Bixby Public Works Authority regular meeting 04/25/22.
- b) Discuss and/or take action on purchasing 275 gallons of Clarifloc C-6266 for the Bixby Water Reclamation Facility; total \$4,140.

Regular Agenda

1. Discuss and/or approve Change Order #8 for the Bixby Water Reclamation Facility Project for \$117,443.92.

Bea Aamodt

2. New Business

Chairman

3. Adjournment

Chairman

Notice of Posting

This Notice and Agenda was posted on the bulletin board this day of May 6th, 2022, on or before 6:00 p.m., at City Hall, 116 W. Needles Bixby, Oklahoma.

Respectfully Submitted

Shannon Duran
City Clerk

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City of Bixby City Council Work Session Meeting Minutes

Dawes Conference Room
113 W Dawes, Bixby, Oklahoma 74008
April 25, 2022, at 5:00 P.M.

The Special Work Session agenda for the regularly scheduled meeting of the City of Bixby was posted on the bulletin board at City Hall, 116 W Needles Ave, Bixby Oklahoma on April 22, 2022, on or before 5:00 p.m.

Mayor Guthrie called the meeting to order at 5:02 p.m. Deputy City Clerk, Gwen Plante called the roll and the following members were present.

Members Present

Guthrie
Blair
Founds
Girard
Revelis

Staff Present

Phil Frazier, City Attorney
Jared Cottle, City Manager
Charles Barnes, Finance Dir.
Jon Brown, Public Works
John Wood, Parks Dir.
Joey Wiedel, Fire Chief
Todd Blish, Police Chief
Justin Dowd, Asst. Engineer
Donna Crawford, Community Dev.
Gwen Plante, Deputy City Clerk

Mayor Guthrie said item #1 on the Work Session agenda is:

Presentation and discussion on 111 Cabaniss Renovations.

Presented by Jared Cottle

Discussion of the proposed new City Hall building.

Mayor Guthrie said item #2 on the Work Session agenda is:

Discussion on Mobile Food Vendor Ordinances, Regulations, Programs, and Events.

Presented by Jared Cottle

Proposed to council accessory structures as permitted in our City Code, to be utilized by a mobile food vendor not requiring a concrete foundation. Council discussed size and appearance based on corridor district. The consensus was to be removed within 10 days from the end of the permit, no larger than 200 sq ft, site plan should comply with corridor appearance reviewed by staff or any exceptions will be approved by council. Item will be voted on during the City Council Meeting immediately following work session.

Mayor Guthrie said item #3 on the Work Session agenda is:

Discussion on FY 2023 Budget.

Presented by Charles Barnes

Discussion continued.
No action was taken.

The adjournment was called at 5:57 p.m.

Mayor

Attest

City Clerk



City of Bixby City Council Meeting Minutes

City Hall Municipal Building
116 W. Needles Ave., Bixby, OK 74008
April 25, 2022 at 6:00 P.M.

The agenda for the regularly scheduled meeting of the City Council of the City of Bixby was posted on the bulletin board at City Hall, 116 West Needles Avenue, Bixby, Oklahoma on April 22, 2022 on or before 5:00 p.m.

Mayor Guthrie called the meeting to order at 6:03 p.m.

Deputy City Clerk, Gwen Plante called the roll and the following members were present.

Members Present

Guthrie
Blair
Founds
Girard
Revelis

Staff Present

Phil Frazier, City Attorney
Jared Cottle, City Manager
Joey Wiedel, Fire Chief
Charles Barnes, Finance Dir.
Todd Blish, Police Chief
Donna Crawford, Community Dev.
Justin Dowd, Asst. Engineer
Gwen Plante, Deputy City Clerk

Pledge of Allegiance

Invocation was given by Phil Frazier

Administration of the Oath of Office to Brad Girard, As Council Member from Ward 4.

Oath administered by Judge Childers

Election of a Mayor and Vice Mayor, Pursuant to Bixby Charter Section 2.2 (A).

Administration of the Oath of Office for Mayor.

Mayor Guthrie asked for a motion for Mayor. Councilor Girard made a motion to elect current Mayor Guthrie to another term, seconded by Vice Mayor Blair. The vote was taken with the following results:

Carried 5-0

Ayes: Girard, Blair, Revelis, Founds, Guthrie

Nays: None

Mayor Guthrie asked for a motion for office of Vice Mayor. Councilor Girard nominated current Vice Mayor Blair for another term, seconded by Councilor Revelis. The vote was taken with the following results:

Carried 5-0

Ayes: Girard, Revelis, Founds, Blair, Guthrie

Nays: None

Oath administered by Judge Childers for both Mayor and Vice Mayor.

Mayor Guthrie said Item #1 on the Consent Agenda is:

City Clerk's Report

Consider and approve:

- a) Minutes for the Work Session meeting dated 04/11/22.
- b) Minutes for the City Council meeting dated 04/11/22.
- c) Consider and/or take action on denial of claim from Oklahoma Municipal Assurance Group (OMAG) to Heath Hanoch.
- d) Discuss and/or take action on adopting FY2024 Urbanized Area Surface Transportation Program Project Resolution and authorizing Application for FY2024 STP Program Funds for the Posey Creek Trail at Harvard.
- e) Discuss and/or take action on adopting FY2024 Urbanized Area Surface

Transportation Program Project Resolution and authorizing Application for FY2024 STP Program Funds for a Roundabout at 131st & Garnett.

- f) Accept the infrastructure at Conrad Village (Phase 2 – Blks 8-15) Development, located at S 161st between Memorial & Sheridan, into the City's infrastructure.
- g) Accept the infrastructure at The Bungalows at Willow Creek (Phase 3b – Blks 11-13) Development, located at S 131st & Mingo, into the City's infrastructure.
- h) Approve, Washington Irving Picnic Pavilion roof replacements (2) with Davinci Faux Slate Roofing System. Precise had the lowest bid of \$25,470.00.
- i) Discuss and/or take action on Memorandum of Understanding with Bixby Public Schools regarding operations and maintenance of the proposed Performing Arts Center.
- j) Consider and take action on a Resolution and Encroachment Agreement between the City and Michael E. and Jessica N. David, regarding the encroachment of a single-family residence into a utility easement. Location: Lot Four (4), Block Three (3), The Enclave at Legacy, 19023 S. 91st Ct. E., Bixby, Oklahoma, 74133.

Public comments are limited to items listed on the agenda.

Those wishing to speak on agenda items will need to appear in the City Council Chamber.

Mayor Guthrie asked if there were any comments or questions on the Consent Agenda. Councilor Girard asked to pull item "i", and Councilor Blair asked to pull items, "d", "e", and "i" for further explanation.

Discussion continued.

Mayor Guthrie asked for a motion on the Consent Agenda for items "a-j". Councilor Founds made a motion to approve, seconded by Vice Mayor Blair. The vote was taken with the following results:

Carried 5-0

Ayes: Founds, Blair, Revelis, Girard, Guthrie

Nays: None

Mayor Guthrie said item #1 on the Regular Agenda is:

Discussion, consideration and possible confirmation on the appointment of Ms. Kaylin Coody to the Bixby Board of Adjustment.

Presented by Mayor Guthrie

Mayor Guthrie asked for a motion on item #1. Vice Mayor Blair made a motion to accept, seconded by Councilor Founds. The vote was taken with the following results:

Carried 5-0

Ayes: Blair, Founds, Revelis, Girard, Guthrie

Nays: None

Mayor Guthrie said item #2 on the Regular Agenda is:

Consider, discuss, amend, approve, reject or defer to award the sale of the \$43,000,000.00 City of Bixby General Obligation Bonds, Series 2022A to the lowest bidder.

Presented by Charles Barnes

Mayor Guthrie asked for a motion on item #2. Councilor Founds made a motion to accept, seconded by Councilor Revelis. The vote was taken with the following results:

Carried 5-0

Ayes: Founds, Revelis, Girard, Blair, Guthrie

Nays: None

Mayor Guthrie said item #3 on the Regular Agenda is:

Consider, discuss, amend, approve, reject or defer an Ordinance 2396 providing for the issuance of General Obligation Bonds in the sum of forty three million and no/100s dollars (\$43,000,000.00) by the City of Bixby, Oklahoma authorized at an election duly called and held for such purpose; prescribing form of bonds; providing for registration thereof; providing for a system of registration for uncertificated registered public obligations; providing levy of an annual tax for payment of principal and interest on the same; fixing other details of the issue; and declaring an emergency.

Presented by Charles Barnes

Mayor Guthrie asked for a motion on item #3. Councilor Founds made a motion to accept, seconded by Vice Mayor Blair. The vote was taken with the following results:

Carried 5-0
Ayes: Founds, Blair, Revelis, Girard, Guthrie
Nays: None

Mayor Guthrie said item #4 on the Regular Agenda is:

Consider and take action on Planned Unit Development BXPUD-22.03, Midland Addition Complex.

Presented by Donna Crawford

Mayor Guthrie asked for a motion on item #4. Mayor Guthrie made a motion to accept if the apartments are eliminated on the 1st floor, including the facade approval language and site plan and ammedites for a pool within the PUD, seconded by Vice Mayor Blair. The vote was taken with the following results:

Carried 5-0
Ayes: Guthrie, Blair, Revelis, Girard, Founds
Nays: None

Mayor Guthrie said item #5 on the Regular Agenda is:

Discussion and possible action to declare an emergency regarding Ordinance Number 2393 making it effective immediately upon passage and approval.

Presented by Donna Crawford

Mayor Guthrie asked for a motion on item #5. Councilor Founds made a motion to accept, seconded by Councilor Revelis. The vote was taken with the following results:

Carried 5-0
Ayes: Founds, Revelis, Girard, Blair, Guthrie
Nays: None

Mayor Guthrie said item #6 on the Regular Agenda is:

Consider and take action on Planned Unit Development BXPUD-22.02, Spartan Plaza.

Presented by Donna Crawford

Mayor Guthrie asked for a motion on item #6. Mayor Guthrie asked for a motion on item #5. Councilor Founds made a motion to accept, seconded by Councilor Revelis. The vote was taken with the following results:

Carried 5-0
Ayes: Founds, Revelis, Girard, Blair, Guthrie
Nays: None

Mayor Guthrie said item #7 on the Regular Agenda is:

Discussion and possible action to declare an emergency regarding Ordinance Number 2394 making it effective immediately upon passage and approval.

Presented by Donna Crawford

Mayor Guthrie asked for a motion on item #7. Councilor Founds made a motion to accept, seconded by Vice Mayor Blair. The vote was taken with the following results:

Carried 4-1
Ayes: Founds, Blair, Revelis, Guthrie
Nays: Girard

Mayor Guthrie said item #8 on the Regular Agenda is:

Consider and take action on Final Plat BXPT-22.07 for approval of Byrnes Mini- Storage PUD-77.

Presented by Donna Crawford

Speakers: Brian Cozad, 14425 S 50 E Ave, Bixby; Christine Rooney, 14606 S 53rd E Ave, Bixby.

Mayor Guthrie asked for a motion on item #8. Mayor Guthrie called for a motion three (3) times. Mayor Guthrie said item #8 failed for lack of motion.

Item failed for lack of motion.

Mayor Guthrie said item #9 on the Regular Agenda is:

Discuss and/or take action on modifying the Title 3, Chapter 11 of City Code as related to Mobile Food Vendors.

Presented by Jared Cottle

Speakers: Victoria Oltman, 14127 S Winston Ave Bixby.

Establish fees of \$50 daily rate; \$250 annual food trucks oppertaing within the City for a minimum of six (6) months. Modify geographical information to allow food truck at Charlie Young Park and Harmony Bridge at anytime with a permit.

Mayor Guthrie asked for a motion on item #9. Councilor Founds made a motion to allow City Staff and City Attorney make updates and changes to City Code related to Mobile Food Vendors, seconded by Vice Mayor Blair. The vote was taken with the following results:

Carried 5-0

Ayes: Founds, Blair, Revelis, Girard, Guthrie

Nays: None

Mayor Guthrie said item #10 on the Regular Agenda is:

Discuss and/or take action on modifying the Title 3, Chapter 12 of City Code as related to Temporary Seasonal Concession Stands.

Presented by Jared Cottle

Staff would like to permit use in an accessory structure of no more than 200 sq ft and structure is moved within ten (10) days after the termination of the permit. Structure and site plan to be specified to conform to the corridor appearance district for staff approval and if not will be brought before council for final approval.

Mayor Guthrie asked for a motion on item #10. Councilor Founds made a motion to direct City Staff and City Manager to make changes to City Code, seconded by Mayor Guthrie. The vote was taken with the following results:

Carried 5-0

Ayes: Founds, Guthrie, Revelis, Girard, Blair

Nays: None

Mayor Guthrie said item #11 on the Regular Agenda is:

Motion to enter into Executive Session:

- a) Discussion on employment of new City Clerk. Authority: Oklahoma Open Meeting Act, Title 25 Oklahoma Statutes, Section 307.B.1
- b) Discussion on sale or lease of City property adjacent to the de-commissioned Water Treatment Plant Lake Bixhoma: Oklahoma Open Meeting Act, Title 25 Oklahoma Statutes, Section 307.B.3.
- c) Discussion on negotiations and/or purchase for certain real property at the north end of North Riverview Drive, owned by Roger Metcalf, et al: Oklahoma Open Meeting Act, Title 25 Oklahoma Statutes, Section 307.B.3.
- d) Discussion on Real Estate Purchase and Economic Development Agreement for certain real property in the Midland Addition at 151st & Cabaniss, owned by the City of Bixby, Authority: Oklahoma Open Meeting Act, Title 25 Oklahoma

Statutes, Section 307.B.3.

Mayor Guthrie asked for a motion to enter into executive session at 8:07 p.m. Vice Mayor Blair made a motion to enter into executive session, seconded by Councilor Founds. The vote was taken with the following results:

Carried 5-0

Ayes: Blair, Founds, Revelis, Girard, Guthrie

Nays: None

Mayor Guthrie said item #12 on the Regular Agenda is:

Motion to exit Executive Session and reconvene in open session.

Mayor Guthrie asked for a motion to enter into executive session at 9:46 p.m. Councilor Founds made a motion to enter into executive session, seconded by Vice Mayor Blair. The vote was taken with the following results:

Carried 5-0

Ayes: Founds, Blair, Revelis, Girard, Guthrie

Nays: None

Mayor Guthrie said item #13 on the Regular Agenda is:

Consider and take any necessary action resulting from discussion on employment of a new City Clerk.

Presented by Mayor Guthrie

Mayor Guthrie asked for a motion on item #13. Councilor Girard made a motion for Shannon Duran to be the City Clerk, seconded by Vice Mayor Blair. The vote was taken with the following results:

Carried 5-0

Ayes: Girard, Blair, Revelis, Founds, Guthrie

Nays: None

Mayor Guthrie said item #14 on the Regular Agenda is:

Consider and/or take action, if necessary, on the purchase for certain real property at the north end of North Riverview Drive, owned by Roger Metcalf, et al.

Presented by Mayor Guthrie

Mayor Guthrie asked for a motion on item #14. Vice Mayor Blair made a motion to allow City Attorney and City Manager to continue negotiations for the property at 101 E Dawes, seconded by Councilor Founds. The vote was taken with the following results:

Carried 4-1

Ayes: Blair Founds, Revelis, Guthrie

Nays: Girard

Mayor Guthrie said item #15 on the Regular Agenda is:

Consider and/or take action, if necessary, on Real Estate Purchase and Economic Development Agreement for certain real property in the Midland Addition at 151st & Cabaniss, owned by the City of Bixby.

Presented by Mayor Guthrie

Mayor Guthrie asked for a motion on item #15. Mayor Guthrie made a motion to accept the agreement for the property at 101 E Dawes, seconded by Councilor Founds. The vote was taken with the following results:

Carried 5-0

Ayes: Guthrie, Founds, Revelis, Girard, Blair

Nays: None

Guthrie said item #16 on the Regular Agenda is:

City Manager's Report

Public Service Announcement – City requests all residents with a storm shelter to register them with the Bixby Police Department, the City keeps an active log so that we know your location in the event of a disaster.

121st Mingo, traffic and lane changes beginning May 2nd to start on the North end of the project. Be aware of signage as lanes changes and closures could happen daily as they work to move to the north portion of the project.

Community Infrastructure Rehabilitation Project (CIRP) paving will begin in the Riverview Terrace and downtown May 19th.

Fire Department will be at the Bixby Public Schools multipurpose building on Saturday May 9th for a recruiting event.

Boots and Badges Blood drive a contest between police and fire will be held May 19th

between 9-11 am.

Coffee with a Cop will be held May 11th from 8-10 am at the Copper Key Coffee in downtown Bixby.

Bixby Rotary Club BBQ and Blues will be May 5-7th

Bixby High School Graduation Parade will be Sunday May 8th

Optimist Club Fishing Derby May 14th Free for kids 2-15 years of age beginning at 7:30 am -12:30 pm.

Fire Station No 2 Car Seat Safety Check will be April 28th at 10:00 am.

New Business

There being no new business

Recess the Regular Meeting at 7:59 p.m.

Reopen the Regular Meeting at 8:00 p.m.

Adjournment was called at 9:48 p.m.

Mayor

City Clerk

Bixby Public Works Authority Meeting

Board of Trustees
Municipal Building
116 W. Needles Ave., Bixby, OK 74008
April 11, 2022

Time: 7:59 P.M. or immediately Following the City Council Meeting

The agenda for the regularly scheduled meeting of the City Council of the City of Bixby was posted on the bulletin board at City Hall, 116 West Needles Ave, Bixby, Oklahoma on April 8, 2022 on or before 5:00 p.m.

Deputy City Clerk Gwen Plante called the roll and all members were present.

Members Present

Guthrie
Blair
Founds
Girard
Revelis

Staff Present

Phil Frazier, City Attorney
Jared Cottle, City Manager
Joey Wiedel, Fire Chief
Charles Barnes, Finance Dir.
Todd Blish, Police Chief
Donna Crawford, Community Dev.
Justin Dowd, Asst. Engineer
Gwen Plante, Deputy City Clerk

Consent Agenda

Mayor Guthrie said Item #1 on the BPWA Consent Agenda is:

Secretary's Report

Consider and approve:

- a) Minutes for Bixby Public Works Authority regular meeting 04/11/22.
- b) Discuss and/or take action on Water Tap Application for Chad and Katie Fent at 16975 South 145th East Avenue, Bixby, OK in Tulsa County, OK.

Mayor Guthrie asked for a motion on the BPWA consent agenda. Vice Mayor Blair made a motion to approve, seconded by Councilor Founds. The vote was taken with the following results:

Carried 5-0
Ayes: Blair, Founds, Revelis, Girard, Guthrie
Nays: None

Mayor Guthrie said Item #1 on the Regular BPWA Agenda is:

New Business

There being none.

Adjournment was called at 8:00 p.m.

Mayor

City Clerk

CONSENT AGENDA ITEM COMMENTARY

ITEM TITLE: Consider and/or approve surplus equipment for Planning Department. (General Fund).

INITIATOR: Charles Barnes

STAFF INFO. SOURCE Charles Barnes

BACKGROUND: This is to surplus computer equipment so that it can be properly disposed.

EXHIBITS: See Attached

KEY ISSUE: Surplus equipment for proper disposal.

COUNCIL ACTION: Approve or deny

RECOMMENDATION: Approval

ITEM NO: Consent Agenda

MEETING DATE: 05/9/2022

MEETING: City

CONSENT ITEM COMMENTARY

ITEM TITLE: Discuss and/or approve the Proclamation for the National Police Officer Week 2022.

INITIATOR: Chief Todd Blish

STAFF INFO.SOURCE: Angela Williams

BACKGROUND: To recognize National Police Week 2022 and to honor the service of those law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy. National Police Week is to be observed the week of May 11th - 17th of 2022. With May 15th being designated as Peace Officer Memorial Day, in honor of all fallen officers and their families and U.S. flags should be flown at half-staff.

EXHIBITS: Proclamation

KEY ISSUE: Acceptance of Proclamation

COUNCIL ACTION: Approve or Deny

RECOMMENDATION: Approve the Proclamation for the National Police Officer Week 2022.

ITEM NO: _____

MEETING DATE: 5/9/2022

MEETING: CITY

Proclamation for National Police Week 2022

To recognize National Police Week 2022 and to honor the service and sacrifice of those law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy.

WHEREAS, there are approximately 800,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Bixby Police Department;

WHEREAS, since the first recorded death in 1786, more than 22,500 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty;

WHEREAS, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.;

WHEREAS, 619 new names of fallen heroes will be added to the National Law Enforcement Officers Memorial Wall in 2022, including 147 who were killed in the line of duty protecting the public and 319 who lost their lives to COVID-19. 8 of those officers who were killed in 2022 were from the State of Oklahoma;

WHEREAS, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's 34TH Annual Candlelight Vigil, on the evening of May 13, 2022;

WHEREAS, May 15 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families and U.S. flags should be flown at half-staff;

THEREFORE, BE IT RESOLVED that The Bixby City Council formally designates May 11-17, 2022, as Police Week in The City of Bixby, and publicly salutes the service of law enforcement officers in our community and in communities across the nation.

Mayor Brian Guthrie

CONSENT AGENDA ITEM COMMENTARY

ITEM TITLE: Discuss and/or take action on Construction Funding Agreement with the Oklahoma Department of Transportation for the East Fry Creek Trail from 131st to 118th.

INITIATOR: Justin Dowd, Engineering

STAFF INFORMATION SOURCE: Lenae Clements, ODOT

BACKGROUND: The City was awarded INCOG TAP funding to construct a trail from 118th to 131st along the Fry Creek Ditch.

ODOT required the City to enter a Funding Agreement and provide advanced payment of matching funds prior to ODOT bidding the project. ODOT bid the project, and the low bid was in excess of the Engineer's Estimate, which resulted in additional required City contributions. The overage must be covered prior to start of construction. The additional cost is \$306,054.00. The City's portion for this project is \$702,017.00 with a balance of \$674,563.00 in Federal funds supplied through the TAP Program. The total construction cost is \$1,376,580.00.

EXHIBITS: Invoice

KEY ISSUE: Invoice

COUNCIL ACTION: Approve Invoice

RECOMMENDATION: Approval.

ITEM NO: _____

MEETING DATE: 05-09-2022

MEETING: City Council

OKLAHOMA DEPARTMENT OF TRANSPORTATION

INVOICE

Make check PAYABLE, and MAIL TO:

**Oklahoma Department of Transportation
Comptroller Division
200 N.E. 21st Street
Oklahoma City, Oklahoma 73105-3204**

To: City of Bixby

Department Invoice No 33040(04)-02
4/25/2022

Project Type	Div	County	JP No	Project No.	Work Type	Description
ENHANCEMENT	8	OKLAHOMA	33040(04)	TAP-272F (341) IG	PEDESTRIAN/ BIKE IMPROVEMENTS	BIXBY: EAST FRY CREEKL TRAIL FROM 131ST TO 118TH ST INCLUDING A PEDESTRIAN BRIDGE

Construction JP# 33040(04)

Description – Explanation of Charge	Total	Federal	Sponsor
Due Date: Upon Receipt			
Total Estimate for Project Construction	\$1,299,000	\$636,380	\$662,620
Estimated 6% Construction Management Deposit	\$77,580	\$38,183	\$39,397
Previous Deposit			(395,963)
Accounting Use Only		Invoice Total	\$306,054

Distribution:

City
Remit with Payment
Division Project File
Comptroller Division

CONSENT AGENDA ITEM COMMENTARY

ITEM TITLE: Discussion and possible action to enter into a contract with CBEW for the FY-22 audit for the third year of a three year commitment in the amount of \$9,700 (General Fund portion)

INITIATOR: Charles Barnes

STAFF INFO. SOURCE Charles Barnes

BACKGROUND: FY-22 will be the third of a three year commitment by the accounting firm CBEW Professional Group, LLP for the City's annual audit. We have been pleased with the work they have performed, their knowledge of governmental auditing requirements and their professional staff.

EXHIBITS: Audit Letter

KEY ISSUE: Contract for the audit of the City's financial statements.

COUNCIL ACTION: Approve or deny

RECOMMENDATION: Approve

ITEM NO: Consent Agenda

MEETING DATE: 5/9/2022

MEETING: City

CONSENT AGENDA ITEM COMMENTARY

ITEM TITLE: Discussion and possible action to enter into a contract with CBEW for the FY-22 audit for the third year of a three year commitment in the amount of \$9,700 (BPWA portion)

INITIATOR: Charles Barnes

STAFF INFO. SOURCE: Charles Barnes

BACKGROUND: FY-22 will be the third of a three year commitment by the accounting firm CBEW Professional Group, LLP for the City's annual audit. We have been pleased with the work they have performed, their knowledge of governmental auditing requirements and their professional staff.

EXHIBITS: Audit Letter

KEY ISSUE: Contract for the audit of the BPWA's financial statements.

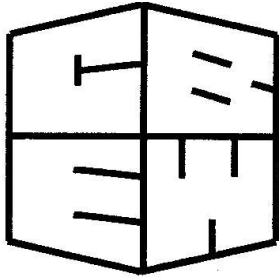
COUNCIL ACTION: Approve or deny

RECOMMENDATION: Approve

ITEM NO: Consent Agenda

MEETING DATE: 5/9/2022

MEETING: BPWA



CBEW Professional Group, LLP

Certified Public Accountants

P.O. Box 790

Cushing, OK 74023

918-225-4216 FAX 918-225-4315

Charles E. Crooks, Jr., CPA – Trisha J. Rieman, CPA – Gabrielle Conchola, CPA

May 5, 2022

Charles Barnes, CPA
City Treasurer/Finance Director
And those charged with Governance
City of Bixby
P.O. Box 70
Bixby, OK 74008

RE: Financial Audit for the Fiscal Year Ended June 30, 2022

Thank you for allowing CBEW Professional Group, LLP to perform auditing services for your City. This letter sets forth our understanding of the arrangements to conduct an audit of your financial statements and outlines the nature and scope of the services we will provide to you.

Audit Scope and Objectives

We will audit the financial statements of the governmental activities, the business-type activities, each major fund and the aggregate remaining fund information, which collectively comprise the basic financial statements of the City of Bixby (City) as of and for the fiscal year ended June 30, 2022. Accounting standards generally accepted in the United States provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the City's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the City's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subject to certain limited procedures, but will not be audited:

1. Management's Discussion and Analysis.
2. Budgetary Comparison Schedules and related footnotes.
3. Pension Schedules.

Audit Scope and Objectives (Continued)

We have also been engaged to report on supplementary information other than RSI that accompanies the City's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America and will provide an opinion on it in relation to the financial statements taken as a whole:

1. Schedule of Expenditures of Federal Awards, if applicable.
2. Combining Fund Financial Statements.

The funds and Public Trusts encompassed in the audit scope of services will include all of those activities defined as a part of the City in accordance with the guidelines of the National Council on Government Accounting (NCGA) and the Governmental Accounting Standards Board (GASB). Therefore, in addition to the City, the audit will present the financial activities of the Bixby Public Works Authority as blended component units. A separate audit report will not be issued for the Public Works Authority.

The objectives of our audit are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and issue an auditor's report that includes our opinions about whether your financial statements are fairly presented, in all material respects, in conformity with GAAP, and report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment of a reasonable user made based on the financial statements. The objectives also include reporting on:

- Internal control over financial reporting and compliance with provisions of laws, regulations, contracts, and award agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
- Internal control over compliance related to major programs and an opinion (or disclaimer of opinion) on compliance with federal statutes, regulations, and the terms and conditions of federal awards that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and Title 2 U.S. *Code of Federal Regulations* (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance).

Auditor's Responsibilities for the Audit of the Financial Statements and Single Audit

We will conduct our audit in accordance with GAAS; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of the Uniform Guidance, and will include tests of accounting records, a determination of major program(s) in accordance with Uniform Guidance, and other procedures we consider necessary to enable us to express such opinions. As part of an audit in accordance with GAAS and *Government Auditing Standards*, we exercise professional judgment and maintain professional skepticism throughout the audit.

We will evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management. We will also evaluate the overall presentation of the financial statements, including the disclosures, and determine whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of waste and abuse is subjective, *Government Auditing Standards* do not expect auditors to perform specific procedures to detect waste or abuse in financial audits nor do they expect auditors to provide reasonable assurance of detecting waste or abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is an unavoidable risk that some material misstatements or noncompliance may not be detected by us, even though the audit is properly planned and performed in accordance with GAAS and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or on major programs. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. We will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

We will also conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the government's ability to continue as a going concern for a reasonable period of time.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, tests of the physical existence of inventories, and direct confirmation of receivables and certain assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will also request written representations from your attorneys as part of the engagement.

Auditor's Responsibilities for the Audit of the Financial Statements and Single Audit (Continued)

We have identified the following significant risk(s) of material misstatement as part of our audit planning: management override of controls and improper revenue recognition due to fraud.

Our audit of financial statements does not relieve you of your responsibilities.

Audit Procedures—Internal Control

We will obtain an understanding of the government and its environment, including internal control relevant to the audit, sufficient to identify and assess the risks of material misstatement of the financial statements, whether due to error or fraud, and to design and perform audit procedures responsive to those risks and obtain evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentation, or the override of internal control. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by the Uniform Guidance, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to the Uniform Guidance.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. Accordingly, we will express no such opinion. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, *Government Auditing Standards*, and the Uniform Guidance.

Audit Procedures—Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the City's compliance with provisions of applicable laws, regulations, contracts, and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

Other Services

We will also assist in preparing the financial statements, schedule of expenditures of federal awards, and related notes of the City in conformity with accounting principles generally accepted in the United States of America and the Uniform Guidance based on information provided by you. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. We will perform the services in accordance with applicable professional standards. The other services are limited to the financial statements, schedule of expenditures of federal awards, and related notes services previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

You agree to assume all management responsibilities for the financial statements, schedule of expenditures of federal awards, and related notes, and any other nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements, the schedule of expenditures of federal awards, and related notes and that you have reviewed and approved the financial statements, the schedule of expenditures of federal awards, and related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

Upon completion of the audit we will file the Annual Survey of City and Town Finances (form SA&I 2643), described in Section 17-105.1 of the Oklahoma Statutes as prepared by your consultant. We will submit a copy of the audit to the Oklahoma State Auditor and Inspector (with the required \$100 fee). Further, we will be available to answer questions throughout the year. This regulatory filing is a nonaudit service and does not constitute an audit under *Government Auditing Standards*. We will perform these services in accordance with applicable professional standards.

Responsibilities of Management for the Financial Statements and Single Audit

Our audit will be conducted on the basis that you acknowledge and understand your responsibility for (1) designing, implementing, establishing, and maintaining effective internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, including internal controls over federal awards, and for evaluating and monitoring ongoing activities to help ensure that appropriate goals and objectives are met; (2) following laws and regulations; (3) ensuring that there is reasonable assurance that government programs are administered in compliance with compliance requirements; and (4) ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles; for the preparation and fair presentation of the financial statements, schedule of expenditures of federal awards, and all accompanying information in conformity with accounting principles generally accepted in the United States of America; and for compliance with applicable laws and regulations (including federal statutes), rules, and the provisions of contracts and grant agreements (including award agreements).

Responsibilities of Management for the Financial Statements and Single Audit (Continued)

Your responsibilities also include identifying significant contractor relationships in which the contractor has responsibility for program compliance and for the accuracy and completeness of that information.

You are also responsible for making drafts of financial statements, schedule of expenditures of federal awards, all financial records, and related information available to us and for the accuracy and completeness of that information (including information from outside of the general and subsidiary ledgers). We understand that your consultants, Crawford & Associates, P.C., will draft the financial statements, related notes, and supplemental information, including the schedule of expenditures of federal awards, if applicable, in accordance with the requirements of the Uniform Guidance, and assist in drafting the MD&A. Even though your consulting CPA firm prepares your financial statements and related notes in conformity with generally accepted accounting principles in the United States of America, the responsibility for the financial statements and related information remains with you. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, identification of all related parties and all related-party relationships and transactions, and other matters; (2) access to personnel, accounts, books, records, supporting documentation, and other information as needed to perform an audit under the Uniform Guidance; (3) additional information that we may request for the purpose of the audit; and (4) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence. At the conclusion of our audit, we will require certain written representations from you about the financial statements; schedule of expenditures of federal awards; federal award programs; compliance with laws, regulations, contracts, and grant agreements; and related matters.

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements of each opinion unit taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants. You are also responsible for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements that we report.

Responsibilities of Management for the Financial Statements and Single Audit (Continued)

Additionally, as required by the Uniform Guidance, it is management's responsibility to evaluate and monitor noncompliance with federal statutes, regulations, and the terms and conditions of federal awards; take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings; promptly follow up and take corrective action on reported audit findings; and prepare a summary schedule of prior audit findings and a separate corrective action plan.

You are responsible for identifying all federal awards received and understanding and complying with the compliance requirements and for the preparation of the schedule of expenditures of federal awards (including notes and noncash assistance received, and COVID-19-related concepts, such as lost revenues, if applicable) in conformity with the Uniform Guidance. You agree to include our report on the schedule of expenditures of federal awards in any document that contains, and indicates that we have reported on, the schedule of expenditures of federal awards.

You also agree to [include the audited financial statements with any presentation of the schedule of expenditures of federal awards that includes our report thereon OR make the audited financial statements readily available to intended users of the schedule of expenditures of federal awards no later than the date the schedule of expenditures of federal awards is issued with our report thereon]. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the schedule of expenditures of federal awards in accordance with the Uniform Guidance; (2) you believe the schedule of expenditures of federal awards, including its form and content, is stated fairly in accordance with the Uniform Guidance; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal awards.

You are also responsible for the preparation of the other supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles (GAAP). You agree to include our report on the supplementary information in any document that contains, and indicates that we have reported on, the supplementary information. You also agree to [include the audited financial statements with any presentation of the supplementary information that includes our report thereon OR make the audited financial statements readily available to users of the supplementary information no later than the date the supplementary information is issued with our report thereon]. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information

Responsibilities of Management for the Financial Statements and Single Audit (Continued)

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Scope and Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions for the report, and for the timing and format for providing that information.

Engagement Administration, Fees, and Other

We will schedule the engagement based in part on deadlines, working conditions, and the availability of your key personnel. We understand that your consultant will prepare all cash, accounts receivable, or other confirmations we request and will locate any documents selected by us for testing. We will plan the engagement based on the assumption that your personnel will cooperate and provide assistance by performing tasks such as preparing requested schedules and retrieving supporting documents. If, for whatever reason, your personnel are unavailable to provide the necessary assistance in a timely manner, it may substantially increase the work we have to do to complete the engagement within the established deadlines, resulting in an increase in fees over our original fee estimate.

At the conclusion of the engagement, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management's responsibility to electronically submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditor's reports, and corrective action plan) along with the Data Collection Form to the federal audit clearinghouse. We will coordinate with you the electronic submission and certification. The Data Collection Form and the reporting package must be submitted within the earlier of 30 calendar days after receipt of the auditor's reports or nine months after the end of the audit period.

We will provide copies of our reports to the City; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

Engagement Administration, Fees, and Other (Continued)

The audit documentation for this engagement is the property of CBEW Professional Group, LLP and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to Oklahoma State Auditor and Inspector (with the required \$100 fee), a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of CBEW Professional Group, LLP personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by the Oklahoma State Auditor and Inspector. If we are aware that a federal awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

We will perform these services as expeditiously as possible in order to meet the time requirements of the engagement. Chuck Crooks is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them. We expect to begin our fieldwork as soon as practical following Crawford & Associates completion of their work. It is understood that Crawford & Associates, P.C. will prepare necessary end of year adjusting entries, convert the accounting records from a modified cash basis to GAAP, as applicable, prepare working trial balances, and provide back-up documentation to us as auditors. Additionally, your consultants and your accounting personnel would be available to answer questions and to provide assistance in locating records and any documents selected by us for testing, and to prepare schedules and analyses as may be necessary. A list of such schedules will be furnished to you shortly before or after we begin the engagement.

Every effort will be taken to keep that fee to a minimum consistent with the requirements of the engagement. Our fee for these services will be at our standard hourly rates plus out-of-pocket costs (such as report reproduction, word processing, postage, travel, copies, telephone, etc.) except that we agree that our gross fee, including expenses, will be addressed in Exhibit 1. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered at the conclusion of the audit. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the engagement.

If significant additional time is necessary, we will keep you informed of any problems we encounter and our fees will be adjusted accordingly. This engagement does not include any services not specifically stated in this letter. You may request that we perform additional services not contemplated by this engagement letter. If this occurs, we will communicate with you the scope of the additional services and the estimated fees.

Engagement Administration, Fees, and Other (Continued)

We also may issue a separate engagement letter covering the additional services. In the absence of any other written communication from us documenting such additional services, our services will continue to be governed by the terms of this engagement letter. Additional services of a significant nature, which you may request, will be billed separately.

Reporting

We will issue written reports upon completion of our Single Audit. Our reports will be addressed to the Honorable Board of City Commissioners of the City of Bixby. Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinions, add a separate section, or add an emphasis-of-matter or other-matter paragraph to our auditor's report, or if necessary, withdraw from this engagement. If our opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or issue reports, or we may withdraw from this engagement.

The *Government Auditing Standards* report on internal control over financial reporting and on compliance and other matters will state that (1) the purpose of the report is solely to describe the scope of testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance, and (2) the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The Uniform Guidance report on internal control over compliance will state that the purpose of the report on internal control over compliance is solely to describe the scope of testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Both reports will state that the report is not suitable for any other purpose.

Our Privacy Policy—Your Privacy is Important to Us

Preserving your trust is a core value of our practice and the accounting profession. CBEW Professional Group, LLP recognizes that you expect us to protect the information you provide to us and to use it responsibly. We highly value your trust and confidence in us, and we want to assure you that any personal information obtained during our audit is kept confidential and secure. We are strongly committed to fulfilling the trust that is the foundation of your expectations.

We follow standard industry practices to actively protect the confidentiality, security, and integrity of your information. We retain records relating to professional services that we provide so that we are better able to assist you with your professional needs and, in some cases, to comply with professional guidelines. We also maintain physical, electronic, and procedural safeguards that comply with our professional standards. In so doing, we restrict access to your personal information to those employees who need to know that information to provide services to you. Additionally, our employees are bound by strict internal confidentiality policies.

The audit documentation (working papers) for this engagement is the property of CBEW Professional Group, LLP and constitutes confidential information. However, pursuant to authority given by law or regulation, we may be requested to make certain documentation available to a Federal or State agency providing direct or indirect funding or its designee or to the U.S. Government Accountability Office for purpose of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such documentation will be provided under the supervision of our personnel. Furthermore, upon request, we may provide photocopies of selected documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by a Cognizant Agency, Oversight Agency for Audit, or Pass-through Entity. If we are aware that a federal awarding agency or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying any audit documentation.

In the event we are requested or authorized by you or are required by government regulation, subpoena, or other legal process to produce our documents or our personnel as witnesses with respect to our engagement, you will, so long as we are not part to the proceeding in which the information is sought, reimburse us for our professional time and expenses, as well as the fees and expenses of our counsel, incurred in responding to such requests.

Other

Our firm, as well as other accounting firms, participates in the AICPA's peer review program covering our audit and accounting practice. This is also a requirement of *Government Auditing Standards*. Under this program, our system of quality control is subjected to a peer review by a team of certified public accountants approved by the state administering entity. As part of this peer review, the team will review a sample of our work. It is possible that the work performed for you may be selected for their review. If it is, the peer review team is bound by professional standards to keep all information confidential.

Government Auditing Standards (Yellow Book) require that we provide you with a copy of our most recent external peer review report. Our 2019 peer review report accompanies this letter.

We are confident that CBEW Professional Group, LLP can continue to meet your current and ongoing needs. If you have any questions, please contact us at 918-225-4216. We appreciate the opportunity to be of service to you and believe this letter accurately summarizes the significant terms of our engagement.

City of Bixby
May 5, 2022
Page 12

If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,
CBEW PROFESSIONAL GROUP, LLP
Certified Public Accountants

Chuck E. Crooks

Chuck E. Crooks, CPA
Partner and Audit Department Coordinator

ACKNOWLEDGMENT:

The foregoing letter fully describes the services required and is accepted by us.

"CITY"

THE CITY OF BIXBY, OKLAHOMA,
a municipal corporation

Date: _____

By: _____

Contract amount approved by the Bixby City Council on this ____ day of _____
2021.

By: _____
Mayor

ATTEST:

City Clerk

APPROVED:

City Attorney

AUDIT FEES

Our estimate of fees as calculated below represents the maximum amount of fees to be charged annually based on the scope of services set forth in the engagement letter, which is made a part of the audit fee consideration and this cost information.

Our fees are based on hourly rates by personnel as follows:

Partners (CPA's)	\$ 215.00 per hour
Staff Accountants (CPA's and Degreed Accountants)	\$ 100.00 to 135.00 per hour
Clerical Staff (Non-Degreed)	\$ 65.00 to 85.00 per hour

We will provide management support throughout the year on financial matters and other consulting services as needed at the above rates. Because of the expertise needed to assist management on financial matters during the year it is anticipated that partner level assistance would normally be necessary, however, additional services, when requested, would be performed by the competent individuals with a rate most beneficial to the City in the circumstances.

1. Conduct annual audits of the financial statements of the City of Bixby and its component units in conformity with AICPA Standards, *Governmental Auditing Standards*, and continuing requirements of GASB standards. The fee also includes preparation of the Management letter and SA&I Form 2643.

100 hours estimated @ \$168.00 average rate	\$ 16,800.00
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2. Additional requirements of Uniform Guidance, including the Data Collection Form.

16 Hours estimated @ \$125.00 average rate.	2,000.00
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2. Travel and out-of-pocket expenses. 500.00

3. SA&I Filing Fee. 100.00

Total <u>Maximum Fees</u> including expenses	<u>\$ 19,400.00</u>
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With this proposal we are committing to a three-year engagement subject to your annual approval based on the scope of services currently requested. Our proposed audit fees for the subsequent two years ending June 30, 2022-June 30, 2023 would increase no more than \$500 each subsequent year.

This proposal continues our original five-year engagement commitment dated August 26, 2011 subject to your annual approval based on the scope of services currently requested reflecting annual increases of \$500.00. The above fee has increased by \$500 from the amount shown in our 2021 engagement letter.

COPY OF PEER REVIEW REPORT

Our firm is a member of the American Institute of Certified Public Accountants (AICPA), the national professional organization of CPA's and the Division for CPA Firms of the AICPA which is a voluntary self-regulatory organization established to foster quality performance. Member firms must complete "Peer Reviews" of their accounting and auditing practices every three in order to retain membership in the AICPA. Peer reviews are also a requirement of *Government Auditing Standards*. Our firm has successfully completed thirteen independent peer reviews of its accounting and auditing practice over the past 40 years. The reviews concluded that our firm complies with the stringent quality control standards set by the AICPA. *Our last seven peer reviews resulted in no letter of comments or deficiencies which ranks our firm in the top 10% of reviewed firms nationally.* A copy of our latest peer review report is attached which covers the year ended December 31, 2018.



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GREENWOOD VILLAGE, COLORADO 80112
303-792-3020 (o) | 303-792-5153 (f)
WWW.WCRCPA.COM

REPORT ON FIRM'S SYSTEM OF QUALITY CONTROL

June 19, 2019

To the Partners of
CBEW Professional Group, LLP
and the Peer Review Committee of the Oklahoma Society of CPAs

We have reviewed the system of quality control for the accounting and auditing practice of CBEW Professional Group, LLP (the firm) in effect for the year ended December 31, 2018. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants (Standards).

A summary of the nature, objectives, scope, limitations of, and the procedures performed in a System Review as described in the Standards may be found at www.aicpa.org/prsummary. The summary also includes an explanation of how engagements identified as not performed or reported in conformity with applicable professional standards, if any, are evaluated by a peer reviewer to determine a peer review rating.

Firm's Responsibility

The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. The firm is also responsible for evaluating actions to promptly remediate engagements deemed as not performed or reported in conformity with professional standards, when appropriate, and for remediating weaknesses in its system of quality control, if any.

Peer Reviewer's Responsibility

Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review.

Required Selections and Considerations

Engagements selected for review included engagements performed under *Government Auditing Standards*, including a compliance audit under the Single Audit Act.

As a part of our peer review, we considered reviews by regulatory entities as communicated by the firm, if applicable, in determining the nature and extent of our procedures.

Opinion

In our opinion, the system of quality control for the accounting and auditing practice of CBEW Professional Group, LLP in effect for the year ended December 31, 2018 has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)* or *fail*. CBEW Professional Group, LLP has received a peer review rating of *pass*.

Watson Coon Ryan, LLC

Watson Coon Ryan, LLC

CONSENT AGENDA

ITEM: Dura Edge Infield Mix for Softball fields known as Quad 3 Fields 9-12 renovation. Sole Source from Dura Edge Engineered Soils \$230.00/ton estimated each field will take 22-25 tons. Quantity 100 tons. Total not to exceed \$23,000.00 budgeted out of Concrete & Aggregate 5-10-7230.

INITIATOR: John Wood

STAFF INFO: John Wood

BACKGROUND: Based on soil sample collected from the Parks Department and sent to Turf & Soil Diagnostics, Quad 1, 2, and 3 are classified as sandy loam per the U.S. Dept. Of Agriculture. On all three of the Quads mentioned the diagnosis was Elevated SCR (Steel Catenary Riser), very low Medium sand content. Resulting in Loose, dusty, mucky or sloppy when wet. The medium sand will help to solidify the conditions mentioned above.

The Parks Dept. would like to start on Quad 3 Softball Fields 9-12 renovation if approved. The renovation would entail re-grading the infield portion of all four fields back to original grade then tilling the Dura Edge infield mix in the top three inches.

EXHIBITS: See attachments

KEY ISSUE: Standing water after rainfall, loose, dusty, mucky or sloppy when wet.

COUNCIL ACTION: Approve/Deny material acquisition and sole source designation.

RECOMMENDATION: Approve

Consent Agenda
MEETING DATE 05/09/22

City of Bixby OK
Quad 1

January 24, 2022

DuraEdge Representative: Tom Burns

SCR: 1.69

Ballfield Class: Recreational

Medium Sand Content: 20.1%

Prescribed Material: DuraEdge 35 Infield Amendment, DuraEdge Classic Infield Mix

Infield Symptoms: Loose, dusty, mucky or sloppy when wet.

- **Diagnosis:** Elevated SCR, very low Medium sand content
- **Prescription:** Add 1 24-ton load of DuraEdge 35 Infield Amendment to the existing profile and till to a depth of 3 inches. Then add DuraEdge Classic Infield Mix to the amended material as necessary to bring the field to finish grade. Retest soil composition after application.
- **Prognosis:** Added clay content will bind the silt particles and allow for greater moisture holding capacity. Higher Medium sand content will allow the mix to be more stable during and after rain events.

City of Bixby OK
Quad 2

January 24, 2022

DuraEdge Representative: Tom Burns

SCR: 1.64

Ballfield Class: Recreational

Medium Sand Content: 19.7%

Prescribed Material: DuraEdge 35 Infield Amendment, DuraEdge Classic Infield Mix

Infield Symptoms: Loose, dusty, mucky or sloppy when wet.

- **Diagnosis:** Elevated SCR, very low Medium sand content
- **Prescription:** Add 1 24-ton load of DuraEdge 35 Infield Amendment to the existing profile and till to a depth of 3 inches. Then add DuraEdge Classic Infield Mix to the amended material as necessary to bring the field to finish grade. Retest soil composition after application.

- **Prognosis:** Added clay content will bind the silt particles and allow for greater moisture holding capacity. Higher Medium sand content will allow the mix to be more stable during and after rain events.

City of Bixby OK

Quad 3

January 24, 2022

DuraEdge Representative: Tom Burns

SCR: 1.75

Ballfield Class: Recreational

Medium Sand Content: 18%

Prescribed Material: DuraEdge 35 Infield Amendment, DuraEdge Classic Infield Mix

Infield Symptoms: Loose, dusty, mucky or sloppy when wet.

- **Diagnosis:** Elevated SCR, very low Medium sand content
- **Prescription:** Add 1 24-ton load of DuraEdge 35 Infield Amendment to the existing profile and till to a depth of 3 inches. Then add DuraEdge Classic Infield Mix to the amended material as necessary to bring the field to finish grade. Retest soil composition after application.
- **Prognosis:** Added clay content will bind the silt particles and allow for greater moisture holding capacity. Higher Medium sand content will allow the mix to be more stable during and after rain events.

City of Bixby OK

Quad 4

January 24, 2022

DuraEdge Representative: Tom Burns

SCR: 3.61

Ballfield Class: Recreational

Medium Sand Content: 10.3%

Prescribed Material: FieldSaver 50, DuraEdge Classic Infield Mix

Infield Symptoms: Loose, dusty, mucky or slick when wet.

- **Diagnosis:** Extreme SCR
- **Prescription:** If necessary, first remove 1 inch of existing infield mix. Then till in 1 24-ton load of FieldSaver 50 to a depth of 3 inches. Then also add DuraEdge Classic Infield Mix as necessary to bring amended field to finish grade.
- **Prognosis:** Added clay will bind the existing infield mix and increased Medium sand content will stabilize the soil. DuraEdge Classic Infield Mix will cap the excessive silt and provide an improved playing surface.

Tom Burns

Business Development

DuraEdge Products, Inc.

149 South Broad Street

Grove City, PA 16127

T: (724) 870-4573 C: (214) 864-4164 F: (724) 264-4174

Follow Us: [Web](#) / [Facebook](#) / [Twitter](#) / [LinkedIn](#)





BUDGET ESTIMATE

Customer Acct No / Name	Date	Quote
17308 Bixby, City of (OK)	4/21/2022	QUO4211
Project	Attention	Customer PO
DE Colleigate - Bentley Sports Complex	John Wood	

I am pleased to provide you the following estimated pricing:

Products/Services	Quantity	Unit	Unit Price	Total
Delivered Price Delivered DuraEdge College Infield Mix - Bulk Tons	100	Tons	\$230.00	\$23,000.00

Subtotal \$23,000.00

Est. Tax Total \$0.00

Grand Total \$23,000.00

Costs based on estimated National Average Diesel Fuel (NADF) of \$5.50 per gallon.

ESTIMATE TERMS AND CONDITIONS:

This estimate of products and services by DuraEdge Products, Inc., Natural Sand Company, Inc., Homefield, and its divisions, subsidiaries, and affiliates ("DuraEdge") is an approximation and is not guaranteed. The estimate is based on information provided from the customer ("Customer") regarding project requirements. Actual final pricing and Sales Tax (if applicable) may change once all project elements are finalized or negotiated, at which point a formal quote will be provided outlining the terms and conditions of sale. Prior to any changes of pricing, the client will be notified. Estimate valid for 30 days.



QUO4211

DuraEdge Products DBA Homefield
149 South Broad Street, Grove City, PA 16127
Phone: (866) 867-0052 Fax: (724) 264-4174



BUDGET ESTIMATE

- Estimated quantity of product provided by the Customer.
- Estimated prices do not include Prevailing Wage Rates unless noted above; if Prevailing Wage Rates do apply to this project and are not noted above, then this estimate is void and a new estimate must be obtained.
- Our prevailing prices are subject to change without notice except when protected by an unfilled Purchase Order or a 30% deposit (i.e. down payment).
- Orders require either a Purchase Order with approved credit or 100% down. For orders over \$20,000, additional payment terms are 30% down payment and 70% Net 30 days. Applicable Tax Exempt and Credit Application forms must be provided for invoicing.
- Freight Cost Surcharges may apply and noted above. Standard delivery estimates are based on a National Average Diesel Fuel rate of \$3.50 per gallon. Any surcharge is calculated on the difference between the standard rate and the estimated National rate at the time of delivery. Additional surcharges may apply if estimated NADF at time of delivery exceeds \$5.50 per gallon. The current average NADF rate is \$5.07 per gallon.
- We accept Visa, MasterCard, Discover, and American Express; an additional fee of 2.5% applies.
- Prices are subject to change if signed quote is not returned within 30 days and for any reason after 90 days.
- Estimated prices exclude applicable sales or related taxes unless otherwise indicated above.
- Estimated prices for delivered bulk materials are based on usual and customary full-truckload quantities in the Project area, and upon safe and easy access for delivery; additional charges may apply for lesser quantities.
- All orders subject to acceptance by DuraEdge. All orders are F.O.B. Freight Prepaid and Add, per the indicated location(s) above, unless otherwise noted (ex. Pickup for product(s) specifically indicated as picked up locally by the Customer, delivery services listed separately, etc.)
- Estimated prices are subject to change based on any unforeseen costs in transportation, strikes, transportation facilities or other causes of delay beyond our control.
- DuraEdge shall be entitled to charge waiting time where the appointed delivery vehicle has been held on the Project site or from being unable to enter the Project Site for longer than one (1) hour when delivering Products to Customer.
- Customer agrees not to modify, reverse engineer, or perform any similar operation on Products acquired upon sale.
- Estimated prices do not include any testing required to prove compliance of installer with manufacturers specifications.





BUDGET ESTIMATE

- For DuraEdge Infield Mixes above, estimated quantities are calculated by using a conversion factor of 1.50 tons/cubic yard (111 lbs/cubic foot) with a contingency factor at a moderate 85% to 90% compaction on a standard proctor test (ASTM D 689-07). Moderate compaction is achieved with a 1 ton vibratory roller. Customer shall comply with DuraEdge Infield Mix specifications and assumes the responsibility of:
 - i. providing an accurate volume of material needed to the DuraEdge representative,
 - ii. preparing the sub-base to the proper elevation to ensure that their given volume of material is accurate,
 - iii. ensuring that the compaction level of the DuraEdge Infield Mix will be near the desired 85% to 90%.
- For DuraTrax Warning Track products above, estimated quantities are calculated by using a conversion factor, available upon request, based on the specific blend of material(s). Customer shall comply with manufacturer specifications and assumes the responsibility of:
 - i. providing an accurate volume of material needed to the DuraEdge representative,
 - ii. preparing the sub-base to the proper elevation to ensure that their given volume of material is accurate,
 - iii. ensuring that the compaction level of the DuraTrax Warning Track Mix will be near the desired 85% to 90%.
- A formal Quote will be provided that sets forth the entire agreement and understanding of the subject matter thereof. To the extent permitted by law, neither DuraEdge nor its employees or agents are liable for and Customer is not entitled to any indirect, special, incidental or consequential damages (for example, loss of profits or revenue, rework, injury to reputation, or loss of customers). To the extent permitted by applicable law, Customer's recovery from DuraEdge for any direct damages will not exceed the price of the Product at issue. To the extent the preceding limitation of liability is deemed invalid under applicable law, DuraEdge's total liability in any event will not exceed \$10,000 USD or the equivalent thereof. Customer will indemnify, defend and hold DuraEdge harmless from any claims based on:
 - i. DuraEdge's compliance with Customer's designs, specifications, or instructions,
 - ii. modification of any Product by anyone other than DuraEdge, or
 - iii. use of Products in combination with other products.
- All formal Quotes are governed by the law of the State of Pennsylvania, USA, including its provisions of the Uniform Commercial Code.
- All formal Quotes shall be binding upon and inure to the benefit of the parties hereto; customer shall not transfer, assign or subcontract its right and obligations under this Agreement.

DuraEdge Products, Inc.:

Tom Burns, Business Development Specialist

Email: tburns@duraedge.com

Phone: (214) 864-4164





Turf & Soil Diagnostics

MATERIALS TEST REPORT FOR Oklahoma

REPORT TO: Natural Sand Company

Jodee Patterson
149 South Broad Street
Grove City, PA 16127

DATE RECEIVED: Jan-19-2022
REPORT DATE: Jan-24-2022
CONDITION OF SAMPLE: Normal

PARTICLE SIZE ANALYSIS (ASTM D422)*

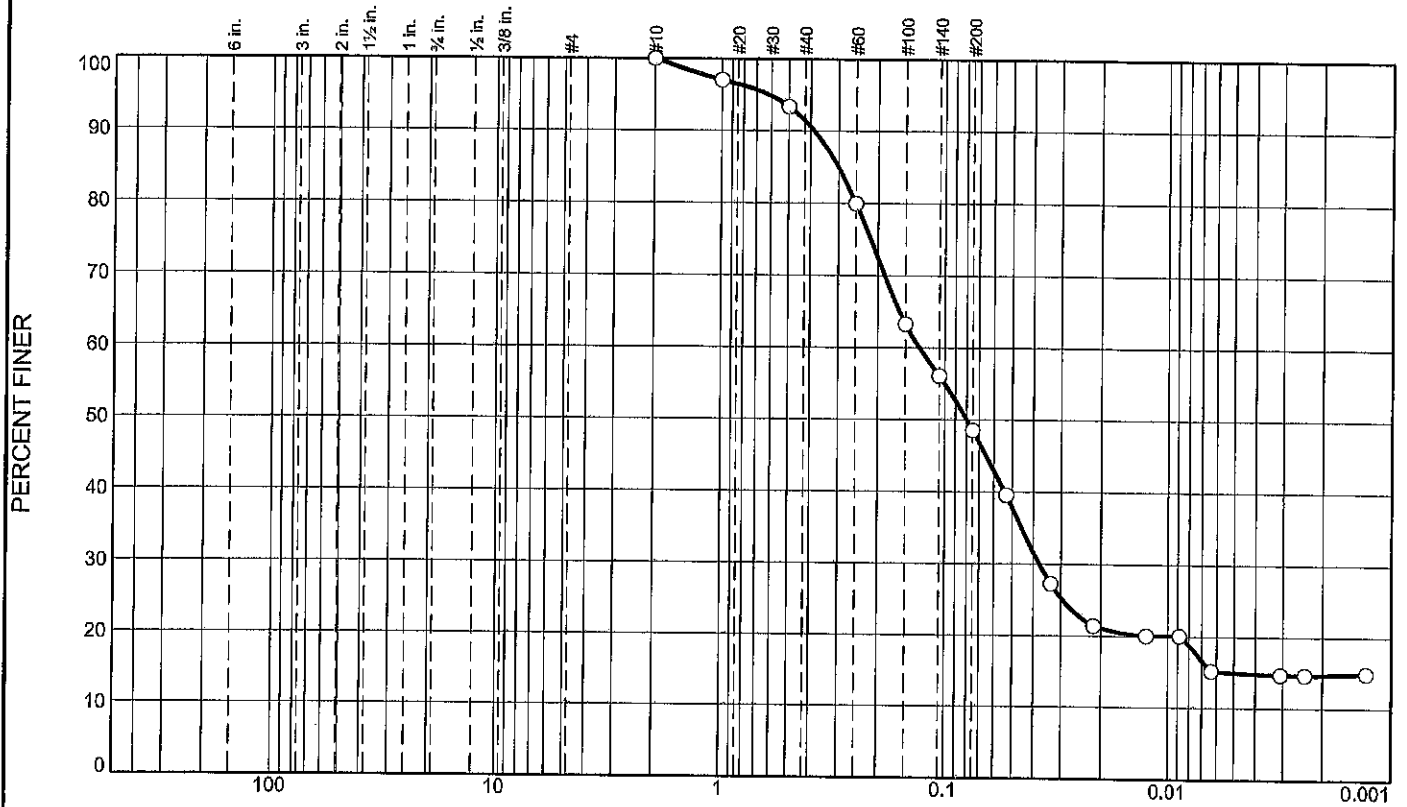
Lab ID#	Sample Name	Gravel %		Soil Separate %			Sieve Size / Sand Fraction Sand Particle Diameter % Retained				
		No. 4 4.75 mm	No. 10 2 mm	Sand	Silt	Clay	No. 18 V. Coarse 1.0 mm	No. 35 Coarse 0.50 mm	No. 60 Medium 0.25 mm	No. 140 Fine 0.10 mm	No. 270 V. Fine 0.05 mm
47526-1	Q1	0.1	1.1	60.5	24.8	14.7	3.0	3.7	13.4	23.9	16.6
47526-2	Q2	0.2	2.2	59.9	24.9	15.2	4.8	4.0	10.9	22.0	18.3
47526-3	Q3	0.1	0.9	59.8	25.6	14.6	1.9	2.6	13.5	22.4	19.2
47526-4	Q4	0.3	0.3	49.3	39.7	11.0	0.9	1.5	7.9	16.1	22.7
DuraEdge Classic Specifications		≤ 0.5	≤ 5	70 - 75	25 - 30			≥ 50			

Lab ID#	Sample Name	Silt / Clay Ratio	DRY COLOR		Textural Class
47526-1	Q1	1.68	5YR 4/6 Yellowish Red		Sandy Loam
47526-2	Q2	1.63	5YR 4/6 Yellowish Red		Sandy Loam
47526-3	Q3	1.75	5YR 4/6 Yellowish Red		Sandy Loam
47526-4	Q4	3.61	5YR 5/3 Reddish Brown		Loam
DuraEdge Classic Specifications		0.5 - 1			

*Data reported using USDA definitions of soil classification
Samples were tested as received and comments pertain only to the samples shown.
This report may not be reproduced except in full without written permission from Turf & Soil Diagnostics, Inc.
Samples were received with a transmittal letter.

Reviewed by Duane K Otto
Digitally signed by Duane K Otto
Date: 2022.01.24 18:26:13 -05'00'

Particle Size Distribution Report



GRAIN SIZE - mm.												
% Stones	% +3"	% Gravel			% Sand					% Silt		% Clay
		Coarse	Medium	Fine	V. Crs.	Crs.	Med.	Fine	V. Fine	Crs.	Fine	
0.0	0.0	0.0	0.0	0.0	3.0	3.6	13.4	25.1	15.4	18.4	6.4	14.7

SIEVE SIZE	PERCENT FINER	SPEC.* PERCENT	PASS? (X=NO)
#10	100.0		
#18	97.0		
#35	93.4		
#60	80.0		
#100	63.3		
#140	56.1		
#200	48.6		
#270	39.5		
0.0335 mm.	27.3		
0.0216 mm.	21.4		
0.0125 mm.	20.1		
0.0088 mm.	20.1		
0.0063 mm.	15.2		
0.0031 mm.	14.7		
0.0024 mm.	14.7		
0.0013 mm.	14.9		

* (no specification provided)

Sample Number: 47526-1

Soil Description
47526-1 Q1

Atterberg Limits
PL= LL= PI=

Coefficients
D₉₀= 0.3856 D₈₅= 0.3005 D₆₀= 0.1300
D₅₀= 0.0797 D₃₀= 0.0376 D₁₅= 0.0052
D₁₀= C_u= C_c=

Classification
USCS= AASHTO=

Remarks
Test Method: ASTM D422
Percentages based on material that passes #10 sieve per USDA soil definitions.

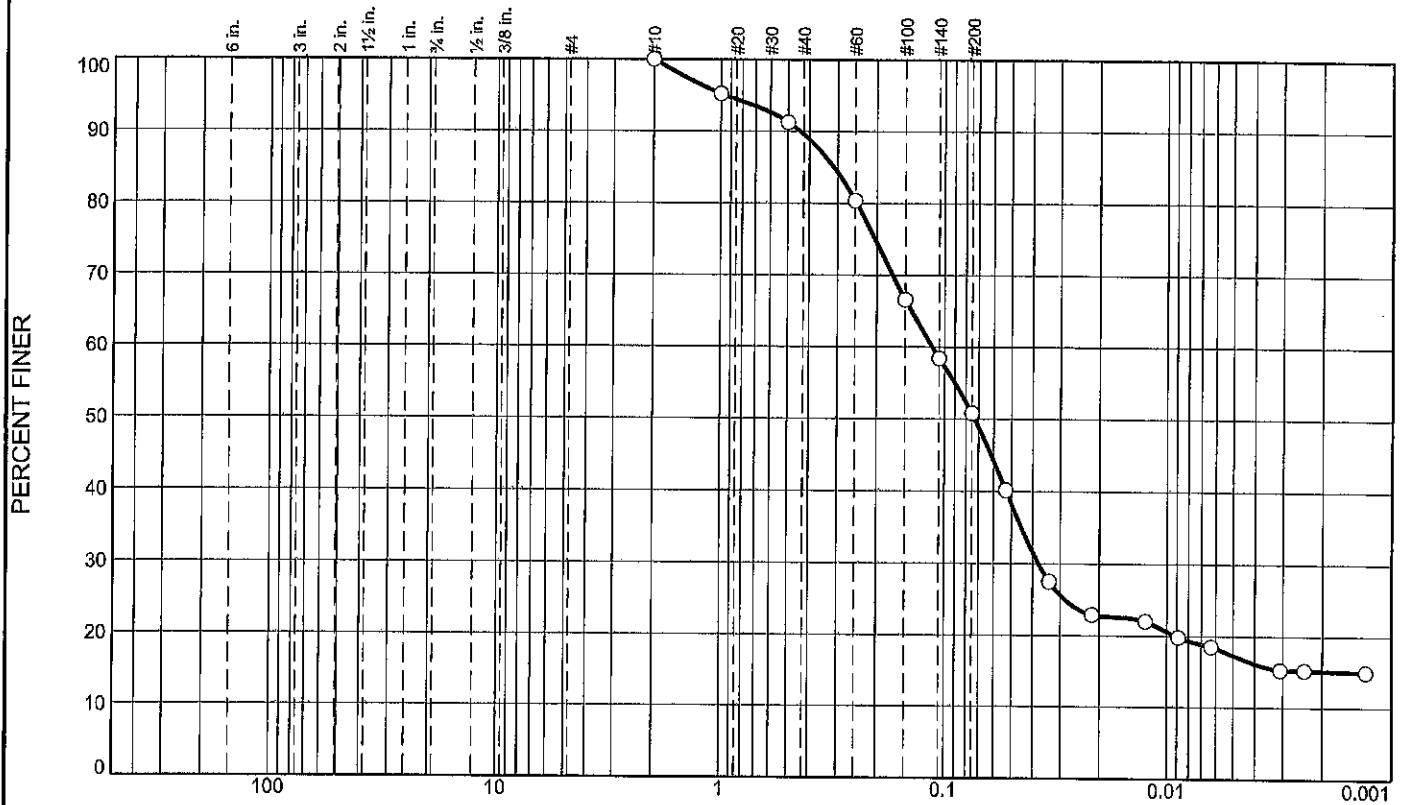
Date: 01/24/22

Turf & Soil Diagnostics Trumansburg, NY	Client: Natural Sand Company Project: Oklahoma
	Project No: Page 2 of 3

Tested By: hat, br, bw

Checked By: ao

Particle Size Distribution Report



GRAIN SIZE - mm.

% Stones	% +3"	% Gravel			% Sand					% Silt		% Clay
		Coarse	Medium	Fine	V. Crs.	Crs.	Med.	Fine	V. Fine	Crs.	Fine	
0.0	0.0	0.0	0.0	0.0	4.8	3.9	10.9	23.2	17.0	17.4	7.6	15.2

SIEVE SIZE	PERCENT FINER	SPEC.* PERCENT	PASS? (X=NO)
#10	100.0		
#18	95.2		
#35	91.3		
#60	80.4		
#100	66.6		
#140	58.4		
#200	50.8		
#270	40.2		
0.0336 mm.	27.5		
0.0216 mm.	22.9		
0.0125 mm.	22.0		
0.0089 mm.	19.8		
0.0063 mm.	18.5		
0.0031 mm.	15.3		
0.0024 mm.	15.2		
0.0013 mm.	15.0		

* (no specification provided)

Soil Description

47526-2 Q2

Atterberg Limits

PL=

LL=

PI=

Coefficients

D₉₀= 0.4391

D₈₅= 0.3110

D₆₀= 0.1141

D₅₀= 0.0728

D₃₀= 0.0376

D₁₅= 0.0013

D₁₀=

C_u=

C_c=

Classification

USCS=

AASHTO=

Remarks

Test Method: ASTM D422

Percentages based on material that passes #10 sieve per USDA soil definitions.

Sample Number: 47526-2

Date: 01/24/22

Turf & Soil Diagnostics

Linwood, KS

Client: Natural Sand Company

Project: Oklahoma

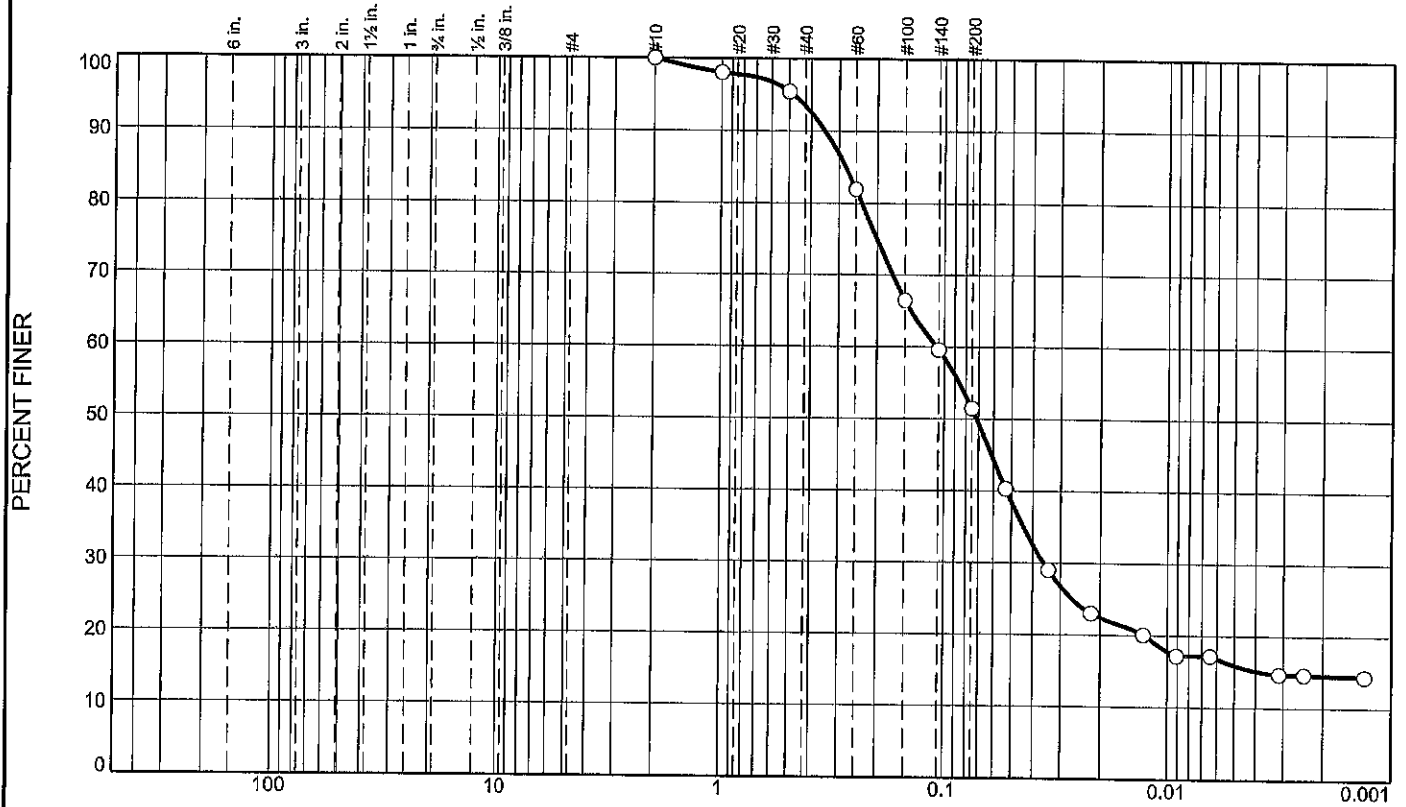
Project No:

Page 2 of 3

Tested By: hat, br, bw

Checked By: ao

Particle Size Distribution Report



GRAIN SIZE - mm.

% Stones	% +3"	% Gravel			% Sand					% Silt		% Clay
		Coarse	Medium	Fine	V. Crs.	Crs.	Med.	Fine	V. Fine	Crs.	Fine	
0.0	0.0	0.0	0.0	0.0	1.9	2.7	13.4	23.6	18.1	17.9	7.8	14.6

SIEVE SIZE	PERCENT FINER	SPEC.* PERCENT	PASS? (X=NO)
#10	100.0		
#18	98.1		
#35	95.4		
#60	82.0		
#100	66.5		
#140	59.6		
#200	51.5		
#270	40.3		
0.0341 mm.	29.0		
0.0219 mm.	23.0		
0.0128 mm.	20.1		
0.0091 mm.	17.1		
0.0064 mm.	17.2		
0.0031 mm.	14.7		
0.0025 mm.	14.6		
0.0013 mm.	14.4		

* (no specification provided)

Soil Description

47526-3 Q3

Atterberg Limits

PL=

LL=

PI=

Coefficients

D₉₀= 0.3460

D₈₅= 0.2787

D₆₀= 0.1085

D₅₀= 0.0714

D₃₀= 0.0358

D₁₅= 0.0038

D₁₀=

C_u=

C_c=

Classification

USCS=

AASHTO=

Remarks

Test Method: ASTM D422

Percentages based on material that passes #10 sieve per USDA soil definitions.

Sample Number: 47526-3

Date: 01/24/22

Turf & Soil Diagnostics

Linwood, KS

Client: Natural Sand Company

Project: Oklahoma

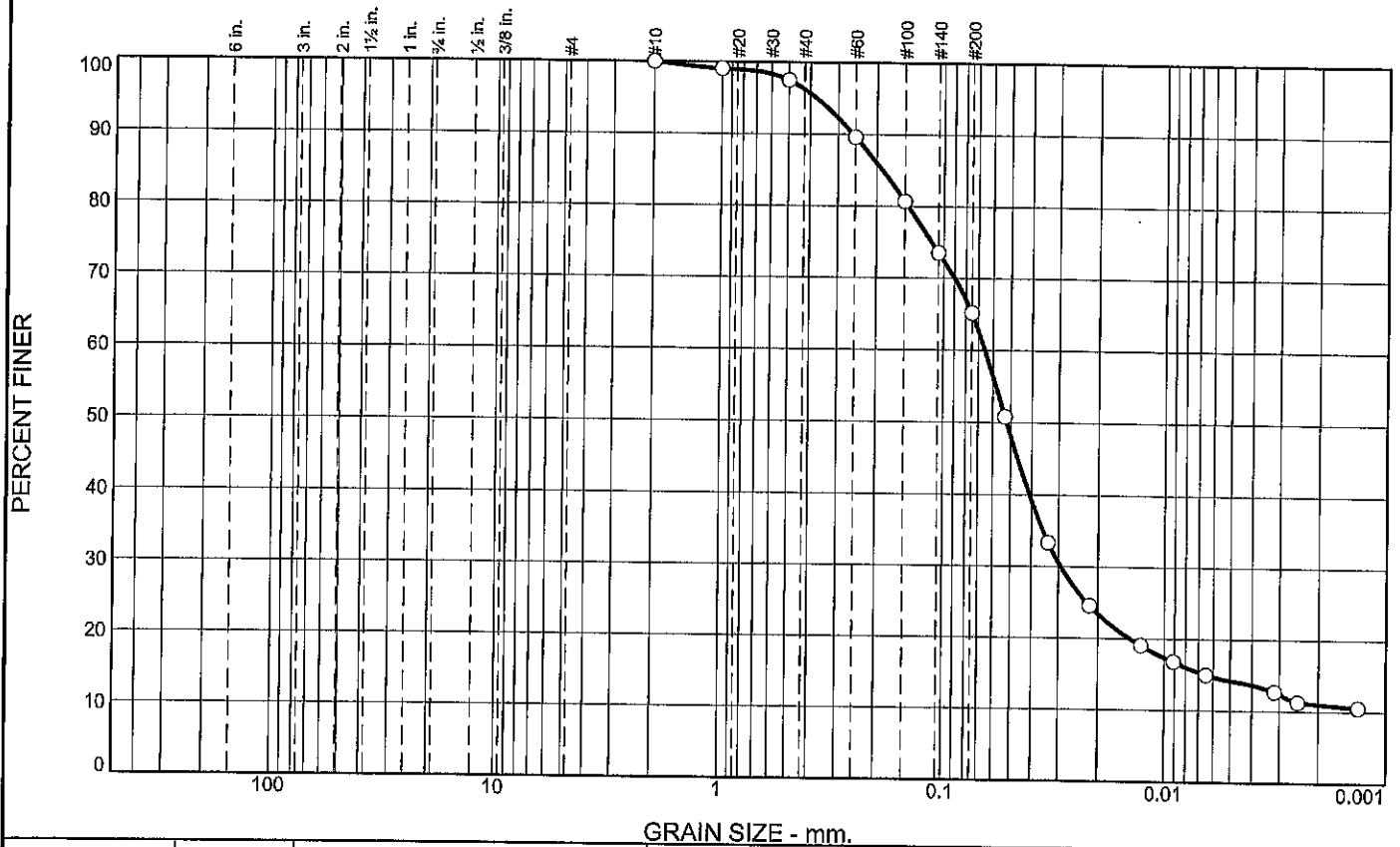
Project No:

Page 2 of 3

Tested By: hat, br, bw

Checked By: ao

Particle Size Distribution Report



% Stones	% +3"	% Gravel			% Sand					% Silt		% Clay
		Coarse	Medium	Fine	V. Crs.	Crs.	Med.	Fine	V. Fine	Crs.	Fine	
0.0	0.0	0.0	0.0	0.0	0.9	1.6	7.9	17.2	21.6	27.4	12.4	11.0

SIEVE SIZE	PERCENT FINER	SPEC.* PERCENT	PASS? (X=NO)
#10	100.0		
#18	99.1		
#35	97.5		
#60	89.6		
#100	80.7		
#140	73.5		
#200	65.2		
#270	50.8		
0.0335 mm.	33.4		
0.0218 mm.	24.6		
0.0128 mm.	19.1		
0.0091 mm.	16.8		
0.0065 mm.	15.0		
0.0032 mm.	12.7		
0.0025 mm.	11.3		
0.0013 mm.	10.6		

* (no specification provided)

Sample Number: 47526-4

Soil Description

47526-4 Q4

Atterberg Limits

PL=

LL=

PI=

Coefficients

D₉₀= 0.2559

D₈₅= 0.1883

D₆₀= 0.0653

D₅₀= 0.0520

D₃₀= 0.0294

D₁₅= 0.0064

D₁₀=

C_u=

C_c=

Classification

USCS=

AASHTO=

Remarks

Test Method: ASTM D422

Percentages based on material that passes #10 sieve per USDA soil definitions.

Turf & Soil Diagnostics

Linwood, KS

Client: Natural Sand Company

Project: Oklahoma

Project No:

Date: 01/24/22

Page 2 of 3

Tested By: hat, br, bw

Checked By: ao



Turf & Soil Diagnostics

January 24, 2022

Natural Sand
DuraEdge

Oklahoma
TSD File #47526

The Q1, Q2, Q3 and Q4 samples were tested as received and evaluated for baseball/softball infields. The test results are being compared to the Dura Edge Classic specifications, which are included in the data table.

The results indicate the samples Q1, Q2 and Q3 are classified as sandy loam per the U.S. Department of Agriculture soil classification system. The Q4 sample is classified as loam. There is a small amount of fine gravel in the samples. The samples have sand contents lower than the specified range and combined silt and clay contents higher than the specified range. The silt to clay ratio of each sample is higher than the specified range.

Please contact us if you have any questions or need further assistance. Samples are generally kept on the premises for 45 days after report date. Thank you for using Turf & Soil Diagnostics, Inc.

Duane K Otto

Digitally signed by Duane
K Otto
Date: 2022.01.24
18:25:06 -05'00'

Duane K. Otto
Vice President

Page 6 of 6

REGULAR AGENDA ITEM COMMENTARY

ITEM TITLE: Consider and take action to correct the delay in approving and filing Final Plat for Byrnes Mini Storage, PUD-77 and acknowledge final plat approval BXPT-22.07 by Bixby Planning Commission, April 18, 2022.

INITIATOR: Donna Crawford, Development Services

STAFF INFORMATION SOURCE: Donna Crawford, Development Services

BACKGROUND:

The Boardwalk on Memorial plat was filed 8/19/2003.

PUD-77, Byrnes Mini-Storages, Feb 21, 2014 was approved by the City of Bixby.

Per Ordinance 2127, March 4, 2014 the Comprehensive Plan CPA-9 and zoning BZ365, PUD-77 was recorded with the Tulsa County Clerk.

Per Ordinance 2132, filed with the Tulsa County Clerk, March 28, 2014, certain Utility Easements within Lot 1, Block 1, Boardwalk on Memorial were closed.

May 27, 2014, the Preliminary Plat of Byrnes Mini-Storage was approved by the Bixby City Council.

EXHIBITS: Exhibit A: City of Bixby Zoning Map
Exhibit B: Final Plat with Deed of Dedication
Exhibit C: Byrnes Mini-Storage PUD booklet
Exhibit D: Ordinance 2127
Exhibit E: Ordinance 2132
Exhibit F: Excerpt from City Council Meeting May 27, 2014

KEY ISSUE: Acknowledge/ Approval of Final Plat

COUNCIL ACTION: Approve

RECOMMENDATION: Approval.

ITEM NO: _____

MEETING DATE: 5/9/2022

MEETING: City Council



City of Bixby
P.O. Box 70
116 W. Needles Ave.
Bixby, OK 74008
(918) 366-4430

Staff Report

To: City of Bixby, City Council
From: Donna Crawford, Assistant City Planner
Date: Monday, May 9, 2022
Name: Byrnes Mini-Storage PUD-77
RE: Byrnes Mini-Storage Final Plat BXPT-22.07
Planned Unit Development PUD-77
Location: 12355 South Memorial
STR: Section 1, Township 17N, Range 13E
Applicant: Select Design

Site Stats:

Acres: 3.46 +/-	Min. Lot Width: 170 ft
Number of Lots: 3	Number of Blocks: 1

Request:

Select Design/Ryan McCarty, is requesting Final Plat approval.

Existing Zoning; Use:

Office Light (OL); PUD-77

Abutting Zoning; Use:

North: (RM-3) Multi-Family; (OL) Office Light; PUD-81 & PUD-81B

West: (CS) Commercial Shopping; BXPUD-17.12

South: (RS-1) Residential; Single-Family Dwellings

East: (RS-1) Residential; Single-Family Dwellings



Exhibit A: City of Bixby Zoning Map

Staff Review

This application for approval of the Final Plat is “housekeeping”. During Title research for the sale of this property, it was discovered a Final Plat had not been filed with Tulsa County.

Ordinance 2127, was recorded with Tulsa County Clerk on March 4, 2014, amending the Comprehensive Plan CPA-9 and approving BZ365, Light Office and PUD-77.

Per City Council minutes dated March 24, 2014, consideration to close certain Utility Easements within Lot 1, Block 1, Boardwalk on Memorial, the minutes of the City Council meeting on March 24, 2014, reflect approval and Ordinance 2132 was filed March 28, 2014 with Tulsa County Clerk.

The Preliminary Plat was approved by Council on May 27, 2014.

Utilities/Site Area:

There is an existing 12” waterline that runs North/South along East side of South Memorial Drive. The water lines within the development are private.

Public Sanitary Sewer lines run East / West located south of the property. There is also an 8” line located east of the property running North / South.

Within the development, the stormwater flows to a dry stormwater detention facility.

Planning Review Comments:

Previously addressed

Engineering Review Comments:

Previously addressed

Public Comments:

No comments have been received at time of writing.

Staff Comments:

The Planning Commission meeting held April 18, 2022, discussion ensued regarding the timeline and approvals of the Comprehensive Plan Amendment, Rezoning including the supplemental zoning of the PUD and the City Council approval of the Preliminary Plat on May 27, 2014.

Planning Commission voted unanimously for approval of the Final Plat and for City Council to review and approve.

Attachments:

- Exhibit A: City of Bixby Zoning Map
- Exhibit B: Final Plat with Deed of Dedication
- Exhibit C: Byrnes Mini-Storage PUD booklet
- Exhibit D: Ordinance 2127
- Exhibit E: Ordinance 2132
- Exhibit F: Excerpt from City Council Meeting May 27, 2014

PLAT No.

SURVEYOR:
TULSA LAND SURVEYING, LLC
1140 OSWEGO AVE
TULSA, OK 74112
PHONE: 918-770-6720
C.A. NO. 6038 EXP. 6-30-23
LICENSE NO. 1678

OWNER:
BOARDWALK SELF STORAGE, LLC
4612 E. 51ST ST. #100
TULSA, OK 74135
CONTACT: JARED JONES
PHONE: 918-809-0541
EMAIL: jjones@joneslwa.com

BYRNES MINI-STORAGES

AN ADDITION SITUATED IN THE NW/4 OF SECTION 1,
T-17-N, R-13-E OF THE INDIAN BASE AND MERIDIAN,
BEING A RE-PLAT OF A PORTION OF "THE BOARDWALK ON
MEMORIAL" AND "LOT 11, BLOCK 2, SOUTHERN MEMORIAL
ACRES NO.2", TO THE CITY OF BIXBY, TULSA COUNTY,
STATE OF OKLAHOMA.

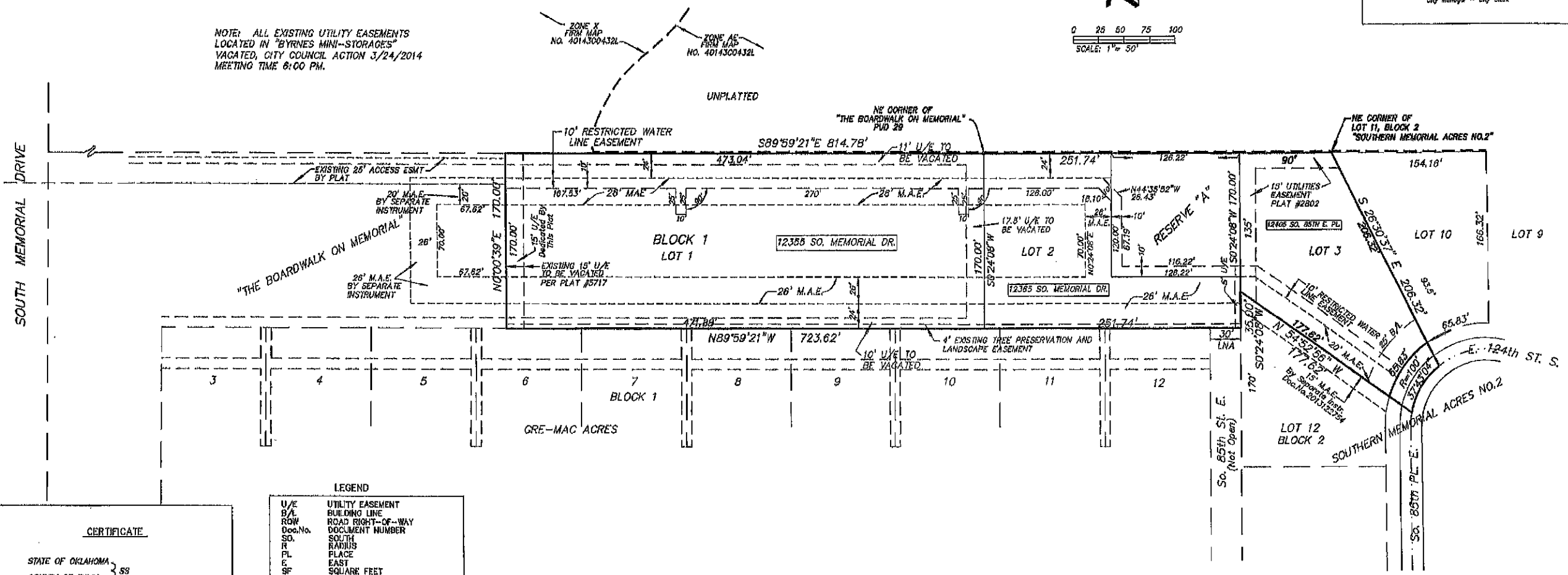
NOTE: ALL EXISTING UTILITY EASEMENTS
LOCATED IN "BYRNES MINI-STORAGES"
VACATED, CITY COUNCIL ACTION 3/24/2014
MEETING TIME 6:00 PM.

ZONE X
FIRM MAP
NO. 4014300432L

ZONE AE
FIRM MAP
NO. 4014300432L

0 25 50 75 100
SCALE: 1" = 50'

**FINAL PLAT
CERTIFICATE OF APPROVAL**
I hereby certify that this plat was approved
by the City Council of the City of Bixby
on April 11, 2023.
By: _____
Mayor - Wes Meyer
This approval is valid if the above signature
is not endorsed by the City Manager or
City Clerk.
By: _____
City Manager - City Clerk



CERTIFICATE

STATE OF OKLAHOMA } ss
COUNTY OF TULSA }
I, Michael Willis, Tulsa County Clerk, in and
for the County and State of Oklahoma above
named, do hereby certify that the foregoing is
a true and correct copy of a file instrument
now on file in my office.
Dated this ____ day of _____
Michael Willis, Tulsa County Clerk
Deputy

LEGEND

U/E	UTILITY EASEMENT
B/L	BUILDING LINE
ROW	ROAD RIGHT-OF-WAY
Doc.No.	DOCUMENT NUMBER
SO.	SOUTH
R	RADIUS
PL	PLACE
E	EAST
SP	SQUARE FEET
AC	ACRE
W	WEST
DR.	DRIVE
NE	NORTHEAST
PUD	PLANNED UNIT DEVELOPMENT
NO.	NUMBER
M.A.E.	MUTUAL ACCESS EASEMENT
LNA	LIMITS OF NO ACCESS

*Addresses shown on this plat were accurate
at the time this plat was filed. Addresses
are subject to change and should never be
relied on in place of legal descriptions.

This plat meets the Oklahoma minimum
standards for the practice of Land
Surveying as adopted by the Oklahoma
State Board of Registration for
Professional Engineers and Surveyors.

BENCHMARK:
Flowline of Sanitary Sewer Manhole, located
18 feet South and 12 feet East of the
Northwest Corner of Lot 11, Block 2,
Southern Memorial Acres No. 2
Elevation: 508.42, NOV2009

BASIS FOR BEARINGS:
The basis for bearings is the North line
of "The Boardwalk on Memorial", with an
assumed bearing of S 89°59'21"E.

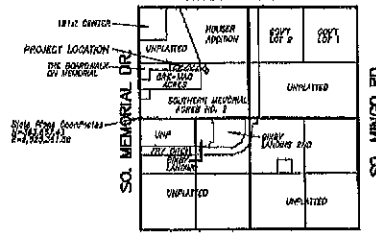
FEMA FLOODPLAIN NOTE:
The subject property is contained in
Zone X - 500-40 LFE
Map No. 4014300432L
Date: October 16, 2012

PROPERTY DESCRIPTION

An Addition situated in a part of the NW/4, Section 1, T-17-N, R-13-E,
of the Indian Base and Meridian, Tulsa County, State of Oklahoma, being more
particularly described by metes and bounds, by Charles K. Howard, LS 297,
as follows, to-wit:
Beginning at the northeast corner of "The Boardwalk on Memorial", PUD 29;
thence with an assumed bearing of S 89°59'21"E being the north line of "The
Boardwalk on Memorial" a distance of 251.74 feet to the northwest corner of
Lot 11, Block 2, Surrendered plot of Southern Memorial Acres No. 2; thence
containing S 89°59'21"E on along the north line of said Lot 11, Block 2 a
distance of 80.00 feet to the northeast corner of said Lot 11, Block 2;
thence S 26°30'37"E and along the east line of said Lot 11, Block 2 a
distance of 206.32 feet; thence along a curve to the left with a radius of
100.00 feet and a delta angle of 37°43'04" for 65.83 feet, with a chord
bearing of S35°40'20"W and a chord distance of 64.85 feet; thence
N 84°52'56"W a distance of 177.62 feet; thence S 00°24'08"W a distance
of 35.00 feet; thence N 89°09'21"W a distance of 471.88 feet; thence
N 00°00'39"E a distance of 170.00 feet to the north line of "The
Boardwalk on Memorial"; thence S 89°59'21"E and along the north line
of "The Boardwalk on Memorial" a distance of 473.04 feet to the point
of beginning and containing 3.4616 acres more or less.

R-13-E

121ST STREET SO.



131ST STREET SO.

SECTION 1

LOCATION MAP

SCALE: 1" = 2000'

SUBDIVISION CONTAINS:

AREA = 3.4616 ACRES 180,800 SF

NO. LOTS 3 BLOCKS 1

BYRNES MINI-STORAGES
PUD 77
Preparation date: March 30, 2022
SHEET 1 OF 3

DEED OF DEDICATION AND STATEMENT OF RESTRICTIVE COVENANTS

BYRNES MINI-STORAGES

PUD NO. 77

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, Boardwalk Self Storage, LLC is the owner in fee simple to the following described property in the City of Bixby, Tulsa County, Oklahoma, to-wit:

An Addition situated in a part of the NW/4, Section 1, T-17-N, R-13-E, of the Indian Base and Meridian, Tulsa County, State of Oklahoma, herein more particularly described by metes and bounds, by Charles K. Howard, L.S. 287, as follows, to-wit:

Beginning at the northeast corner of "The Boardwalk on Memorial", PUD 29; thence with an assumed bearing of S 89°53'21"E being the north line of "The Boardwalk on Memorial" a distance of 261.74 feet to the northwest corner of Lot 11, Block 2, Contested plat of Southern Memorial Acres No. 2; thence continuing S 89°53'21"E and along the north line of said Lot 11, Block 2 a distance of 80.00 feet to the northeast corner of said Lot 11, Block 2; thence S 26°30'37"E and along the east line of said Lot 11, Block 2 a distance of 206.32 feet; thence along a curve to the left with a radius of 100.00 feet and a delta angle of 37°43'04" for 65.63 feet, with a chord bearing of S 35°45'20"W and a chord distance of 84.86 feet; thence thence N 64°02'56"W a distance of 177.82 feet; thence S 00°24'05"W a distance of 38.00 feet; thence N 89°53'21"W a distance of 471.88 feet; thence N 00°00'39"E a distance of 170.00 feet to the north line of "The Boardwalk on Memorial"; thence S 89°53'21"E and along the north line of "The Boardwalk on Memorial" a distance of 473.04 feet to the point of beginning and containing 3.4016 acres more or less.

and have caused the above-described land to be surveyed, staked, platted and subdivided into lots, blocks, reserve areas and streets, and have designated the same as "Byrnes Mini-Storages", an Addition to the City of Bixby, Tulsa County, Oklahoma (hereinafter sometimes referred to as the "Subdivision").

SECTION 1. PUBLIC COVENANTS

A. UTILITY EASEMENTS

The Owners hereby dedicate to the public use forever the easements as shown and designated on the accompanying plat for the several purposes of constructing, maintaining, operating, repaving, removing, replacing any and all utilities including storm sewer, sanitary sewer, telephone and communication lines, electric power lines and transformers, gas lines and water lines, together with all fittings, including the poles, wires, conduits, pipes, valves, meters and equipment for each of such facilities and any other appurtenances thereto with the rights of ingress and egress into and upon said utility easements and rights-of-way for the uses and purposes aforesaid. No building, structure, or other above or below ground obstruction that will interfere with the purposes aforesaid, will be placed, erected, installed or permitted upon the easement or rights-of-way as shown, provided however, that the owner hereby reserves the right to construct, maintain, operate, lay and relay water lines and sanitary sewer lines together with the right of ingress and egress for such construction, maintenance, operation, laying and relaying over, across and along all public streets, alleys, and utility easements, shown on said plat, for the purposes of furnishing water and/or sanitary sewer services to the area included in said plat.

B. WATER AND SANITARY SEWER SERVICE

In connection with the provision of water and sanitary sewer service, all lots are subject to the following provisions, to-wit:

The owner of each lot shall be responsible for the protection of the public water mains and the public sanitary sewer facilities located on the lot and within the dedicated street right-of-way and utility easement areas, if ground elevations are altered from the contours existing upon the completion of the installation of a public water or sewer main, all ground level apertures, to include valve boxes, fire hydrants and manholes will be adjusted to the new grade by the owner or at the owner's expense.

The Owners or its successors will be responsible for ordinary maintenance of public water mains and public sanitary sewer facilities, the owner will pay damage for relocation of such facilities or necessitated by the acts of the owner or his agents or contractors.

The City of Bixby or its successors through its agents and employees shall at all times have the right of access with their equipment to all such easement ways shown on said plat, including the "10" Restricted Water Line Easement", (to be used only for water lines) or provided for in this deed of dedication for the purpose of installing, maintaining, removing or replacing any portion of underground water facilities.

The foregoing covenants concerning water and sewer facilities shall be enforceable by the City of Bixby or its successors, and the owner of the lot agrees to be bound hereby.

C. ELECTRIC, TELEPHONE, CABLE TELEVISION AND NATURAL GAS SERVICE.

In connection with the installation of underground electric, telephone, cable television and natural gas service lines, the lot is subject to the following:

1. Street light poles or standards shall be served by underground cable and elsewhere throughout said Addition all supply lines shall be located underground, in the easement-ways reserved for the general utility services and streets, shown on the attached plat. Service pedestals and transformers, as sources of supply of secondary voltages, may also be located in said easement-ways.

2. All supply lines in the Subdivision including electric, telephone, cable television and natural gas service lines shall be located underground in the easements reserved for general utility services and streets shown on the plan of the subdivision. Service pedestals and transformers, as sources of supply at secondary voltages, may also be located in said easements.

3. Underground service cables and natural gas service lines to all buildings which may be located in the Subdivision may be run from the nearest natural gas main, service pedestal or transformer to the point of usage determined by the location and construction of such building as may be located upon said lots provided that upon that the installation of such a service cable or a natural gas service line to a particular building, the supplier of service shall thereafter be deemed to have a definitive, permanent, and effective right-of-way easement on said lot, covering a five-foot strip extending 2.5 feet on each side of such service cable or line, extending from the service pedestal, transformer or natural gas main to the service entrance on the building.

4. The supplier of electric, telephone, cable television and natural gas services, through its authorized agents and employees, shall at all times have right of access to all such easements shown on the plat to the Subdivision or provided for in this deed of dedication for the purpose of installing, maintaining, removing or replacing any portion of the underground electric, telephone, cable television or natural gas service facilities so installed by it.

5. The owner of each lot in the Subdivision shall be responsible for the protection of the underground electric facilities located on his property and shall prevent the alteration of grade or any construction activity which may interfere with said electric, telephone, cable television or natural gas facilities. The supplier of service will be responsible for the ordinary maintenance of underground facilities, but the owner of the lot in the Subdivision will pay for damage or relocation of such facilities caused or necessitated by acts of such owner or his agents or contractors.

D. STORM SEWER

1. The storm sewers will be privately owned and privately maintained.

2. The Helene Y. Byrnes Foundation, or its successors, through its proper agents and employees, shall at all times have right of access with their equipment to all storm sewer systems for the purpose of installing, maintaining, removing or replacing any portion of the underground storm sewer system.

3. No permanent fence, permanent wall, permanent building, or permanent structure which would cause an obstruction shall be placed or maintained in the Reserve "A" area, and any construction activity which would interfere with the storm sewer system shall be prohibited.

4. The storm sewers shall be owned by and maintained, at the sole cost and expense, of the owner of the lot upon which the storm sewers are located.

5. In the event that the storm sewers are accepted by the City of Bixby, the City of Bixby or its successors, shall be responsible for ordinary maintenance of the public storm sewer system, but the owner of each lot will pay for damage or relocation of such system caused or necessitated by the acts of the owner of each lot or its agent or contractors.

6. The owner of each lot shall be responsible for the protection of the storm sewer located on their lot and shall prevent the alteration of grade or any construction activity which may interfere with said storm sewer. The alteration of grade from the contours existing upon the completion of the installation of storm sewers, or any construction activity which would interfere with storm, shall be prohibited.

E. SURFACE DRAINAGE

1. Surface Drainage. Each lot shall receive and drain, in an unobstructed manner, the storm and surface waters from lots and drainage areas of higher elevation and from public streets and easements.

2. No property owner shall construct or permit to be constructed any fencing or other obstructions which would impair the drainage of storm and surface waters over and across his lot. No property owner shall modify or change the direction of drainage of surface stormwater from the original approved construction plans on file at the City of Bixby.

3. The property owner shall prevent the alteration of grade within all easement areas from the original contours (finish grade) and shall prevent any construction activity which may interfere with such public water mains, valves, storm sewers, and or public sanitary sewer facilities.

4. The covenants set forth in this section shall be enforceable by any affected property owner and by the City of Bixby, Oklahoma.

F. OWNER RESPONSIBILITY WITHIN EASEMENTS.

The owner of the lots shall be responsible for the repair and replacement of any landscaping and paving within the utility easements on the lot in the event it is necessary to repair any underground water or sewer mains, electric, natural gas, cable television, or telephone service. The 4'-0" Existing Tree Preservation and Landscape Easement will be maintained by the property owner of the lot. Trees will remain unless they are determined dead by an arborist. A tree can be removed from the easement, once the arborist has determined it is dead.

G. LAND USE

All construction shall be strictly according to the ordinances of the City of Bixby, Oklahoma.

H. "RESERVE A", DETENTION POND.

1. The Stormwater drainage system shall be designed and constructed in accordance with the Adopted Ordinances, Resolutions standards and design requirements as adopted by the City of Bixby, as appropriate, and shall be so designed to collect and pass the runoff from a 100-year frequency flood under conditions of full urbanization. The 2, 6, 10, 60, 100 year flows shall be modeled and 500 year flow analyzed. The entire flow shall be confined within the said stormwater drainage systems.

2. The stormwater detention facility if required by City of Bixby adopted standards, shall be designed and constructed in accordance with said standards.

SECTION 2. PLANNED UNIT DEVELOPMENT RESTRICTIONS

A. DEVELOPMENT AREA A

Gross:	2.826 acres	123,110 square feet
Net:	2.826 acres	123,110 square feet

PERMITTED USES (to be allowed by right):

These uses permitted are all the Use Units allowed by right within the "A" zoning district of the City of Bixby Zoning Code as well as Use Unit 16 mini-storage business use; and all accessory uses permitted in the underlying zoning district and in the Planned Unit Development Chapter of the City of Bixby Zoning Code.

MINIMUM FRONTAGE	0
MAXIMUM BUILDING FLOOR AREA	47,600 sf
MAXIMUM BUILDING HEIGHT (mini-storage buildings)	12 sf
MAXIMUM BUILDING HEIGHT (office building)	24 sf
F.A.R. (floor to area ratio)	0.387

MINIMUM BUILDING SETBACKS

Lot 1, Block 1	West	17.5 feet
	North	0 feet
	South	4 feet
	East	0 feet
Lot 2, Block 1	West	0 feet
	North	0 feet
	South	4 feet
	East	5 feet

STORMWATER DETENTION AREA

Minimum 12,311sf, 10% of the development area
Maximum 18,499sf, 15% of the development area

BUILDING WALL MATERIAL

Building walls and screening fences adjacent to the north, south and east property lines (adjoining RS-2 zoning) will be of masonry construction. The option is either brick or a split faced concrete block.

The east-facing ends of three (3) easternmost buildings adjoining RS-2 zoning and the west-facing ends of three (3) westernmost buildings (visible from RS-2 zoning), will be of masonry construction. Interior facing walls will be metal or masonry.

BUILDING DESIGN

The buildings in Development Area A will have shed roofs slanted inward to the development site, ensuring all roof drainage is directed into the internal storm water drainage system, and will not drain onto adjacent properties. The roof will not overhang adjacent property lines and the roof pitch will be between 1/12 and 4/12.

B. DEVELOPMENT AREA B

LAND AREA:

Gross: (includes 1/2 abutting ROW)	0.6356 acres	27,690 sf
Net:	0.6016 acres	26,213 sf

PERMITTED USES (to be allowed by right):

These uses permitted are all the Use Units allowed by right within the "RS-2" zoning district of the City of Bixby Zoning Code; and all accessory uses permitted in the underlying zoning district and in the Planned Unit Development Chapter of the City of Bixby Zoning Code.

MINIMUM FRONTAGE	85.83 lin.ft
MAXIMUM BUILDING FLOOR AREA	1 unit
MAXIMUM BUILDING HEIGHT	35 feet
MINIMUM BUILDING SETBACKS	
Pursuant to Section 11-78-4 Table J, of the City of Bixby Zoning Code.	
LANDSCAPE/GREEN AREA	minimum 3,832sf 15% gross land area

C. DEVELOPMENT STANDARDS FOR ALL DEVELOPMENT AREAS

1. LANDSCAPED AREA AND SCREENING

a. Preliminary landscaping and screening area represented on Exhibit G of the PUD 77. Development Area A - Any building wall visible from an adjacent residential zoned property will be screened by a 6'-0" concrete block or brick wall. Screening any portion of the North or South property line will be accomplished by utilizing the exterior wall of the building, which will be either brick or split faced concrete block and/or a 6'-0" concrete block or brick wall and will be a substitute for a screening fence. This is shown on Exhibit G of PUD 77. There will be a 4'-0" landscape area south of the south building adjacent to the south property line. Constructing the south building 4'-0" north of the south property line will allow 14 trees situated along the south property line to remain. Development Area B - The existing trees and landscaping will remain on the site. No screening fences are required. The existing 6' wooden privacy fence west of this site on "The Boardwalk on Memorial" will be replaced with a concrete block wall similar to the existing wall on the east side of "The Boardwalk on Memorial."

b. A 4'-0" easement described as, "Existing Tree Preservation and Landscapes Easement", will be shown on the south 4'-0" of the entire Development Area A.

c. Three trees are required along the west property line. Two trees are required along the east property line. One tree is required along the north property line. Eight trees are required along the south property line. A total of 24 trees, 6" in diameter or larger will be preserved on the site. The preserved tree credit will be equal to 48 trees. Those are shown on Exhibit G of PUD 77. Fourteen trees are required and a 48 tree credit is provided. No trees will be planted.

d. The south property line area will have a landscape area of 4'-0" x 723.62', which equals 2,894.48 sf. The total landscape area, including the detention area is 18,654.28 sf or 15.15% of Development Area "A".

e. Exhibit G of PUD 77 shows the landscape areas and percentages for each property line.

2. SIGNS

a. Signage shall comply with the PUD Chapter (Chapter 7-1). One (1) ground monument sign will be permitted in Development Area A and shall not exceed 15'-0" in height.

b. Flashing signs, changeable copy signs, running light or twinkle signs, animated signs, revolving rotating signs and movement shall be prohibited in this PUD for Development Areas A and B, except as may be permitted by the Bixby Planning Commission as part of the approved detail sign plan.

3. LIGHTING

a. Lighting used to illuminate the development area shall be so arranged as to shield and direct the light away from adjacent properties. Lighting-mounted lights will not exceed 12 feet in height.

4. TRASH, MECHANICAL AND EQUIPMENT AREAS

a. There shall be no storage of recyclable materials, trash or similar material. All trash, ground supported mechanical and equipment areas, shall be screened from adjacent properties.

5. SITE GRADING

a. According to the adopted and effective FEMA floodplain maps, the site has some amount of Flood Zone "AE" 100 year Floodplain along the north line of Development Area A. An Earth Change / Floodplain Development permit will be requested and will determine if and how much area is in the "AE" zone. The Earth Change / Floodplain Development permit will be approved by the Bixby City Council to allow site grading as proposed for this development. An Elevation Certificate by an Oklahoma Registered Professional Land Surveyor will be required prior to the issuance of a Building Permit / Floodplain Development Permit for the construction for the foundation of each building within Development Area A, with Elevation Certificate must demonstrate the 100-year Base Flood Elevation for the building site and the existing finished grade. A second Elevation Certificate will be required upon the completion of the foundation of each building in Development Area A prior to the issuance of a Building Permit / Flood Plain Development Permit for the balance of the building and must demonstrate the First Finish Floor of each structure's foundation is at least one (1) foot above the 100 year Base Flood Elevation. Alternately, the Elevation Certificate requirement may be avoided if the lot is fully removed from the adopted and effective FEMA floodplain maps at the time a building permit is sought.

The site will be graded so that storm water runoff flows to surface area drains located in the drive lanes, between the mini-storage buildings. The storm water will flow to a proposed dry storm water detention facility in the northeast portion of Lot 2. An existing French Drain located approximately 2.5 feet north of the south property line presently collects storm water runoff along the south line of Development Area A and directs it to the Fry Ditch. The French Drain will remain in place. Storm water runoff along the east boundary of Development Area A will be collected and directed to the proposed detention facility in the northeast portion of Lot 2. A Professional Engineer registered in the State of Oklahoma shall certify to the appropriate City official that all required storm water drainage requirements serving the Site have been installed in accordance with the approved plans prior to issuance of an Occupancy Permit on that lot. During construction on the property, the owner will provide adequate and reasonable erosion control methods, and after construction, will provide and maintain vegetative, landscaped ground cover so that soil does not erode on or from the property.

6. TOPOGRAPHY AND UTILITIES

a. Topography. Topography of the Site is depicted on Exhibit F of PUD 77.

b. Utilities. Water and sanitary sewer service will be provided by the City of Bixby. An existing water line is located on the east side of South Memorial Drive. A water line will be installed connecting the water line along South Memorial Drive to the existing water line along So. 85th Place. An existing sanitary sewer line is located running parallel to the south property line. A sanitary sewer line will be installed along the west property line and extended to the north property line. Storm water runoff will be collected in area inlets and piped to the on site detention facility.

7. ACCESS, CIRCULATION AND PARKING

a. Access, traffic circulation and parking are depicted on Exhibit B of PUD 77. All drives and parking areas within the PUD shall be privately owned and maintained.

b. There will be two (2) access gates along the west property line of Development Area A. One gate access to the Byrnes Mini-Storages is for customers. The 26' wide gated emergency-only ingress/egress through Lot 11, Block 2, Southern Memorial Acres No. 2 to South 85th Place E. will be accessed using a key-switch.

c. Two (2) mutual access easements across "The Boardwalk on Memorial", will allow access to "Byrnes Mini-Storages". The mutual access easements will be filed at the Tulsa County Court House prior to the issuance of an occupancy permit for buildings in "Byrnes Mini-Storages".

d. The access to the site, built un-built, So. 85th E. Ave. will not be allowed in the PUD.

e. A 16 foot Roadway Easement, Doc.No. 2013918386, has been filed on Lot 12, Block 2, Southern Memorial Acres No. 2 allowing emergency access to South 85th E. Place. The south 20 feet of the existing Lot 11, Block 2, Southern Memorial Acres No. 2, which will be Lot 3, "Byrnes Mini-Storages", will be dedicated as a mutual access easement. Eighteen (18') feet of the proposed emergency ingress/egress will be located on Lot 3, Byrnes Mini-Storages and eight (8') feet located on Lot 11, Block 2, Southern Memorial Acres No. 2.

f. Two (2) mutual access easements will allow cross access between Lots 1 and 2, Development Area A.

8. RESTRICTIVE COVENANTS ENFORCEMENT

a. Restrictive covenants will be adopted and recorded for the PUD as plotted. The hours of daily operation will be from 8:00 am to 10:00 pm. There will be no space used as a residential dwelling. A security system will be installed for the project to monitor client movement within the facility and serve as a deterrent for non clients.

SECTION J. PRIVATE COVENANTS AND RESTRICTIONS.

Usage of the following words shall having the following meanings, unless the context clearly requires otherwise: "City" shall mean the City of Bixby; "lot" shall mean a lot in the Subdivision; "lot owner" shall mean a lot owner in the Subdivision; "plat" shall mean the accompanying plat of the Subdivision and "zoning code" shall mean the City of Bixby Zoning Code.

For the purpose of providing an orderly development of the Subdivision and for maintaining conformity of the improvements therein, the following covenants and restrictions hereby are imposed upon the use and occupancy of the lots within the Subdivision.

A. Private Covenants and Restrictions Applicable to all Lots. The following standards shall apply to all lots of the Subdivision unless specifically modified or superseded by more specific provisions adopted by the Owner as hereinafter provided.

1. Mutual Access Easements. Mutual Access Easements, as depicted on the accompanying plat, are hereby established for the purposes of permitting vehicular and pedestrian access to and from all areas adjacent to and contained within the plat, and such easements shall be for the mutual use and benefit of each affected lot owner, their guests, and invitees, and shall be appurtenant to each affected lot. Provided, however, governmental agencies and suppliers of utilities shall have the reasonable use of the easements incidental to the provision of services within the lots within the plat.

2. Mutual Access Easement Maintenance.

The Helene V. Byrnes Foundation will be responsible for the maintenance of the Mutual Access Easement and any and all improvements situated in the Mutual Access Easement.

3. Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat. Within these easements no structure, planting or other material, other than properly permitted paved parking, shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities, or which may change the direction of flow or drainage in the easements or which may obstruct or retard the flow of water, and all improvements in it shall be maintained continuously by the owner of the lot, except for those improvements for which a public authority or utility company is responsible or for repairing or replacing any damaged parking lot paving.

4. No lot shall be used or maintained as a dumping ground. Rubbish, trash, garbage and/or other wastes shall not be kept except in approved sanitary containers. All equipment for the storage and/or disposal of such rubbish, trash, garbage or other wastes shall be fenced from view and kept in a clean and sanitary condition.

B. Duration, Amendment and Severability.

1. Duration. These restrictions shall remain in full force and effect until January 1, 2025, and shall automatically be extended thereafter for successive periods of ten (10) years each unless terminated or amended as hereinafter provided.

2. Amendment or Termination. The private covenants and restrictions contained in this Deed of Dedication may be amended, modified, changed or canceled by a written instrument signed and acknowledged by the Helene V. Byrnes Foundation, except Sections 1A, 1B, 1C, 1D, 1E, 3A.3, 3B.2, and 3B.4, and all of Sections 2 (PUD restrictions), which may be altered only with the written consent of the City of Bixby.

3. Severability. Invalidity of any restriction set forth herein, or any part thereof, by an order, judgement or decree of any court or otherwise, shall not invalidate or affect any of the other restrictions of any part thereof as set forth herein, which shall remain in full force and effect.

4. Enforcement. The restrictions herein set forth are covenants to run with the land shall be binding upon the Owner, its successors and assigns and all parties claiming under it, and otherwise shall be enforceable as set forth and shall be binding upon the Owner, its successors and assigns and all parties claiming under it. If the Owner, or its successors or assigns, shall violate any of the covenants herein, it shall be liable for the City of Bixby, Oklahoma (as to the violation of the Covenants contained in Section 1), to maintain any action at law or in equity against the Owner to prevent the Owner from so doing, to compel compliance with the covenants, or to recover damages for such compliance with the covenant.

Any successor(s) in title to the lots within BYRNES MINI-STORAGES, to enforce any given restriction or covenant or condition at any time, or from time to time, shall not be deemed to be a waiver or relinquishment of any right or remedy, nor a modification of these restrictions and protective covenants.

As owner we hereby certify that we have caused the land described in this plat to be surveyed, divided, mapped, granted, donated, conveyed, dedicated and access rights reserved as represented on this plat.

In witness whereof the owner have executed this Deed of Dedication on this _____ day of _____, 2022.

Boardwalk Self Storage, LLC

By: Jared Jones, Managing Member

STATE OF OKLAHOMA)
COUNTY OF TULSA)

Before me the undersigned, a Notary Public in and for said County and State, on this _____ day of _____, 2022, personally appeared Jared Jones to me known to be the identical person who subscribed the name thereof to the foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed and as the free and voluntary act and deed for said limited liability company, for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

Notary Public

My commission expires: _____

SURVEYORS CERTIFICATE

I, Josh Lamb, a Registered Land Surveyor in the State of Oklahoma, hereby certify that I have fully complied with the requirements of this regulation and the subdivision laws of the State of Oklahoma governing surveying, dividing and mapping of the land, that the plat is a correct representation of all the exterior boundaries of the land surveyed and the subdivision of it; and, that the plat represents a survey made under my direct supervision.

WITNESS my hand and seal this _____ day of _____, 2022.

Josh Lamb, RLS #1878
C.A. No. 6038 Exp.Date: 6/30/2023

STATE OF OKLAHOMA)
COUNTY OF TULSA)

Before me, the undersigned, a Notary Public in and for said County and State, on this _____ day of _____, 2022, personally appeared Josh Lamb, to me known to be the identical person who executed the foregoing instrument, and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

Given under me hand and seal the day and year last above written.

Notary Public

My Commission expires: _____

Byrnes Mini-Storages

Bixby, Oklahoma

June 1, 2013

Prepared For:

Helene V. Byrnes Foundation
12345 So. Memorial Dr., #108
Bixby, Oklahoma 74008

CITY OF BIXBY

FEB 21 2014

RECEIVED

By Enyat

Prepared By:

J.R. Donelson, Inc.
12820 So. Memorial Dr., Office 100
Bixby, Oklahoma 74008

Final As
Approved

Byrnes Mini-Storages

Planned Unit Development Number 77

Introduction.

Byrnes Mini-Storages is planned for a Mini-Storage and Office development. The overall site totals 3.4616 acres. The site is located on the east side of South Memorial Drive and includes the east parcel of "The Boardwalk on Memorial" and Lot 11, Block 2, Southern Memorial Acres No.2. See Exhibit A, which is a Preliminary Plat of the Site.

As depicted on Exhibit B to this Planned Unit Development (PUD), the proposed PUD consists of two development areas. Development Area A will be used as Mini-Storage and Development Area B will remain residential. Development Area B will serve to provide a secondary, emergency only access drive for Development Area A. The legal description for this PUD is shown in Exhibit B1.

Zoning.

The Site, Development Area A currently consists of two parcels. The eastern parcel will be known as Lot 2, Block 1 and is presently zoned "AG", (Agriculture District). The western parcel will be known as Lot 1, Block 1 and is presently zoned "AG" and is a part of "The Boardwalk on Memorial", PUD 29A. An underlying zoning change is requested to "OL", (Office Low Intensity District). Development Area B will be known as Lot 3, Block 1 and is presently zoned "RS-2" (Residential District) and will remain "RS-2". Attached is Exhibit C, which is a map from INCOG that identifies the existing zoning of the site and surrounding area. All uses by right of "OL", (Office Low Intensity District) zoning will be allowed in Development Area A as well as Use Unit 16, mini-storage business use. All uses by right of "RS-2" will be allowed in Development Area B. The underlying zoning change application is case no. BZ-365.

The Comprehensive land-use Plan.

The Site is located within the jurisdiction of the Bixby Comprehensive Plan 2001-2020. The Helene V. Byrnes Foundation is requesting the Bixby Comprehensive Plan be modified to allow the "OL", Office Low Intensity District zoning classification be allowed on this property. It is presently defined as a residential area by the Comprehensive Plan.

Detailed Site Plan.

Prior to building permit issuance a Detailed Site Plan, adequate to demonstrate compliance with applicable standards and including details on proposed parking and landscape plans, shall be submitted for Planning Commission approval as required by the Zoning Code Section 11-7L-8.B.5 and this PUD.

Site Soil Conditions

The Soil Survey of Tulsa County, Oklahoma list the soil for this site to be "Choska very fine loam". The site is nearly level and has moderately permeable soil.

Existing Easements in Development Area A.

The open space of the re-platted portion of "The Boardwalk on Memorial" will either abandon, vacate or modify existing utility easements filed with the "The Boardwalk on Memorial" plat. A modification / waiver for the 17.5' perimeter easement will be requested upon submittal of the preliminary plat.

Modifications to the Approved PUD.

Modifications to the approved Byrnes Mini-Storages, PUD 77 will be either a "Minor" or "Major" amendment to the PUD and will require Bixby City Council approval.

City Department Requirements.

Standard requirements of the City of Bixby Fire Marshal, City Engineer and City Attorney shall be met. The 30' standard of Use Unit 16 ministorage is reduced by this PUD to 26' wherever permitted by Fire Marshal.

Development Standards

A. DEVELOPMENT AREA A LAND AREA.

Gross:	2.826 acres	123,110 square feet
Net:	2.826 acres	123,110 square feet

PERMITTED USES (to be allowed by right):

Those uses permitted are all the Use Units allowed by right within the "OL" zoning district of the City of Bixby Zoning Code as well as Use Unit 16 mini-storage business use; and all accessory uses permitted in the underlying zoning district and in the Planned Unit Development Chapter of the City of Bixby Zoning Code.

MINIMUM FRONTAGE	0
MAXIMUM BUILDING FLOOR AREA	47,600 square feet
MAXIMUM BUILDING HEIGHT (mini-storage buildings)	12 feet
MAXIMUM BUILDING HEIGHT (office building)	24 feet
F.A.R. (floor to area ratio)	0.387
MINIMUM BUILDING SETBACKS	
Lot 1, Block 1	West 17.5feet North 4feet South 4feet East 0feet
Lot 2, Block 1	West 0feet North 4feet South 4feet East 5feet

STORMWATER DETENTION AREA Minimum 12,311 sf, 10% of the development area.
 Maximum 18,466sf, 15% of the development area.

BUILDING WALL MATERIAL Building walls and screening fences adjacent to the north, south and east property lines (adjoining RS-2 zoning) will be of masonry construction. The option is either brick or a split faced concrete block. The east-facing ends of three (3) easternmost buildings adjoining RS-2 zoning and the west-facing ends of three (3) westernmost buildings (visible from RS-2 zoning), will be of masonry construction. Interior facing walls will be metal or masonry.

BUILDING DESIGN The buildings in Development Area A will have shed roofs slanted inward to the development site, ensuring all roof drainage is directed into the internal storm water drainage system, and will not drain onto adjoining properties. The roof will not overhang adjacent property lines and the roof pitch will be between 1/12 and 4/12.

**B. DEVELOPMENT AREA B
LAND AREA.**

Gross: (includes ½ abutting ROW)	0.6356 acres	27,690 square feet
Net:	0.6018 acres	26,215 square feet

PERMITTED USES (to be allowed by right):

Those uses permitted are all the Use Units allowed by right within the "RS-2" zoning district of the City of Bixby Zoning Code; and all accessory uses permitted in the underlying zoning district and in the Planned Unit Development Chapter of the City of Bixby Zoning Code.

MINIMUM FRONTAGE	65.83 lin.ft.
MAXIMUM PROPOSED UNITS	1 units
MAXIMUM BUILDING HEIGHT	35 feet
MINIMUM BUILDING SETBACKS	
Pursuant to Section 11-7B-4 Table 3, of the City of Bixby Zoning Code.	
LANDSCAPE/GREEN AREA	minimum 3,932 sf 15% gross land area

C. DEVELOPMENT STANDARDS FOR ALL DEVELOPMENT AREAS

1. LANDSCAPED AREA AND SCREENING

- a. Preliminary landscaping and screening area represented on Exhibit G, Development Area A - Any building wall visible from an adjacent residential zoned property will be screened by a 6'-0" concrete block or brick wall. Screening any portion of the North or South property line will be accomplished by utilizing the exterior wall of the building, which will be either brick or split faced concrete block and/or a 6'-0" concrete block or brick wall and will be a substitute for a screening fence. This is shown on Exhibit G. There will be a 4'-0" landscape area south of the south building adjacent to the south property line. Constructing the south building 4'-0" north of the south property line will allow 14 trees situated along the south property line to remain. Development Area B - The existing trees and landscaping will remain on the site. No screening fences area required. The existing 6' wooden privacy fence west of this site on "The Boardwalk on Memorial" will be replaced with a concrete block wall similar to the existing wall on the east side of "The Boardwalk on Memorial."
- b. A 4'-0" easement described as, "Existing Tree Preservation and Landscape Easement", will be shown on the south 4'-0" of the entire Development Area A.
- c. Three trees are required along the west property line. Two trees are required along the east property line. One tree is required along the north property line. Eight trees are required along the south property line. A total of 24 trees, 6" in diameter or larger will be preserved on the site. The preserved tree credit will be equal to 48 trees. These are shown on Exhibit G. Fourteen trees are required and a 48 tree count is provided. No trees will be planted.
- d. The south property line area will have a landscape area of 4'-0" x 723.62', which equals 2,894.48 sf. The total landscape area, including the detention area is 18,654.28 sf or 15.15% of Development Area "A".
- e. Exhibit G shows the landscape areas and percentages for each property line.

2. SIGNS

- a. Signage shall comply with the PUD Chapter (Chapter 7-I). One (1) ground monument sign will be permitted in Development Area A and shall not exceed 15'-0" in height.
- b. Flashing signs, changeable copy signs, running light or twinkle signs, animated signs, revolving or rotating signs with movement shall be prohibited in this PUD for Development Areas A and B, except as may be permitted by the Bixby Planning Commission as part of the approved detail sign plan.

3. LIGHTING

- a. Lighting used to illuminate the development area shall be so arranged as to shield and direct the light away from adjacent properties. Building-mounted lights will not exceed 12 feet in height.

4. TRASH, MECHANICAL AND EQUIPMENT AREAS

- a. There shall be no storage of recyclable materials, trash or similar material. All trash, ground supported mechanical and equipment areas, shall be screened from adjacent properties.

5. SITE GRADING

- a. According to the adopted and effective FEMA floodplain maps, the site has some amount of Flood Zone "AE" 100 year floodplain along the north line of Development Area A. An Earth Change / Floodplain Development permit will be requested and will determine if and how much area is in the "AE" zone. The Earth Change/ Floodplain Development permit will be approved by the Bixby City Council to allow site grading as proposed for this development. An Elevation Certificate by an Oklahoma Registered Professional Land Surveyor will be required prior to the issuance of a Building Permit / Floodplain Development Permit for the construction for the foundation of each building within Development Area A, which Elevation Certificate must demonstrate the 100-year Base Flood Elevation for the building site and the existing finished grade. A second Elevation Certificate will be required upon the completion of the foundation of each building in Development Area A prior to the issuance of a Building Permit / Flood Plain Development Permit for the balance of the building and must demonstrate the First Finish Floor of each structure's foundation is at least one (1) foot above the 100 year Base Flood Elevation. Alternately, the Elevation Certificate requirement may be avoided if the lot is fully removed from the adopted and effective FEMA floodplain maps at the time a building permit is sought.

The site will be graded so that storm water runoff flows to surface area drains located in the drive lanes, between the mini-storage buildings. The storm water will flow to a proposed dry storm water detention facility in the northeast portion of Lot 2. An existing French drain located approximately 2.5 feet north of the south property line presently collects storm water runoff along the south line of Development Area A and directs it to the Fry Ditch. The French drain will remain in place. Storm water runoff along the east boundary of Development Area A will be collected and directed to the proposed detention facility in the northeast portion of Lot 2. A Professional Engineer registered in the State of Oklahoma shall certify to the appropriate City official that all required storm water drainage requirements serving the Site have been installed in accordance with the approved plans prior to issuance of an Occupancy Permit on that lot. During construction on the property, the owner will provide adequate and reasonable erosion control methods, and after construction, will provide and maintain vegetative, landscaped ground cover so that soil does not erode on or from the property.

6. TOPOGRAPHY AND UTILITIES

- a. Topography. Topography of the Site is depicted on Exhibit F.
- b. Utilities. Water and sanitary sewer service will be provided by the City of Bixby. An existing water line is located on the east side of South Memorial Drive. A water line will be installed connecting the water line along South Memorial Drive to the existing water line along So. 85th Place. An existing sanitary sewer line is located running parallel to the south property line. A sanitary sewer line will be installed along the west property line and extended to the north property line. Storm water runoff will be collected in area inlets and piped to the on site detention facility.

7. ACCESS, CIRCULATION AND PARKING

- a. Access, traffic circulation and parking are depicted on Exhibit B. All drives and parking areas within the PUD shall be privately owned and maintained.
- b. There will be two (2) access gates along the west property line of Development Area A. One gate access to the Byrnes Mini-Storages for is for customers. The 26' wide gated emergency-only ingress/egress through Lot 11, Block 2, Southern Memorial Acres No. 2 to South 85th Place E. will be accessed using a Knox-switch.
- c. Two (2) mutual access easements across "The Boardwalk on Memorial", will allow access to "Byrnes Mini-Storages". The mutual access easements will be filed at the Tulsa County Court House prior to the issuance of an occupancy permit for buildings in "Byrnes Mini-Storages".
- d. The access to the site, but un-built, So. 85th E. Ave. will not be allowed in the PUD.
- e. A 15 foot Roadway Easement, Doc. No. 2013018388, has been filed on Lot 12, Block 2, Southern Memorial Acres No. 2, allowing emergency access to South 85th E. Place. The south 20 feet of the existing Lot 11, Block 2, Southern Memorial Acres No.2, which will be Lot 3, "Byrnes Mini-Storage", will be dedicated as a mutual access easement. Eighteen (18') feet of the proposed emergency ingress/egress will be located on Lot 3, Byrnes Mini-Storage and eight (8') feet will be located on Lot 11, Block 2, Southern Memorial Acres No. 2.
- f. Two (2) mutual access easements will allow cross access between Lots 1 and 2, Development Area A.

8. RESTRICTIVE COVENANTS: ENFORCEMENT

- a. Restrictive covenants will be adopted and recorded for the PUD as platted. The hours of daily operation will be from 6:00 am to 10:00 pm. There will be no space used as a residential dwelling. A security system will be installed for the project to monitor client movement within the facility and serve as a deterrent for non clients.

9. SCHEDULE OF DEVELOPMENT

Development will commence upon the approval of the PUD, preliminary plat and the construction drawings by the appropriate government agencies. The proposed development schedule is as follows :

- | | |
|--|------------|
| a. Earth Change Permit | 10/15/2013 |
| b. Preliminary Plat | 10/22/2013 |
| c. Approval of construction plans: | 12/1/2013 |
| d. Final Plat / Detailed Site Plan | 12/20/2013 |
| e. Installation of site erosion control: | 12/24/2013 |
| f. Begin site grading: | 1/5/2014 |
| g. Begin building construction: | 2/1/2014 |

Exhibits

Exhibit A.	Conceptual Preliminary Plat.
Exhibit B.	Conceptual Site Plan.
Exhibit B-1.	PUD Site Legal Description.
Exhibit C.	Existing Area Zoning.
Exhibit D.	FEMA Firm Map.
Exhibit E.	Aerial of the Site.
Exhibit F.	Topography of Site.
Exhibit G.	Landscape Plan.

[illegible]

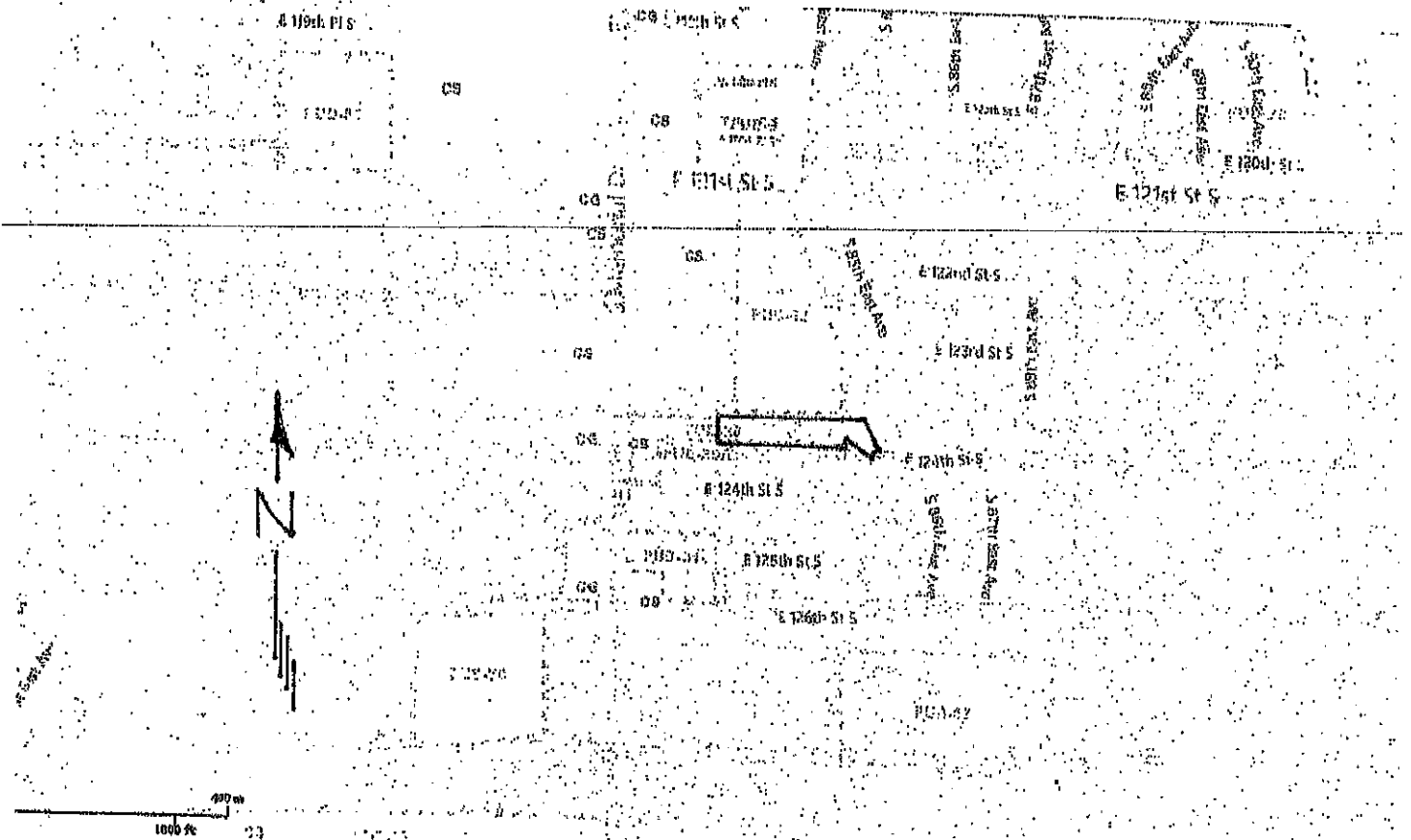
EXHIBIT B-1

PUD SITE LEGAL DESCRIPTION

A tract of land situated in a part of the NW/4 , Section 1, T-17--N, R-13--E, of the Indian Base and Meridian, Tulsa County, State of Oklahoma, being more particularly described by metes and bounds, by Charles K. Howard, LS 297, as follows, to-wit:

Beginning at the northeast corner of "The Boardwalk on Memorial", PUD 29; thence with an assumed bearing of S 89°59'21"E being the north line of "The Boardwalk on Memorial" a distance of 251.74 feet to the northwest corner of Lot 11, Block 2, Corrected plat of Southern Memorial Acres No. 2; thence continuing S 89°59'21"E an along the north line of said Lot 11, Block 2 a distance of 90.00 feet to the northeast corner of said Lot 11, Block 2; thence S 26°30'37"E and along the east line of said Lot 11, Block 2 a distance of 206.32 feet; thence along a curve to the left with a radius of 100.00 feet and a delta angle of 37°43'04" for 65.83 feet, with a chord bearing of S35°48'20"W and a chord distance of 64.65 feet; thence N 54°52'56"W a distance of 177.62 feet; thence S 00°24'08"W a distance of 35.00 feet; thence N 89°59'21"W a distance of 471.88 feet; thence N 00°00'39"E a distance of 170.00 feet to the north line of "The Boardwalk on Memorial"; thence S 89°59'21"E and along the north line of "The Boardwalk on Memorial" a distance of 473.04 feet to the point of beginning and containing 3.428 acres more or less.

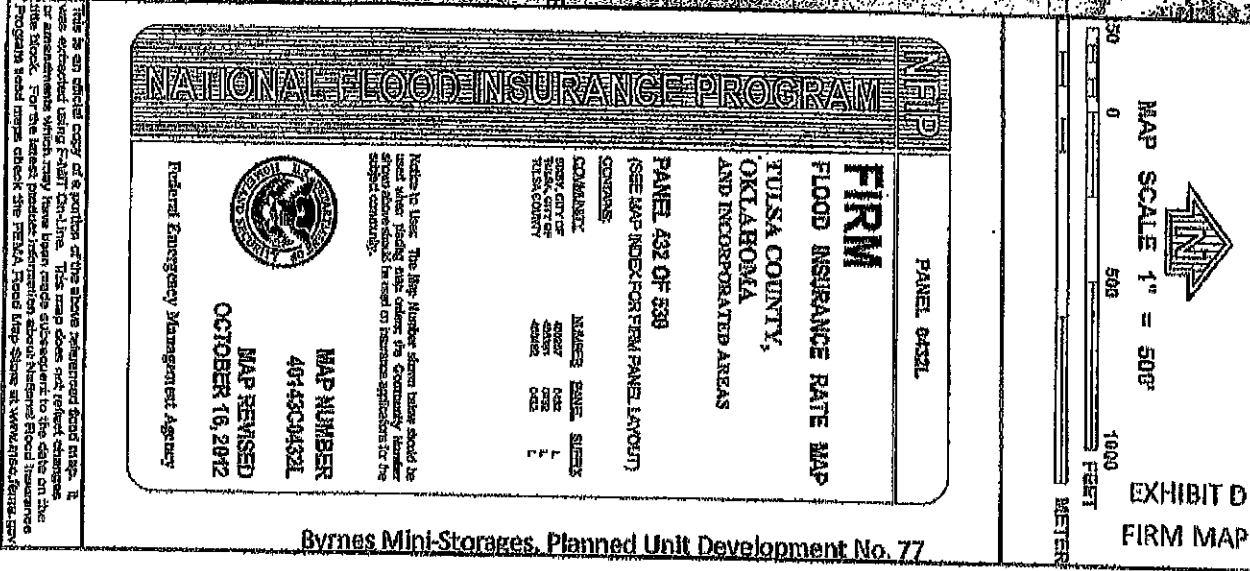
PUD SITE LEGAL DESCRIPTION

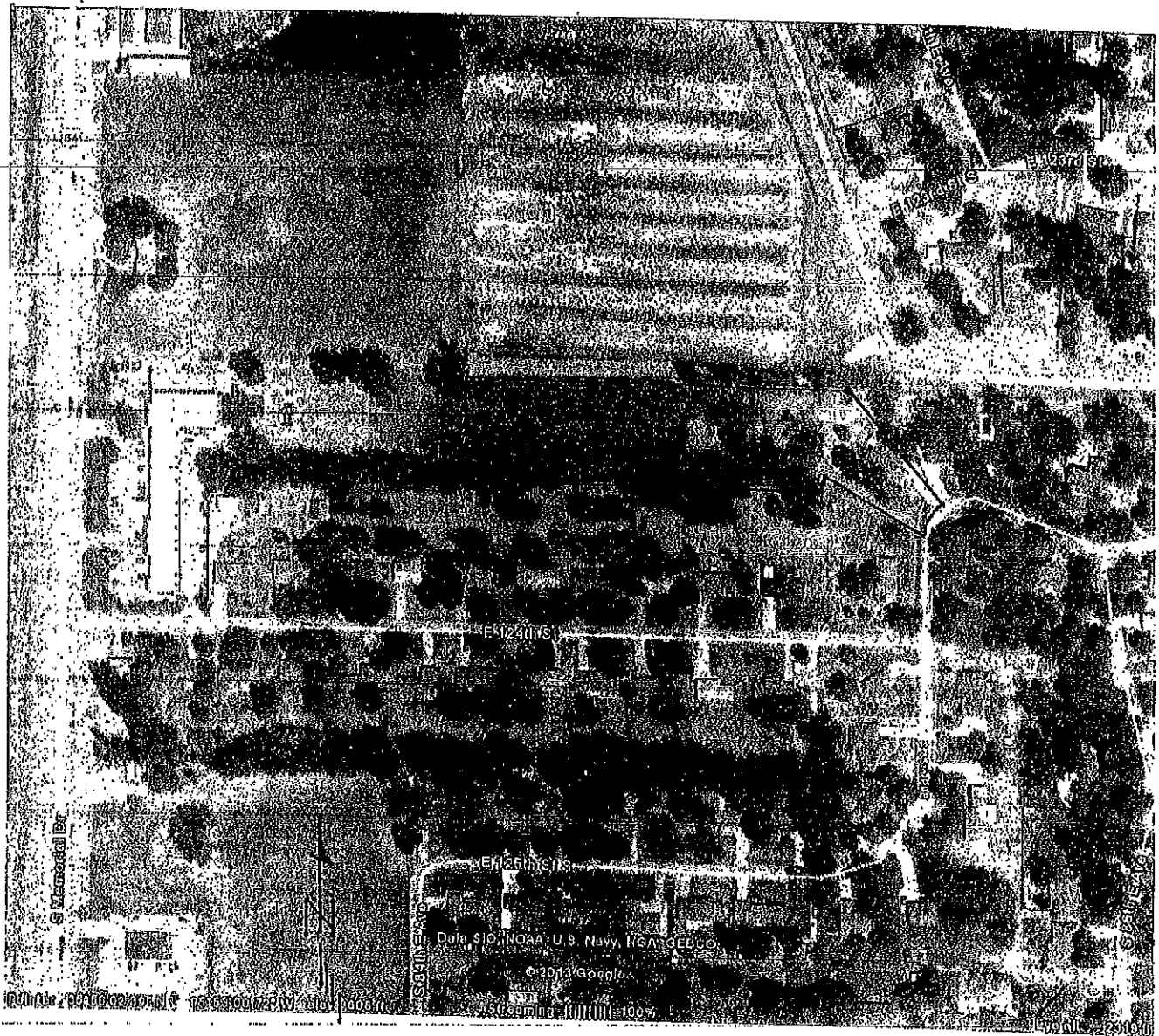


This map should be used for general reference purpose only. Areas in question should be verified at the INCOG office or at the respective municipality. Thu Feb 14 2013 03:29:06 PM.

EXISTING AREA ZONING
EXHIBIT C

Byrnes Mini-Storages, Planned Unit Development No. 77





Byrnes Mini-Storages, Planned Unit Development No. 77

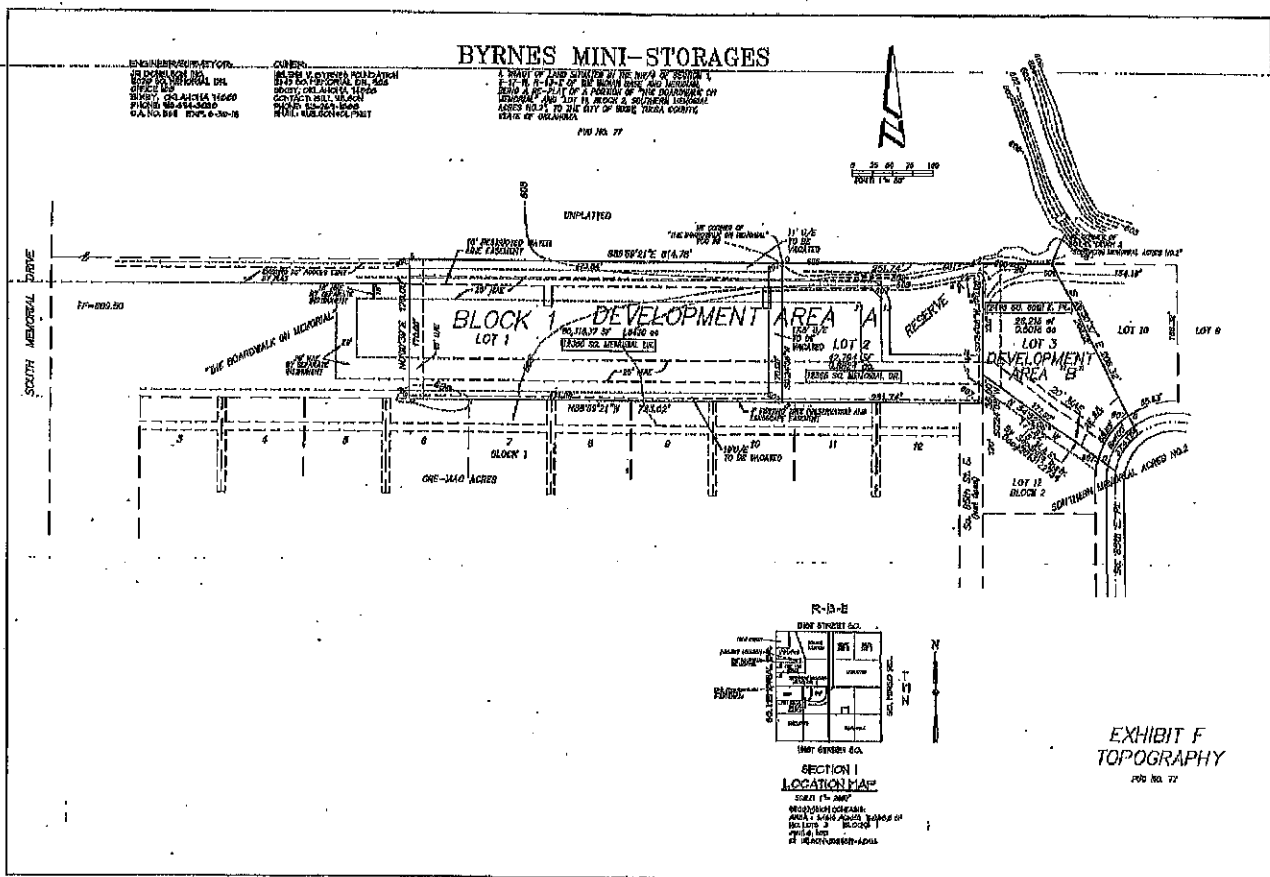
EXHIBIT E
AERIAL OF SITE

ENGINEER SUPPLY CO.
JR DONALDSON DR
6070 60th AVE NE, 151
OFFICE 100
BUREAU, OLANCHIA 71000
PHONE: 954-84-3030
O.A. NO. 598 1745.6-30-18

CUNEO
14131 V. STYREB FOUNDATION
1413 BO. PERSONAL DR. 205
DOCKY, OKLAHOMA 74105
CONTACT BILL WILSON
PHONE 83-269-1505
H/OIL, RUSCON/CLP/MT

A TRACT OF LAND SITUATED IN THE NW 1/4 OF SECTION 1,
T-17-N, R-13-E OF THE TOWN OF BASS AND MERIDIAN,
BEING A RE-PLAT OF A PORTION OF "THE BOARDMAN CRY
MEMORIAL" AND LOT 18, BLOCK 2, SOUTHERN MEMORIAL
ACROSS HIGHWAY 2 TO THE CITY OF BIRMINGHAM, TUSCALOOSA COUNTY,
STATE OF ALABAMA.

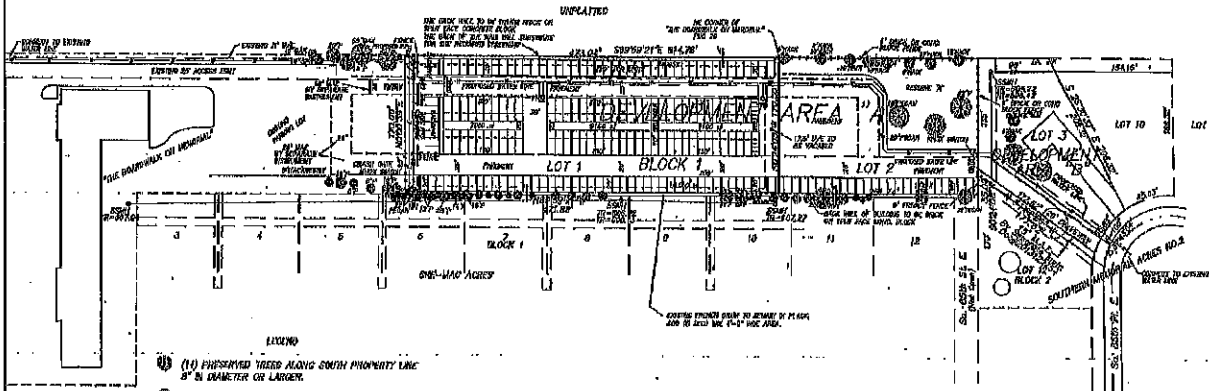
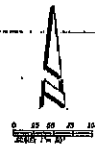
END 263 27



BYRNES MINI-STORAGES

DESIGNED BY: J. J. JONES & ASSOCIATES, INC.
 1000 N. W. 10TH AVE., SUITE 100
 MIAMI, FL 33136
 PHONE: 305-581-2000
 FAX: 305-581-2001

CLIENT: BYRNES MINI-STORAGE
 1000 N. W. 10TH AVE., SUITE 100
 MIAMI, FL 33136
 PHONE: 305-581-2000
 FAX: 305-581-2001



- EXISTING
- 1. (1) PRESERVED TREES ALONG SOUTH PROPERTY LINE 8" IN DIAMETER OR LARGER.
 - 2. (2) PRESERVED TREES ALONG NORTH PROPERTY LINE 8" IN DIAMETER OR LARGER.
 - 3. (3) PRESERVED TREES ALONG EAST PROPERTY LINE 8" IN DIAMETER OR LARGER.
 - 4. (4) PRESERVED TREES
 - 5. (5) TREES REMOVED AND 14" 44 REPLACED TREES LARGER THAN 8" IN DIAMETER TO 40 TREES.

TREE DESIGNATIONS:
 14" - 18" DIAMETER 10" - 14" DIAMETER
 P - PECAN T - TANGIER

LANDSCAPE AREA, DEVELOPMENT AREA "A"
 NORTH PROPERTY LINE 0.714,600 SF
 EAST PROPERTY LINE 10,783 SF
 SOUTH PROPERTY LINE 20,000 SF
 WEST PROPERTY LINE 0 SF
 TOTAL LANDSCAPE AREA 28,334.20 SF ± 16.02%

LANDSCAPE AREA, DEVELOPMENT AREA "A"
 RESTORATION, TREES AND GRASS TO REMAIN.

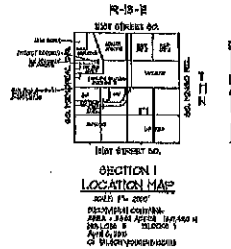
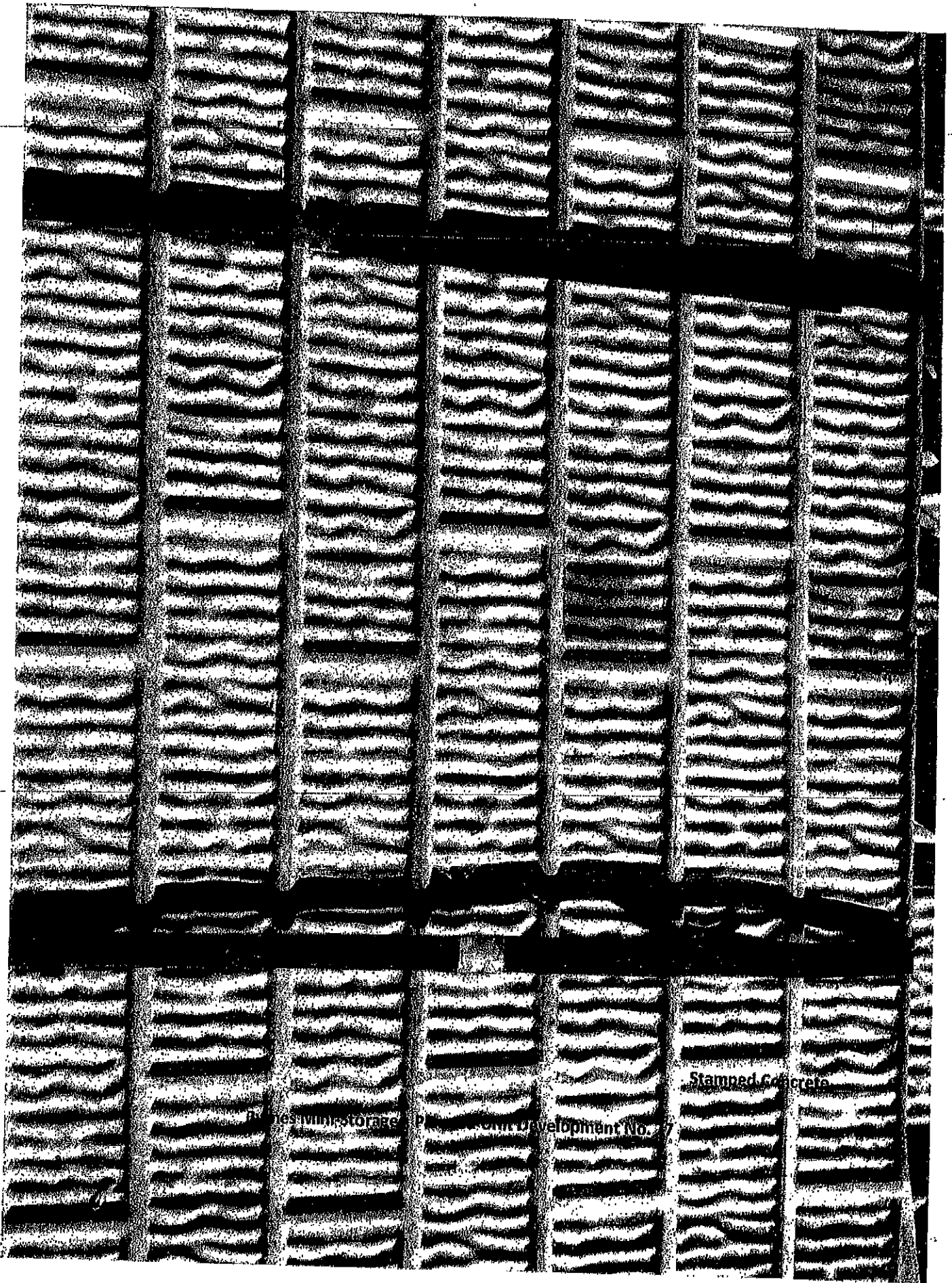


EXHIBIT G
 LANDSCAPE PLAN



Stamped Concrete

Business Storage Development No. 17

March 10, 2014 at 6:00 P.M.

CALL TO ORDER

MAYOR OR VICE-MAYOR

ROLL CALL

CITY CLERK

PLEDGE OF ALLEGIANCE

INVOCATION

CONSENT AGENDA

CITY CLERK'S REPORT

Consider and approve:

- a) Minutes for the Regular City Council meeting dated 02/24/2014.
- b) Proclamation proclaiming March 23-29, 2014 as "Arbor Week".
- c) Proclamation proclaiming March 28, 2014 as "Arbor Day".
- d) Denial of tort claim from David G. Smith.
- e) Sole source renewal of annual INCODE maintenance agreements for Call Center, Forms Overlay and Laserfiche Interface for \$3,853.17.
- f) Budget amendment to budget \$10,000 reimbursed from Oklahoma Emergency Management and for the expenditure of \$10,000 for various upgrades to Park Department's backhoe.
- g) Acknowledge receipt of Permit No. WL000072140081, Potable Water Line Extension to serve Quail Creek of Bixby, Facility No. 3007243.
- h) Acknowledge receipt of Permit No. SL000072140082, Sanitary Sewer Line Extension to Serve Quail Creek of Bixby, Facility No. S-20438.
- i) Acknowledge receipt of Permit No. SL000072140079, Sanitary Sewer Line Extension to Serve Quail Creek Villas of Bixby, Facility No. S-20438.

Easton	No
Guthrie	No
Bowen	Yes

Mayor Bowen said Item #3 on the Regular Agenda is:

Second Reading and discussion and consideration of an ordinance to amend Ordinance No. 272 to approve Comprehensive Plan Amendment BCPA-9, supplemental zoning PUD 77, and rezoning from AG to OL per BZ-365 for property located at 12355 and 12365 S. Memorial Dr. and 12404 S. 85th E. Pl.

Presented by: Erik Enyart

City Planner, Erik Enyart stated that this is the property to the south of the one we just considered, it is behind the Boardwalk on Memorial Shopping Center at 12355, this is a similar situation council has approved the PUD but not the ordinance, the ordinance is before you because we have the final PUD as approved by council. Vice-Mayor Easton asked Erik if this was the one we had the lengthy discussion on drainage; Erik stated yes. Vice-Mayor Easton asked Jared where are we at on this, City Engineer Jared stated since we are still in the PUD stage, the conversation is still where we left it and we don't have any additions design information.

Mayor Bowen asked for a motion on item #3. Councilman Todoroff made motion to approve, seconded by Vice-Mayor Easton. The vote was taken with the following results:

Carried 3-2

Todoroff	Yes
Easton	Yes
Loudermilk	No
Guthrie	No
Bowen	Yes

Mayor Bowen said Item #4 on the Regular Agenda is:

Discussion and consideration to approve applications for supplemental zoning PUD 82 and rezoning from AG to RS-2 per BZ-370 for approximately 18 acres in part of the SW/4 of the SW/4 of Section 35, T18N, R13E, addressed 6905 E. 121st St. S. & 11803 and 11809 S. Sheridan Rd.

Presented by: Erik Enyart

Others who spoke: Tom Wenrick of Wenrick Development Co, and Haynes Reynolds

City Planner, Erik Enyart stated there are 3 items on the agenda pertaining to this proposal; the first one is introduced as the application for rezoning and PUD, the ordinance and the emergency clause attachment those not ready, assuming approval we will bring those back to the next meeting. This PUD went to the Planning Commission on the 18th and did get a favorable recommendation, there were certain correction and modification, and conditions of approval to



Tulsa County Clerk - PAT KEY
Doc # 2014016855 Page(s): 3
Recorded 03/04/2014 at 09:39 AM
Receipt # 457307 Fee \$17.00

South County Leader,
City of Bixby, Tulsa County, Oklahoma
, 2014)

RETURN TO:
City of Bixby
P.O. Box 70
Bixby, Ok 74008

ORDINANCE No. 2127

CITY OF BIXBY, OKLAHOMA

AN ORDINANCE AMENDING ORDINANCE NO 272, APPROVING BZ-365 AND OL (OFFICE LOW INTENSITY DISTRICT) ZONING WITH SUPPLEMENTAL ZONING, PLANNED UNIT DEVELOPMENT # 77, AMENDING THE COMPREHENSIVE PLAN PER BCPA-9, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED by the City Council of Bixby, Oklahoma:

SECTION 1. That the Comprehensive Plan Land Use Plan Map of the following described property, situated in the City of Bixby, County of Tulsa, State of Oklahoma:

A tract of land that is part of Lot 1 in Block 1 of "The Boardwalk on Memorial, an Addition to the City of Bixby, Tulsa County, Oklahoma, according to the Recorded Plat thereof, said tract of land being more particularly described as follows, to-wit: Starting at the Easternmost Southeast Corner of said Lot 1, said point shall also be the "Point of Beginning" of said tract of land; Thence N 89°59'21" W for 471.88'; Thence N 00°00'39" E for 170.00'; Thence S 89°59'21" E for 473.04'; Thence S 00°24'08" W for 170.00' to the "Point of Beginning" of said tract of land.

And

The East 256.23 feet of the North 170 feet of the North Half (N/2) of the Southwest Quarter (SW/4) of the Northwest Quarter (NW/4) of Section One (1), Township Seventeen (17) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof.

Property located: 12355 & 12365 S. Memorial Dr.

Be, and the same is hereby amended to remove the "Residential Area" specific land use designation.

SECTION 2. That the Zoning Classification of the following described property, situated in the City of Bixby, County of Tulsa, State of Oklahoma:

A tract of land that is part of Lot 1 in Block 1 of "The Boardwalk on Memorial, an Addition to the City of Bixby, Tulsa County, Oklahoma, according to the Recorded Plat thereof, said tract of land being more particularly described as follows, to-wit: Starting at the Easternmost Southeast Corner of said Lot 1, said point shall also be the "Point of Beginning" of said tract of land; Thence N 89°59'21" W for 471.88'; Thence N 00°00'39" E for 170.00'; Thence S 89°59'21" E for 473.04'; Thence S 00°24'08" W for 170.00' to the "Point of Beginning" of said tract of land.

And

The East 256.23 feet of the North 170 feet of the North Half (N/2) of the Southwest Quarter (SW/4) of the Northwest Quarter (NW/4) of Section One (1), Township Seventeen (17) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof.
Property located: 12355 & 12365 S. Memorial Dr.

Be, and the same is hereby amended to reflect the zoning of OL (Office Low Intensity District).

SECTION 3. That the Zoning Classification of the following described property, situated in the City of Bixby, County of Tulsa, State of Oklahoma:

A tract of land that is part of Lot 1 in Block 1 of "The Boardwalk on Memorial, an Addition to the City of Bixby, Tulsa County, Oklahoma, according to the Recorded Plat thereof, said tract of land being more particularly described as follows, to-wit: Starting at the Easternmost Southeast Corner of said Lot 1, said point shall also be the "Point of Beginning" of said tract of land; Thence N 89°59'21" W for 471.88'; Thence N 00°00'39" E for 170.00'; Thence S 89°59'21" E for 473.04'; Thence S 00°24'08" W for 170.00' to the "Point of Beginning" of said tract of land.

And

The East 256.23 feet of the North 170 feet of the North Half (N/2) of the Southwest Quarter (SW/4) of the Northwest Quarter (NW/4) of Section One (1), Township Seventeen (17) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof.

And

Lot Eleven (11), Block Two (2), SOUTHERN MEMORIAL ACRES NO. 2, a Subdivision in Tulsa County, State of Oklahoma, according to the Recorded Plat # 2794 thereof.

Property located: 12355 & 12365 S. Memorial Dr. and 12404 S. 85th E. Pl.

Be, and the same is hereby amended to reflect the Supplemental Zoning of Planned Unit Development (PUD) # 77 for "Byrnes Mini-Storages."

SECTION 4. That PUD 77 and its Outline Development Plan shall be subject to the development standards and conditions recommended by the City of Bixby Planning Commission in Case No. PUD 77, as set forth within the record and minutes of the Commission meeting of May 20, 2013, and approved by the City Council on the date of this ordinance.

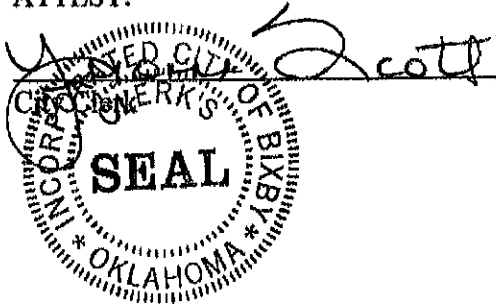
SECTION 5. That the Outline Development Plan for PUD 77, consisting of text and exhibits dated as received February 19, 2014, on file with the City Clerk and located in the office of the City Planning Department, be and the same are incorporated into this ordinance by reference.

SECTION 6. That all Ordinances or parts of Ordinances in conflict herewith be, and the same are hereby repealed.

Adopted by a 3:2:0 vote of the City Council of the City of Bixby, Oklahoma, this 24th day of February, 2014.

Mayor Ray Bow

ATTEST:



APPROVED AS TO FORM:

Patrick T. Boulden
City Attorney



South County Leader
City of Bixby, Tulsa County, Oklahoma
(_____, 2014)

RETURN TO:
City of Bixby
P.O. Box 70
Bixby, Ok 74008

ORDINANCE No. 2132

CITY OF BIXBY, OKLAHOMA

AN ORDINANCE CLOSING A UTILITY EASEMENT IN SECTION 01, TOWNSHIP 17-NORTH, RANGE 13-EAST, IN THE BOARDWALK ON MEMORIAL, A SUBDIVISION IN THE CITY OF BIXBY, STATE OF OKLAHOMA, ACCORDING TO RECORDED PLAT NO. 5717 THEREOF, AND DECLARING AN EMERGENCY.

WHEREAS, application has been made to close part of an easement in the City of Bixby, Oklahoma; and

WHEREAS, the request is reasonable and the City of Bixby, Oklahoma, has determined it will be in the best interest of its citizens that the concerned part of said easement be closed.

NOW THEREFORE, BE IT ORDAINED by the City Council of Bixby, Oklahoma:

SECTION 1. That the following described Utility Easement:

All of the Utility Easements platted and dedicated within Development Area B of Lot 1, Block 1, *The Boardwalk on Memorial*, a Subdivision in the City of Bixby, Tulsa County, State of Oklahoma, according to the Recorded Plat # 5717 thereof.
Property Located: 12345 S. Memorial Dr.

Be, and the same is hereby closed as a Utility Easement.

SECTION 2. That the City of Bixby retains the absolute right to reopen said easement without expense to the City of Bixby.

SECTION 3. The closing of said easement shall not affect the right to maintain, repair, reconstruct, operate, or remove utility, public service corporation or transmission company facilities existing therein, nor shall such closure affect private ways existing by operation of law.

SECTION 4. That because this Ordinance is essential to the proper and orderly growth of the City of Bixby, an Emergency is hereby declared to exist for the preservation of the Public Peace, Health and Safety, by reason whereof this Ordinance shall take effect and be in force immediately upon its passage and publication.

Adopted by a 4-1 vote of the City Council of the City of Bixby, Oklahoma, this 24th day of March, 2014, with Emergency Clause voted upon separately.

Ray Borne
Mayor

Adopted as an Emergency Measure by a 4-1 vote of the City Council of the City of Bixby, Oklahoma, this 24th day of March, 2014.

Ray Borne
Mayor



APPROVED AS TO FORM:

Patricia T. Boulder
City Attorney

PUBLISHER'S AFFIDAVIT

PO# 03-01847 / ORD NO. 2132

PUBLICATION DATE(S)

04/03/14

CASE NUMBER: PO# 03-01847 / ORD NO. 2132

AD NO: 00179243

LEGAL NOTICE

STATE OF OKLAHOMA
COUNTY OF Tulsa

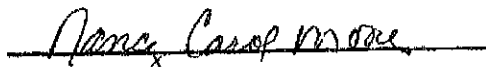
} SS

I, of lawful age, being duly sworn, am a legal representative of South County Leader of Bixby, Oklahoma, a weekly newspaper of general circulation in Tulsa, Oklahoma, a newspaper qualified to publish legal notices, advertisements and publications as provided in Section 106 of Title 25, Oklahoma Statutes 1971 and 1982 as amended, and thereafter, and complies with all other requirements of the laws of Oklahoma with reference to legal publications. That said notice, a true copy of which is attached hereto was published in the regular edition of said newspaper during the period and time of publication and not in a supplement, on the ABOVE LISTED DATE(S)


Representative Signature

Subscribed to and sworn to me this 4th day of April, 2014.

Notary Public


Nancy Carol Moore

My commission number: 06011684

My commission expires: December 8, 2014

Customer #: 00009900

Customer: CITY OF BIXBY

Publisher's Fee: 100.80

NANCY CAROL MOORE
NOTARY PUBLIC
STATE OF OKLAHOMA
COMMISSION NO. 06011684
EXPIRES 12-8-2014

178243

Published in the South County Leader, Bixby, Tulsa County, Oklahoma, April 8, 2014.

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CITY OF BIXBY, OKLAHOMA

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Adopted by a 4-1 vote of the City Council of the City of Bixby, Oklahoma, this 24th day of March, 2014, with Emergency Clause voted upon separately.

/s/ Ray Bowen
Mayor

Adopted as an Emergency Measure by a 4-1 vote of the City Council of the City of Bixby, Oklahoma, this 24th day of March, 2014.

/s/ Ray Bowen
Mayor

ATTEST:

APPROVED AS TO FORM:

/s/ Yvonne Scott
City Clerk

/s/ Patrick Boulden
City Attorney

**CITY COUNCIL MEETING
MUNICIPAL BUILDING
116 W. Needles Ave., Bixby, OK 74008
May 27, 2014 at 6:00 P.M.**

CALL TO ORDER

MAYOR EASTON

ROLL CALL

CITY CLERK

PLEDGE OF ALLEGIANCE

INVOCATION

CONSENT AGENDA

CITY CLERK'S REPORT

Consider and approve:

- a) Minutes for the Regular City Council meeting dated 05/12/2014.
- b) Minutes for the Work Session meeting dated 05/12/2014.
- c) Minutes for the Work Session meeting dated 05/05/2014.
- d) Resolution No. 2014-10: A resolution establishing the City of Bixby's annual Nine-One-One (9-1-1) Emergency Telephone Fee rate within the city limits for calendar year 2015 at its existing rate of five percent (5%).
- e) Accepting General Utility Easements from GF Investments for the North Wastewater Transfer Station Force Main.
- f) Accepting Storm Water Detention Easement from the Woodlake Assembly of God for the campus to be constructed on Mingo, south of 103rd Place South.
- g) Bay enclosure at the Street Maintenance Building for \$14,966 from American Overhead Door.
- h) Approve FY14 supplemental budget amendments to transfer \$68,856 from 2002 Revenue Bond Fund to the Water & Sewer Fund due to financial statements preparer's adjustments.

*Prelim
Plat*

City Planner Erik Enyart stated that we have one vacancy on the Planning Commission and two terms have expired on the 5th of this month. Mr. Whisman is up for a renewed term, and Mr. Hicks is here to fill one of the terms that expired on the 5th. Mayor Easton asked Mr. Hicks to give council some background history about himself. Mr. Hicks stated that he was born and raised here and he and his wife are heavily involved in the community, and Mr. Hicks stated that he is excited about being a part of this board.

Mayor Easton asked for a motion on item #8. Councilman Stewart made motion to approve, seconded by Vice Mayor Guthrie. The vote was taken with the following results:

Carried 4-1

Stewart	Yes
Guthrie	Yes
Loudermilk	Yes
Todoroff	No
Easton	Yes

Mayor Easton said item #9 on the Regular Agenda is:

Discussion and possible action to accept a right-of-way dedication for 126th St. S., west of Memorial Dr.

Presented by Erik Enyart

City Planner Erik Enyart explained that this was dedicated some years ago for a previous development. The form that was used include language says it's only easement essentially, so the tax parcel records still show that the Knopp estate own the street. One of the things this rededication will do will use the language that ensures that we own the street in all other cases as right-of-way. Councilman Todoroff asked the City Attorney Patrick Boulden if he has approved this. Patrick stated yes sir.

Mayor Easton asked for a motion on item #9. Councilman Todoroff made motion to approve, seconded by Councilman Loudermilk. The vote was taken with the following results:

Carried 5-0

Todoroff	Yes
Loudermilk	Yes
Stewart	Yes
Guthrie	Yes
Easton	Yes

Mayor Easton said item #10 on the Regular Agenda is:

Discussion and possible action to approve a **Preliminary Plat for "Byrnes Mini-Storages"** and certain Modifications/Waivers for approximately 3.4 acres consisting of part of Lot 1, Block 1, *The Boardwalk on Memorial*, part of the NW/4 of Section 01, T17N, R13E, and All of Lot 11, Block 2, *Southern Memorial Acres No. 2 Corrected*, addressed 12355 & 12365 S. Memorial Dr. and 12404 S. 85th E. Pl.

Presented by: Erik Enyart

City Planner Erik Enyart stated that preliminary went to the Planning Commission in March and the vote was 2:1:1, staff and Planning Commission recommendation is approval subject to the outstanding items being fixed and there are a few conditions of approval into drainage and floodplain those will need to be resolved as well.

Mayor Easton asked Erik if there were some alternations done to relief water standing on the property owners at the north end of their property, and the owner's providing and paying for that, Erik stated, yes that's correct. Mayor Easton asked Erik to explain.

City Planner Erik Enyart explained in previous conversations there was some concerns expressed about the drainage for the residential properties to the south of this, which has historian existing inadequate drainage issues, the current plan is to add drainpipes underneath the buildings to abut these residential properties which will allow for them to drain their own properties into it and which will go through the commercial development drainage system.

Mayor Easton asked City Engineer Jared Cottle of this current plan. Jared stated that he has handed council a site plan that show the lines that will be relieving the low points on the south side of the property, there are some minor points that will be worked out, but in general the main line runs east and west which is significantly lower than the back yards to the south, which should allow that water to drain in their system out to Fry Creek.

Mayor Easton asked if there were any properties owner here tonight, there were none.

Vice Mayor Guthrie asked if the property owners were aware of the changes being done; JR Donelson stated that the last time I spoke with them this wasn't the issue, they wanted a privacy wall and not see anything to the north, but nothing else was brought up in regards to their back yards and water standing in their back yards, but this would defiantly solve all their issues, if they have any issues with water standing in their back yards. JR stated that the water would go first into the storm sewer pipe then to the retention pond and into the Fry Creek, this will defiantly work.

Councilman Stewart stated that he did like this because you took a lot of time to protect the current home owners that are there yet allowing a businessman to built a business on his property.

Mayor Easton asked for a motion on item #10. Councilman Todoroff made motion to approve, seconded by Councilman Stewart. The vote was taken with the following results:

Carried 4-1

Todoroff

Yes

Stewart

Yes

Loudermilk

No

Guthrie

Yes

REGULAR AGENDA ITEM COMMENTARY

ITEM TITLE: Discuss and/or take action on awarding contract to PbX Corporation for the Bridge Nos. 167 & 168 Rehabilitation; PbX Corporation submitted the lowest and best bid of \$240,997.39

INITIATOR: Justin Dowd, Engineering

STAFF INFORMATION SOURCE: Garver, Consultant

BACKGROUND: As part of the National Bridge Inspection Standards (NBIS), local governments are required to perform routine local bridge inspections in order to participate in federal-aid projects. The City's consultant, Garver, identified a number of deficiencies on Bridges 167 and 168 during their routine inspection. This project will address these deficiencies.

Four bids were submitted, one was rejected; McGill Construction failed to acknowledge the addenda. The bid tabulation is enclosed.

PbX Corporation submitted the **lowest and best bid** at \$240,997.39.

EXHIBITS: Bid tabulation

KEY ISSUE: Contract Award

COUNCIL ACTION: Approve

RECOMMENDATION: Approve

ITEM NO: _____

MEETING DATE: 5-9-2022

MEETING: Council

Project: Bridge Nos. 167 & 168 Rehabilitation
City Project No.: TR21-2102
Bid Date: 5/3/2022
Date: 5/3/2022

					Engineer's Estimate		PbX Corporation P.O. Box 644 Sapulpa, OK 74067		Logos Construction Co., LLC P.O. Box 644 Sapulpa, OK 74067		Cherokee Pride Construction, Inc. P.O. Box 28 Sapulpa, OK 74067	
Item No.	Spec. No.	Item	Qty.	Bid Unit	Bid Unit Price	Total Price	Bid Unit Price	Total Price	Bid Unit Price	Total Price	Bid Unit Price	Total Price
Base Bid - Schedule A - Construction												
1	641	Mobilization	1	LSUM	\$31,994.00	\$ 31,994.00	\$28,627.07	\$ 28,627.07	\$23,800.00	\$ 23,800.00	\$35,000.00	\$ 35,000.00
Subtotal Base Bid - Construction						\$ 31,994.00		\$ 28,627.07		\$ 23,800.00		\$ 35,000.00
Base Bid - Schedule B - Bridge 167 (NBI 25201)												
2	412	Cold Milling Pavement	50	SY	\$ 75.00	\$ 3,750.00	\$ 25.00	\$ 1,250.00	\$ 100.00	\$ 5,000.00	\$ 6.00	\$ 300.00
3	501(G)	CLSM Backfill	5	CY	\$ 200.00	\$ 1,000.00	\$ 300.00	\$ 1,500.00	\$ 225.00	\$ 1,125.00	\$ 300.00	\$ 1,500.00
4	513(A)	Class A Bridge Deck Repair	25	SY	\$ 200.00	\$ 5,000.00	\$ 115.00	\$ 2,875.00	\$ 180.00	\$ 4,500.00	\$ 400.00	\$ 10,000.00
5	513(B)	Class B Bridge Deck Repair	100	SY	\$ 350.00	\$ 35,000.00	\$ 270.00	\$ 27,000.00	\$ 300.00	\$ 30,000.00	\$ 500.00	\$ 50,000.00
6	513(C)	Class C Bridge Deck Repair	3	SY	\$ 800.00	\$ 2,400.00	\$ 350.00	\$ 1,050.00	\$ 1,500.00	\$ 4,500.00	\$ 1,000.00	\$ 3,000.00
7	518(C)	Rapid Cure Joint Sealant	168	LF	\$ 40.00	\$ 6,720.00	\$ 15.00	\$ 2,520.00	\$ 45.00	\$ 7,560.00	\$ 36.00	\$ 6,048.00
8	518(D)	Elastomeric Mortar	6	CF	\$ 1,000.00	\$ 6,000.00	\$ 650.00	\$ 3,900.00	\$ 2,200.00	\$ 13,200.00	\$ 3,700.00	\$ 22,200.00
9	523(C)	Deck Area Sealed (Floodcoats)	1937	SY	\$ 25.00	\$ 48,425.00	\$ 12.50	\$ 24,212.50	\$ 30.00	\$ 58,110.00	\$ 15.00	\$ 29,055.00
10	856(A)	Traffic Stripe(Multi-Poly.)(4" Wide)	8800	LF	\$ 2.50	\$ 22,000.00	\$ 1.80	\$ 15,840.00	\$ 2.00	\$ 17,600.00	\$ 3.00	\$ 26,400.00
11	856(A)	Traffic Stripe(Multi-Poly.)(24" Wide)	104	LF	\$ 15.00	\$ 1,560.00	\$ 20.00	\$ 2,080.00	\$ 15.00	\$ 1,560.00	\$ 20.00	\$ 2,080.00
12	856(B)	Traffic Stripe(Multi-Poly.)(Arrows)	8	EA	\$ 200.00	\$ 1,600.00	\$ 300.00	\$ 2,400.00	\$ 250.00	\$ 2,000.00	\$ 300.00	\$ 2,400.00
13	857(F)	Pavement Marking Removal (Hydroblasting)	8904	LF	\$ 1.50	\$ 13,356.00	\$ 0.96	\$ 8,547.84	\$ 1.00	\$ 8,904.00	\$ 1.00	\$ 8,904.00
14	857(F)	Pavement Marking Removal(Arrows)	8	EA	\$ 250.00	\$ 2,000.00	\$ 50.00	\$ 400.00	\$ 100.00	\$ 800.00	\$ 100.00	\$ 800.00
15	857(C)	Removable Pavement Marking Tape(4" Wide)	7991	LF	\$ 1.00	\$ 7,991.00	\$ 1.76	\$ 14,064.16	\$ 2.00	\$ 15,982.00	\$ 2.00	\$ 15,982.00
16	857(C)	Removable Pavement Marking Tape(Symbol)	12	EA	\$ 300.00	\$ 3,600.00	\$ 100.00	\$ 1,200.00	\$ 50.00	\$ 600.00	\$ 50.00	\$ 600.00
17	880(B)	Construction Signs 0 to 6.25 SF	480	SD	\$ 1.00	\$ 480.00	\$ 0.10	\$ 48.00	\$ 2.00	\$ 960.00	\$ 3.00	\$ 1,440.00
18	880(B)	Construction Signs 16.00 SF to 32.99 SF	400	SD	\$ 1.50	\$ 600.00	\$ 0.25	\$ 100.00	\$ 4.00	\$ 1,600.00	\$ 4.00	\$ 1,600.00
19	880(C)	Barricades(Type III)	1000	SD	\$ 1.00	\$ 1,000.00	\$ 0.35	\$ 350.00	\$ 2.00	\$ 2,000.00	\$ 3.00	\$ 3,000.00
20	880(E)	Warning Lights(Type C)	6540	SD	\$ 0.50	\$ 3,270.00	\$ 0.20	\$ 1,308.00	\$ 0.10	\$ 654.00	\$ 0.10	\$ 654.00
21	880(F)	Drums	4180	SD	\$ 0.50	\$ 2,090.00	\$ 0.50	\$ 2,090.00	\$ 0.50	\$ 2,090.00	\$ 0.50	\$ 2,090.00
Subtotal Base Bid - Schedule B - Bridge 167 (NBI 25201)						\$ 167,842.00		\$ 112,735.50		\$ 178,745.00		\$ 188,053.00
Base Bid - Schedule C - Bridge 168 (NBI 24921)												
22	411(C)	Superpave, Type S4(PG 70-28 OK)	22	TON	\$ 200.00	\$ 4,400.00	\$ 675.00	\$ 14,850.00	\$ 400.00	\$ 8,800.00	\$ 400.00	\$ 8,800.00
23	412	Cold Milling Pavement	180	SY	\$ 10.00	\$ 1,800.00	\$ 20.00	\$ 3,600.00	\$ 25.00	\$ 4,500.00	\$ 6.00	\$ 1,080.00
24	426(D)	Polyurethane Injection for Pavement	576	LB	\$ 55.00	\$ 31,680.00	\$ 7.75	\$ 4,464.00	\$ 4.00	\$ 2,304.00	\$ 15.00	\$ 8,640.00
25	501(G)	CLSM Backfill	3	CY	\$ 200.00	\$ 600.00	\$ 300.00	\$ 900.00	\$ 225.00	\$ 675.00	\$ 300.00	\$ 900.00
26	513(A)	Class A Bridge Deck Repair	15	SY	\$ 200.00	\$ 3,000.00	\$ 115.00	\$ 1,725.00	\$ 180.00	\$ 2,700.00	\$ 410.00	\$ 6,150.00
27	513(B)	Class B Bridge Deck Repair	58	SY	\$ 350.00	\$ 20,300.00	\$ 270.00	\$ 15,660.00	\$ 300.00	\$ 17,400.00	\$ 500.00	\$ 29,000.00
28	518(C)	Rapid Cure Joint Sealant	99	LF	\$ 40.00	\$ 3,960.00	\$ 15.00	\$ 1,485.00	\$ 45.00	\$ 4,455.00	\$ 36.00	\$ 3,564.00
29	518(D)	Elastomeric Mortar	6	CF	\$ 1,000.00	\$ 6,000.00	\$ 650.00	\$ 3,900.00	\$ 2,200.00	\$ 13,200.00	\$ 3,700.00	\$ 22,200.00
30	523(C)	Deck Area Sealed (Floodcoats)	1053	SY	\$ 25.00	\$ 26,325.00	\$ 12.50	\$ 13,162.50	\$ 30.00	\$ 31,590.00	\$ 15.00	\$ 15,795.00
31	856(A)	Traffic Stripe(Multi-Poly.)(4" Wide)	1216	LF	\$ 2.50	\$ 3,040.00	\$ 7.00	\$ 8,512.00	\$ 2.00	\$ 2,432.00	\$ 3.00	\$ 3,648.00
32	857(F)	Pavement Marking Removal (Hydroblasting)	1216	LF	\$ 1.00	\$ 1,216.00	\$ 2.93	\$ 3,562.88	\$ 1.00	\$ 1,216.00	\$ 1.00	\$ 1,216.00
33	824	(SP)Portable Traffic Signal System	40	SD	\$ 250.00	\$ 10,000.00	\$ 123.00	\$ 4,920.00	\$ 250.00	\$ 10,000.00	\$ 300.00	\$ 12,000.00
34	857(C)	Removable Pavement Marking Tape(4" Wide)	572	LF	\$ 1.50	\$ 858.00	\$ 3.27	\$ 1,870.44	\$ 2.00	\$ 1,144.00	\$ 2.00	\$ 1,144.00
35	880(B)	Construction Signs 0 to 6.25 SF	580	SD	\$ 1.00	\$ 580.00	\$ 0.10	\$ 58.00	\$ 2.00	\$ 1,160.00	\$ 2.00	\$ 1,160.00
36	880(B)	Construction Signs 6.26 SF to 15.99 SF	20	SD	\$ 1.25	\$ 25.00	\$ 0.25	\$ 5.00	\$ 4.00	\$ 80.00	\$ 4.00	\$ 80.00
37	880(B)	Construction Signs 16.00 SF to 32.99 SF	280	SD	\$ 1.50	\$ 420.00	\$ 0.25	\$ 70.00	\$ 4.00	\$ 1,120.00	\$ 4.00	\$ 1,120.00
38	880(C)	Barricades(Type III)	140	SD	\$ 1.00	\$ 140.00	\$ 0.50	\$ 70.00	\$ 2.00	\$ 280.00	\$ 4.00	\$ 560.00
39	880(E)	Warning Lights(Type C)	1260	SD	\$ 0.50	\$ 630.00	\$ 0.50	\$ 630.00	\$ 0.10	\$ 126.00	\$ 0.10	\$ 126.00
40	880(F)	Drums	380	SD	\$ 0.50	\$ 190.00	\$ 0.50	\$ 190.00	\$ 0.50	\$ 190.00	\$ 0.50	\$ 190.00
Subtotal Base Bid - Schedule C - Bridge 168 (NBI 24921)						\$ 115,164.00		\$ 79,634.82		\$ 103,372.00		\$ 117,373.00
Base Bid - Allowance												
41	Special	Allowance	1	LSUM	\$20,000.00	\$ 20,000.00	\$20,000.00	\$ 20,000.00	\$20,000.00	\$ 20,000.00	\$20,000.00	\$ 20,000.00
Subtotal Base Bid - Allowance						\$ 20,000.00		\$ 20,000.00		\$ 20,000.00		\$ 20,000.00
Total Base Bid (A+B+C+Allowance)						*** \$ 335,000.00		\$ 240,997.39		\$ 325,917.00		**\$ 360,426.00
						* \$ 315,000.00						* \$ 360,856.00

* AS READ ON BID OPENING, May 3, 2022 (Proposal Page P-2)
** Error found in the total amount when items were tabulated. This amount differs from the amount read at the bid opening.
*** Numbers in red do not match numbers on Bid Sheets.
**** Engineer's Estimate did not include Allowance.



Prepared By:

Justin S. Dowd
Justin S. Dowd, P.E., Oklahoma Registration No. 31659
Assistant City Engineer

CONSENT AGENDA ITEM COMMENTARY

ITEM TITLE: Discuss and/or take action on purchasing 275 gallons of Clarifloc C-6266 for the Bixby Water Reclamation Facility; total \$4,140

INITIATOR: Bea Aamodt

STAFF INFORMATION SOURCE: Heath Wright

BACKGROUND: Clarifloc is a coagulant used to dewater sludge.

EXHIBITS: None

KEY ISSUE: Winter maintenance

COUNCIL ACTION: Approve or deny

RECOMMENDATION: Approve.

ITEM NO: _____

MEETING DATE: 05-9-2022

MEETING: BPWA

REGULAR AGENDA ITEM COMMENTARY

ITEM TITLE: Discuss and/or approve Change Order #8 for the Bixby Water Reclamation Facility Project for \$117,443.92

INITIATOR: Bea Aamodt

STAFF INFORMATION SOURCE: Bea Aamodt

BACKGROUND: This Change Order will complete the following work:

1. Field Changes to wiring and programming to ensure seal water to all pumps
2. Installation of metal panels over exposed insulation and vapor barrier in the roof wall
3. Add wiring to ensure high level alarms communication with SCADA for sump pumps

To date the Change Orders account for 6.2% of contract amount

EXHIBITS: Change Order Backup information

KEY ISSUE: Ensuring correction of finishes and communication

COUNCIL ACTION: Approve or deny

RECOMMENDATION: Approve.

ITEM NO: _____

MEETING DATE: 5-9-22

MEETING: BPWA

Date of Issuance: 05/09/2022 Effective Date: 05/9/2022

Project: Bixby Water Reclamation Facility	Owner: City of Bixby	Owner's Contract No.: ORF-14-0003-CW
Contract: Bixby Water Reclamation Facility		Date of Contract: 10/16/2019
Contractor: Wynn Construction Co., Inc.		Engineer's Project No.: 014-0742

The Contract Documents are modified as follows upon execution of this Change Order:

Description:

Change Proposal 29 – Eaton Changes minus Wynn 15% profit; field wiring and programming changes to ensure seal water to pumps. Change Proposal 37 – Metal Panels over vapor barriers; the existing insulation and Tyvek vapor barrier in the roof wall is uncovered, the work will install protect the insulation and vapor barrier. Change Proposal 38 – Sump Pump Alarm Wiring; install fault wiring from the sump pump local panel in the basement of the facility to the supervisory panel PLC so high level alarming can be added to the facility SCADA system.

Attachments: (List documents supporting change):

Change Proposal 29, 37, and 38.

CHANGE IN CONTRACT PRICE:

Original Contract Price:

\$ 24,429,532.00

Increase from previously approved Change Orders
No. 1 to No. 7:

\$ 1,403,754.28

Contract Price prior to this Change Order:

\$ 25,833,286.28

Increase of this Change Order:

\$ 117,443.92

Contract Price incorporating this Change Order:

\$ 25,950,730.20

CHANGE IN CONTRACT TIMES:

Original ☐ Working days ☒ Calendar days

Substantial completion (days or date): 700

Increase from previously approved Change Orders:

Substantial completion (days or date): 321

Contract Times prior to this Change Order/Work Change Directive:

Substantial completion (days or date): 1021

Increase of this Change Order:

Substantial completion (days or date): 0

Contract Times with all approved Change Orders/Work Change Directives:

Substantial completion (days or date): 1021

RECOMMENDED:

By: 
Engineer (Authorized Signature)

Date: 2022-05-05

Approved by Funding Agency (if applicable):

ACCEPTED:

By: _____
Owner (Authorized Signature)

Date: _____

ACCEPTED:

By: _____
Contractor (Authorized Signature)

Date: _____

Date: _____

Change Order No. 8

Proj. No: 014-0742

Proj. Name: Bixby Water Reclamation Facility

Contract Date: 1/6/2020

ITEM NO.	Description of Work	Change Proposal Number	Change In Contract Value	Change In Contract Days	Comments
1	Eaton Field Changes for Seal Water	202204140833 - 29	\$ 26,500.00	0	Field wiring and programming changes to ensure seal water to all pumps.
2	Metal panels over exposed insulation and vapor barrier.	202203240821 - 37	\$ 87,097.92	0	Install metal paneling over exposed insulation and vapor barrier in the roof wall.
3	High level alarm wiring for sump pumps.	202203010719 - 38	\$ 3,846.00	0	Add fault wiring from the sump pump local panel to the supervisory PLC panel so a high level alarm can be added to SCADA.
4		-	-	-	
5		-	-	-	
6	-	-	-	-	
7	-	-	-	-	
8	-	-	-	-	
9	-	-	-	-	
10	-	-	-	-	
11	-	-	-	-	
Net Change			\$ 117,443.92	0	

Bixby WRF
Bixby Oklahoma
Olsson

14-Apr-22
Change Proposal No. 29
Eaton One-line Drawing Control Changes per agreement meeting Dec. 16, 2021 Bixby Municipal Building
Revision no. 3

\$30,427.80

CODE	DESCRIPTION	QUANTITY	UNIT	cost	MATERIAL	cost	LABOR	cost	EQUIPMENT	cost	SUB-CONTR.
	Change One line Control Drawing updates				MATERIAL		LABOR		EQUIPMENT		SUB-CONTR.
	Eaton Modification OGC37-211220-02-CAW field wiring modifications	1	LS		0.00		0.00		0.00		4,400.00 *
	Redline drawings	1	LS		0.00		0.00		0.00		18,000.00
	EMC	1	LS		0.00		0.00		0.00		2,250.00
	TOTALS:				0.00		0.00		0.00		24,650.00
	SUMMARY				MATERIAL		LABOR		EQUIPMENT		SUB-CONTR.
	Eaton changes				0.00		0.00		0.00		24,650.00
	TOTALS ("On-Job Cost")				0.00		0.00		0.00		24,650.00
	ESTIMATE SUMMARY				0.00						
	TOTAL LABOR (PAYROLLS)				0.00						
	TOTAL EQUIPMENT & MISC				0.00						
	TOTAL SUB-CONTRACT				24,650.00						
	TOTAL DEDUCT				24,650.00						
	TAX ON PAYROLLS			36%	0.00						
	FRINGES ON PAYROLLS			14%	0.00						
1010	ALL INSURANCE EXCEPT BUILDER RISK			11.15	\$02.00						
1011	BUILDER'S RISK ON INCREASE TO TIME			0.015	0.00						
	BUILDERS RISK ON CHANGE ORDER AMOUNT			0.015	135.00						
	SUB-TOTAL (ACTUAL COST)				25,287.00						
	FACTOR:			3 %	740.00						
1030	BOND PREMIUM - SUBCONTRACTORS				973.00						
1020	BOND PREMIUM - GENERAL CONTRACT				58.80						
	2 YR MAINTENANCE BOND										
	SUB-TOTAL (ADJUSTED JOB COST)				26,458.80						
	OVERHEAD/PROFIT			15 %	3,969.00						
	TOTAL				30,427.80						

1/6/2022

PROPOSAL

TO: Dustin Carpenter
ELLIOTT ELECTRIC SPLY TULSA OK

RE: **Negotiation Number: OC37-211220-02-CAW**
Subject: Bixby Water
Jobsite Location:

Eaton's Electrical Services & Systems (EESS) is pleased to provide the following proposal for the work scope described herein.

SCOPE OF WORK

Eaton's Electrical Services & Systems will provide the necessary field service personnel, tools, materials and approved test equipment to perform the following:

- Field Wiring Modification for the 3 mains and 1 spare. Twenty percent of Time and Material
 - o \$4,400 Total
 - \$1,200 4hr premium time travel to site at \$300/hr
 - \$2,400 12hr standard time onsite at \$200/hr
 - \$800 4hr standard time – travel from site at \$200/hr
 - Field Wiring Modification based on PSC item 1 was thirty-four percent of time and material.
1. PSC Item 1 is the Field redlines of the Owner Engineer's identified design changes for use by Eaton PDS
 2. Update IP and MCC settings based on PSC item 2. This was forty-six percent of time and material. PSC item 2 consists of Recommended parameters for all DG1, C441's, and CVX VFD's for use by Eaton PDS.
 -
 - Redline Drawings to reflect changes. Zero percent of time and material.
- o \$18,100 Total
 - \$12,400 62hr standard time at \$200
 - \$3,600 17hr overtime at \$211.76/hr
 - \$2,100 7hr premium time at \$300/hr

PSC Inclusions:

3. Field redlines of the Owner Engineer's identified design changes for use by Eaton PDS. PCS 1
4. Recommended parameters for all DG1, C441's, and CVX VFD's for use by Eaton PDS. PCS 2

A detailed report of all findings and test results will be provided.

PRICING

To provide the services as described above, Eaton Corporation would charge:

- **Price: \$22,500**

Price for the above scope of work is based on performing site work on a weekday-day turn. If the work cannot be performed during regular working hours (6am-5pm) or must be performed on weekends or holidays, you must contact us to adjust the price accordingly.

DELIVERY

Schedule: The scheduling of work will be mutually agreed upon between the customer and Eaton's Electrical Engineering Services & Systems. Three weeks advance notice is required for scheduling.

Equipment: Equipment shipment will be F.O.B. point of origin and is estimated (as of the date of this proposal) at 6-8 weeks after receipt of an order and all necessary technical information. Estimated shipment dates subject to change.

CLARIFICATIONS AND EXCEPTIONS

- **Seller shall not be responsible for any failure to perform, or delay in performance of, its obligations resulting from the COVID-19 pandemic or any future epidemic, and Buyer shall not be entitled to any damages resulting thereof.**
- EESS will initiate minor corrective actions to equipment to facilitate repairs to the equipment; however, any parts/materials identified during the inspection requiring replacement, such as control power module, fuses, etc., will be submitted on a separate proposal with cost.
- Eaton has not included any applicable sales tax in this proposal
- All testing will be performed per Eaton standard testing guidelines
- All device settings to be supplied by others
- This service is weather permitting if this is outdoor equipment.

SAFETY CLARIFICATIONS

- Eaton will not perform work activities in situations where the proper level of PPE is not practical. At no time will work be performed when the arc-flash exposure levels are above 40 cal/cm2.
- To establish an electrically safe work condition, the customer is to provide an up-to-date site electrical one-line diagram(s) for lockout/tagout purposes showing all sources of power.
- For electrical outages requiring utility isolation, the customer and utility shall coordinate lockout/tagout requirements with Eaton in a written plan of execution.
- Customer shall be responsible to perform all switching. Any requirement of Eaton for perform switching will require customer signature and a minimum of two EESS personnel present. Additional charges will apply.
- The customer supplied Arc-Flash study along with their labeled equipment to meet NFPA requirements will be used to determine the Personal Protective Equipment (PPE) required to perform the work required for this proposal. When a current study and labeling is not available, the time required to determine the proper PPE will be at the current rate per hour, unless included within the Eaton scope of work. Eaton will not perform work activities in situations where the proper level of PPE is not practical. At no time will work be performed when the arc-flash exposure levels are above 40 cal/cm2.

CUSTOMER-REQUIRED SUPPORT

- The owner/contractor shall make all equipment available upon arrival of EESS personnel, including removal from service, to permit continuous progression of work. Stand by or delays that are out of the control of EESS will be charged at published services rates plus applicable expenses.
- The owner/contractor shall be responsible for maintaining power to vital or necessary plant equipment and processes.
- The owner/contractor will coordinate all outages and perform all switching to de-energize/isolate equipment to be serviced.
- The owner/contractor shall supply a suitable and stable source of power for operation of test equipment at each test site when normal power is removed. EESS shall specify requirements.
- The owner/engineer will supply a complete set of electrical plans, including the plant single-line diagram, specifications and any pertinent change orders EESS prior to commencement of work.
- Customer shall ensure copies of Operations and Maintenance Manuals and related literature for equipment being serviced is available on site for use by EESS personnel.
- The owner / contractor shall provide the assistance of a qualified electrician / individual from a contractor or the facility familiar with the electrical system to provide access to electrical equipment and assistance to Eaton field service personnel, as required during the time that service is performed, per NFPA70E and OSHA 1910.269.

- The owner / contractor shall be responsible for proper waste disposal of all waste by-products produced in the performance of this work.

SAFETY TRAINING OF EESS FIELD PERSONNEL

- All EESS field personnel received training to comply with OSHA CFR1910.269 Electrical Safety Standard, which sets minimum safety rules and practices for the design, operation, and maintenance of high-voltage systems (over 600 volts).

PROCESS ADJUSTMENTS

- This proposal was prepared based upon EESS understanding of the documentation and discussions listed in EESS Scope of Work. If a change to the system functionality, hardware and/or software is to be used, or work scope is presented to EESS, then EESS will respond by issuing an addendum to this proposal describing the impact on the schedule and cost of the system or work additions or subtractions.
- Work related to the changes will not begin until the impact is mutually agreed upon by customer and EESS.

STAND-BY TIME

- Stand-by time is defined as EESS time spent on-site waiting for personnel or access to equipment necessary to perform the required steps for the service work outlined within this proposal.
- Under the terms of this proposal, stand-by time is not included within the Scope of Work.
- Stand-by or delays that are outside the immediate control of EESS will be charged separately at published services rates plus any applicable expenses.

PROPRIETARY AND CONFIDENTIAL INFORMATION

- This submittal contains Eaton proprietary and confidential information, which may only be used by the addressee to evaluate and respond to this submittal. By accepting this submittal from Eaton, the addressee agrees to not use this submittal, or any information contained herein, in any manner adverse to Eaton's interests; to keep in confidence the submittal and all information contained; and to not disclose to any third party or publish this submittal, any portion thereof, or any information contained herein without Eaton's prior written consent.

TERMS AND CONDITIONS

Any order arising out of this offer will be governed by the conditions contained in Eaton Selling Policy 25-000 dated September 1, 2021. This offer is valid for 30 days from date of issue unless otherwise extended, modified or withdrawn, in writing, by Eaton Corporation. Payments are due and payable net within thirty (30) days from the date of each invoice.

To accept this proposal, please:

1. Reference: **OC37-211220-02-CAW**
2. Issue a purchase order to **EATON CORPORATION**
 - Email purchase order to ChrisAWilkerson@Eaton.com

A HARDCOPY OF THE PURCHASE ORDER MUST BE RECEIVED BY EESS PRIOR TO SERVICE BEING SCHEDULED.

Should there be any further questions or needs, please contact at any time. It is a privilege to have this opportunity to be of service. Eaton's Electrical Services & Systems looks forward to working with you on this project.

Sincerely,

Chris Wilkerson (OC37)

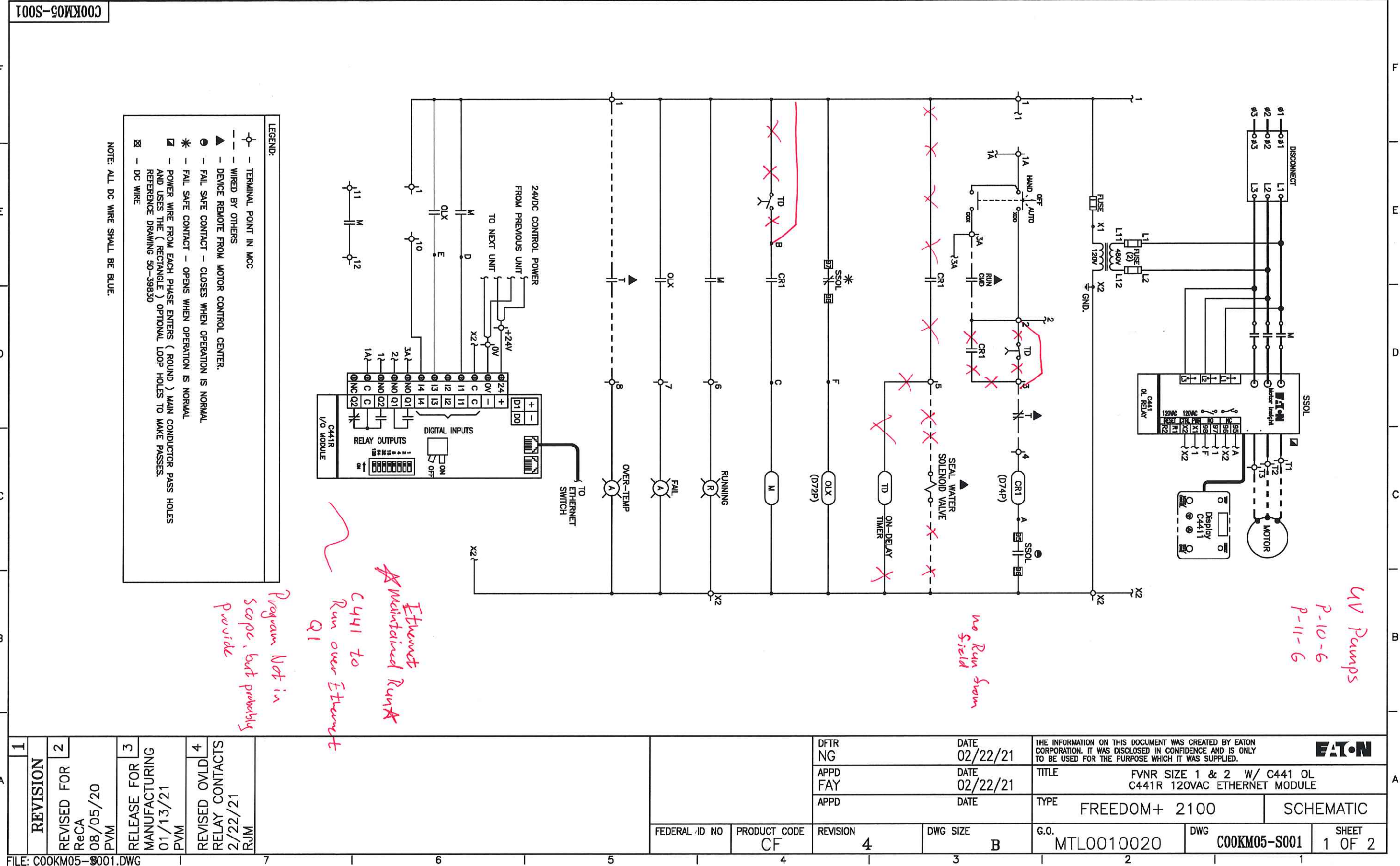
Chris Wilkerson (OC37)

ChrisAWilkerson@Eaton.com

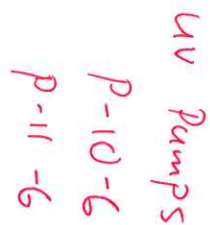
(M) 405-549-6698

Service Sales Engineer
Eaton Corporation

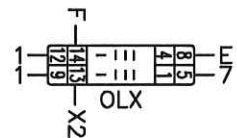
Electrical Services and Systems Division

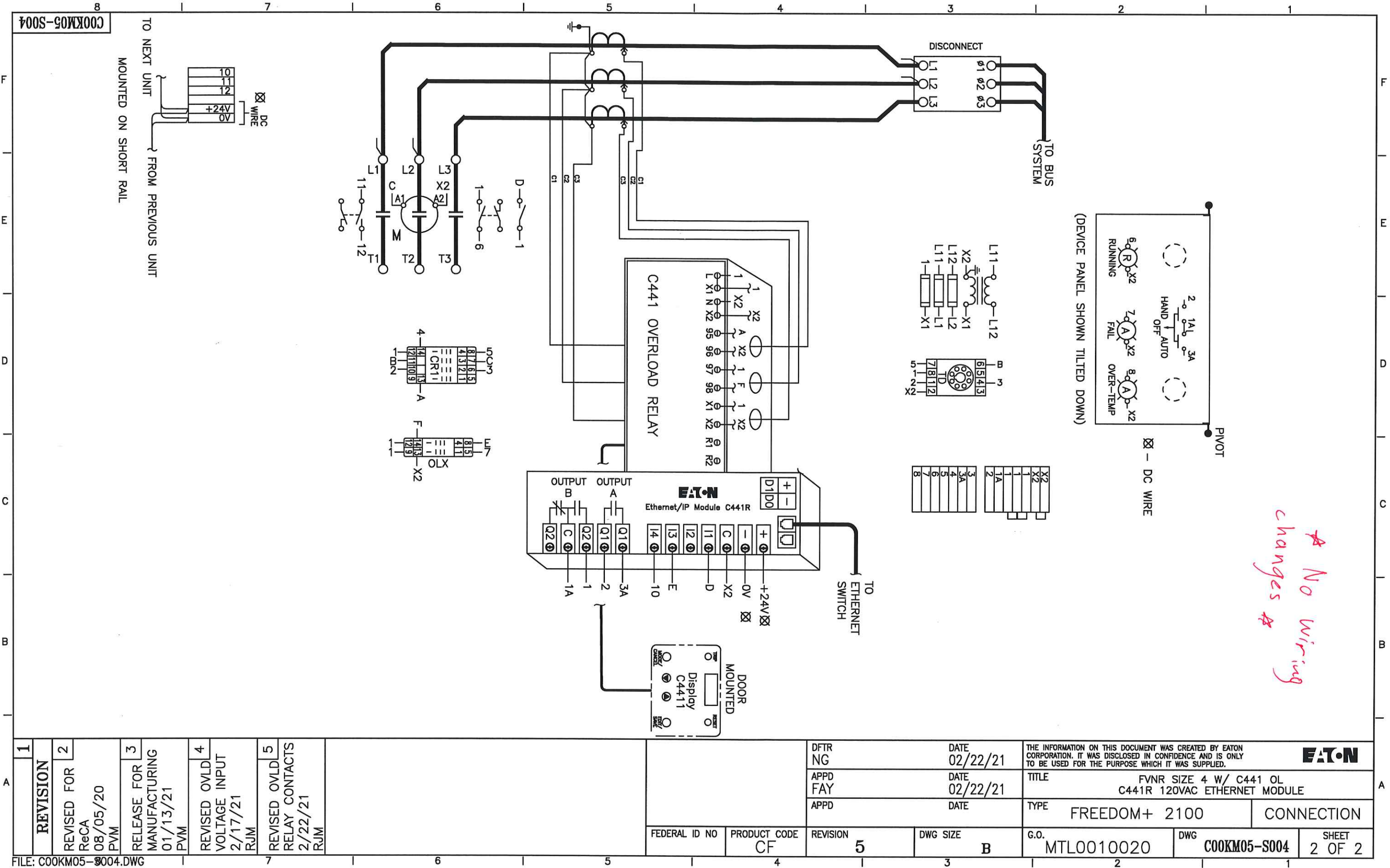


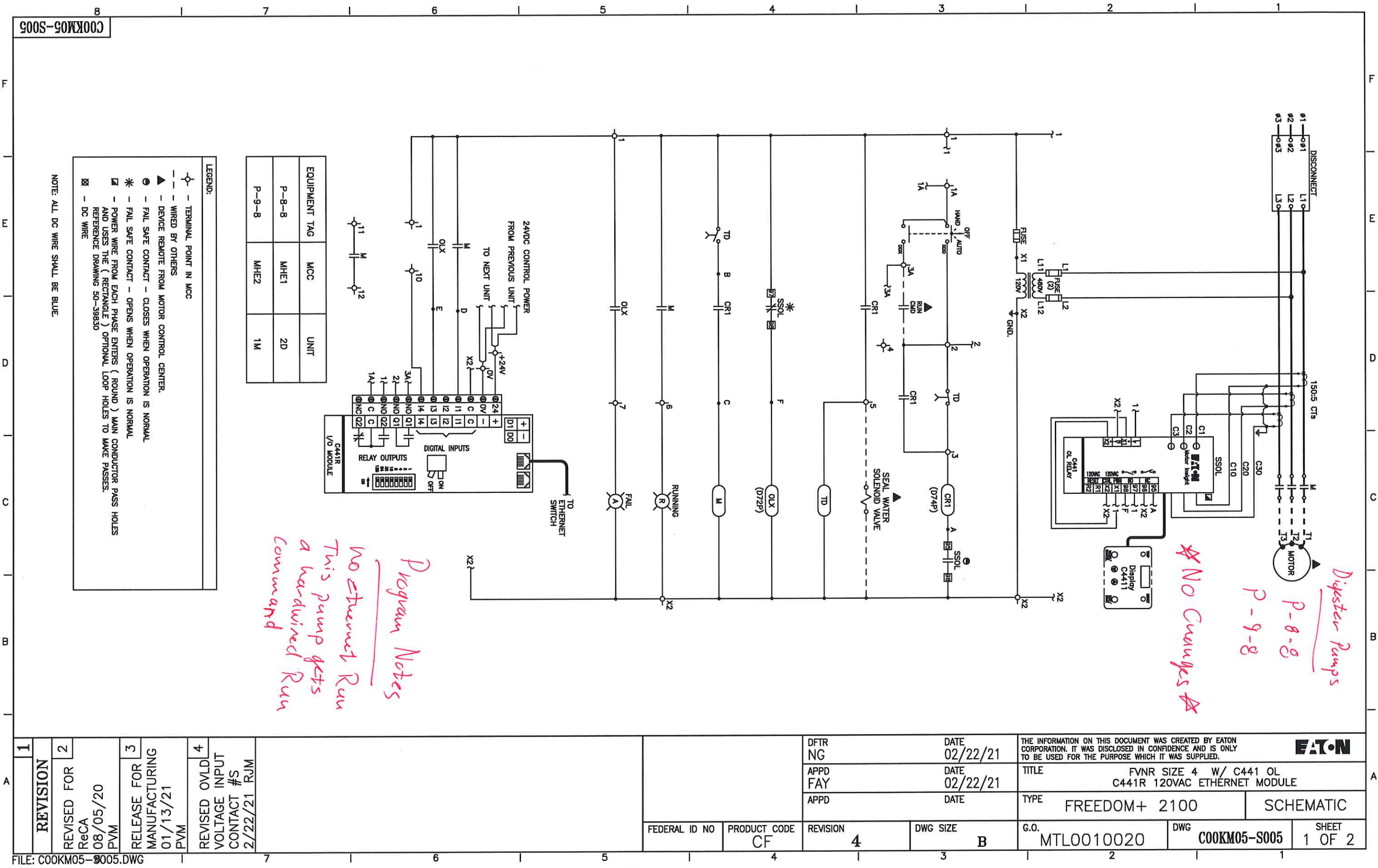
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(DEVICE PANEL SHOWN TILTED DOWN)





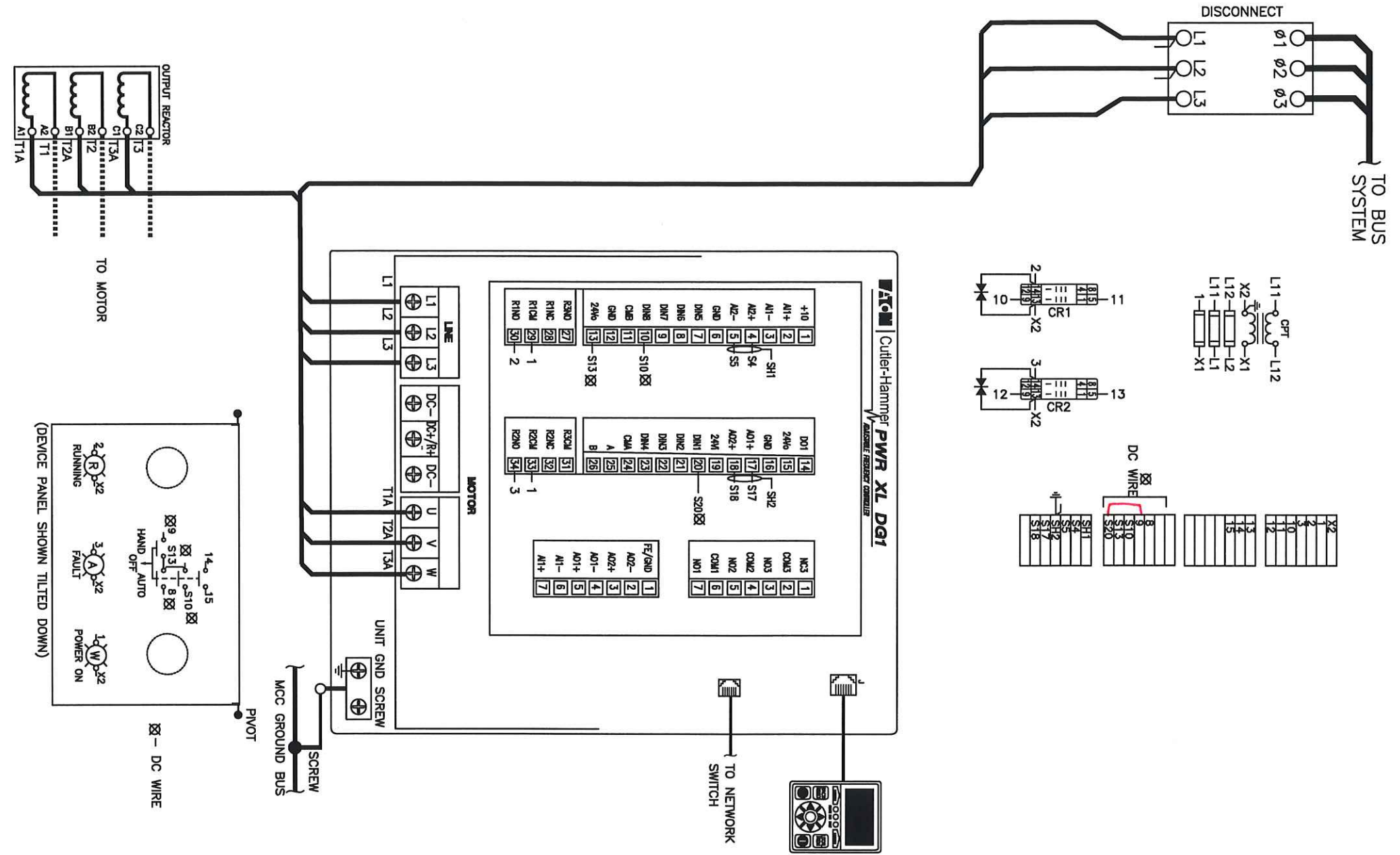




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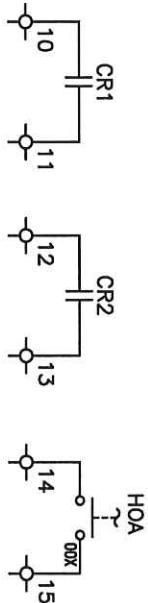


COOKM05-S006



One Jumper - field wire
Installation is Recommended

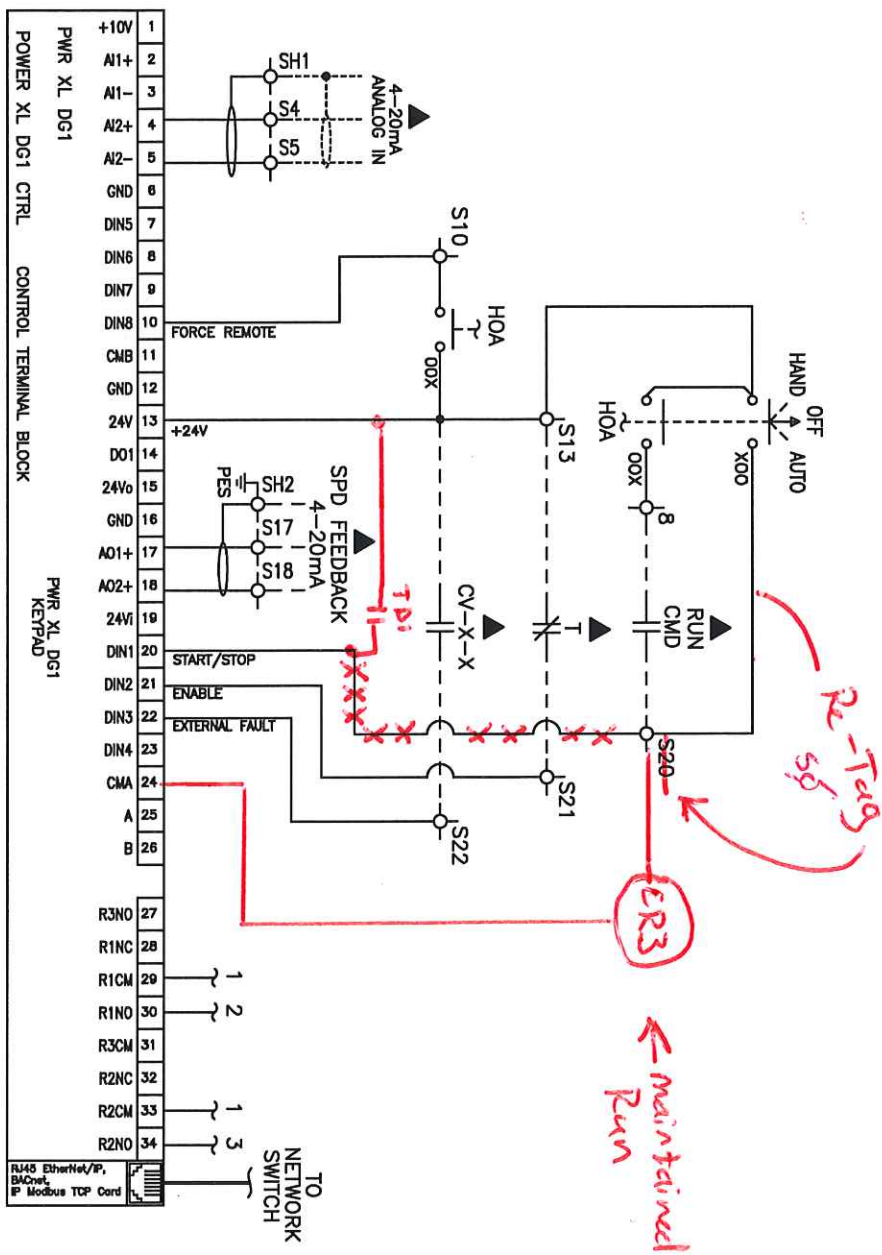
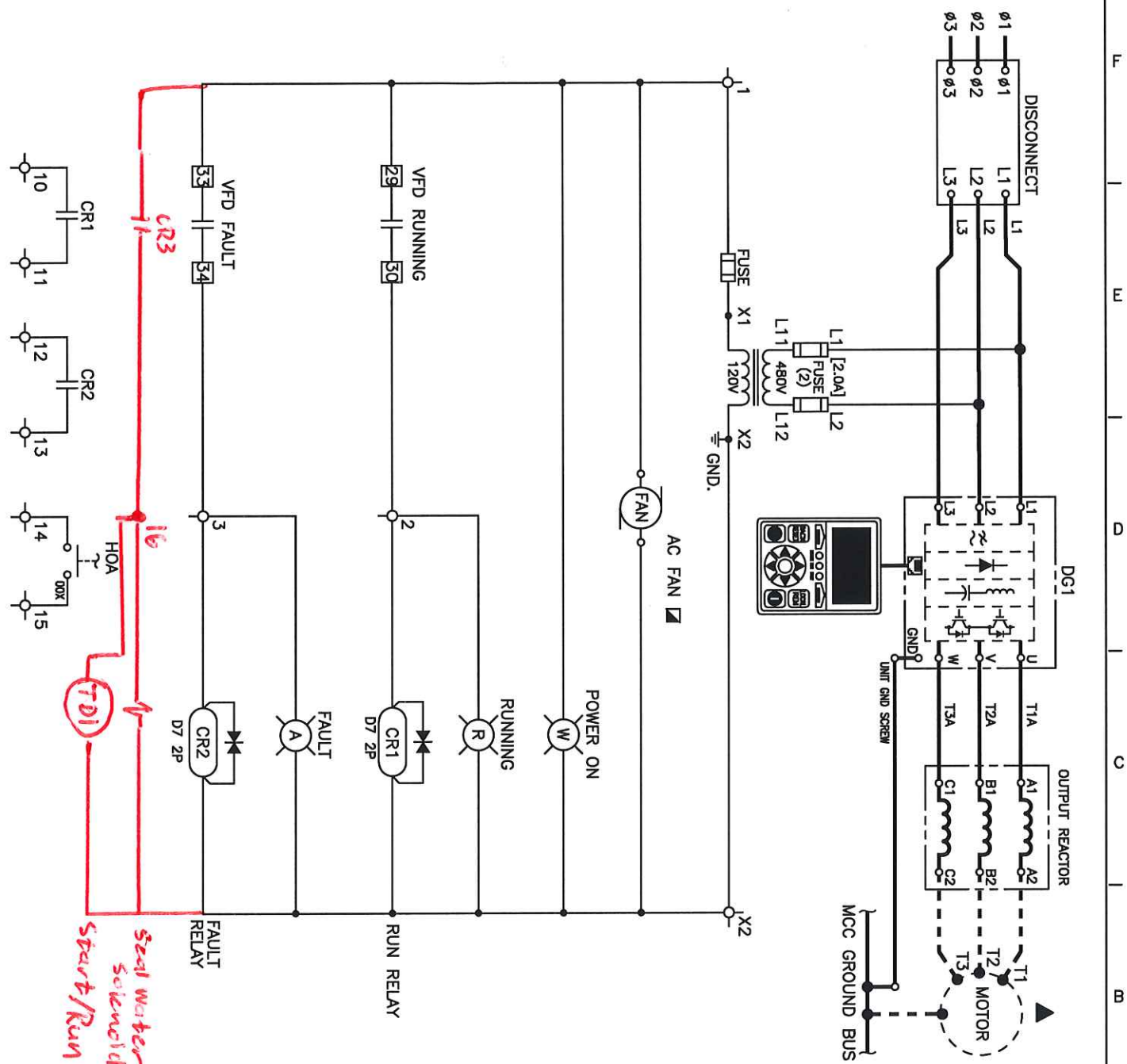
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1	REVISION	02/08/21	DFTR NG	TITLE PWR XL DG1 DRIVE WITH OUTPUT REACTOR	
2	REVISED FOR ReCA	02/08/21	APPD FAY	TYPE FREEDOM+ 2100 CONNECTION	
3	RELEASE FOR MANUFACTURING		APPD	G.O. MTL0010020	
01/13/21 PVM		DWG COOKM05-S006		SHEET 2 OF 2	



DXG-EXT-1A12AO
(SLOT A)

DXG-EXT-3R0
(SLOT B)

NOTE:
ALL DC WIRE TO BE BLUE



LEGEND:

- - - WIRING BY OTHERS
- TERMINAL POINT IN MCC
- REMOTE OF MCC
- DG1 INPUT/OUTPUT TERMINAL BLOCK CONNECTION
- FANS PER UNIT ASSEMBLY
- DC WIRE

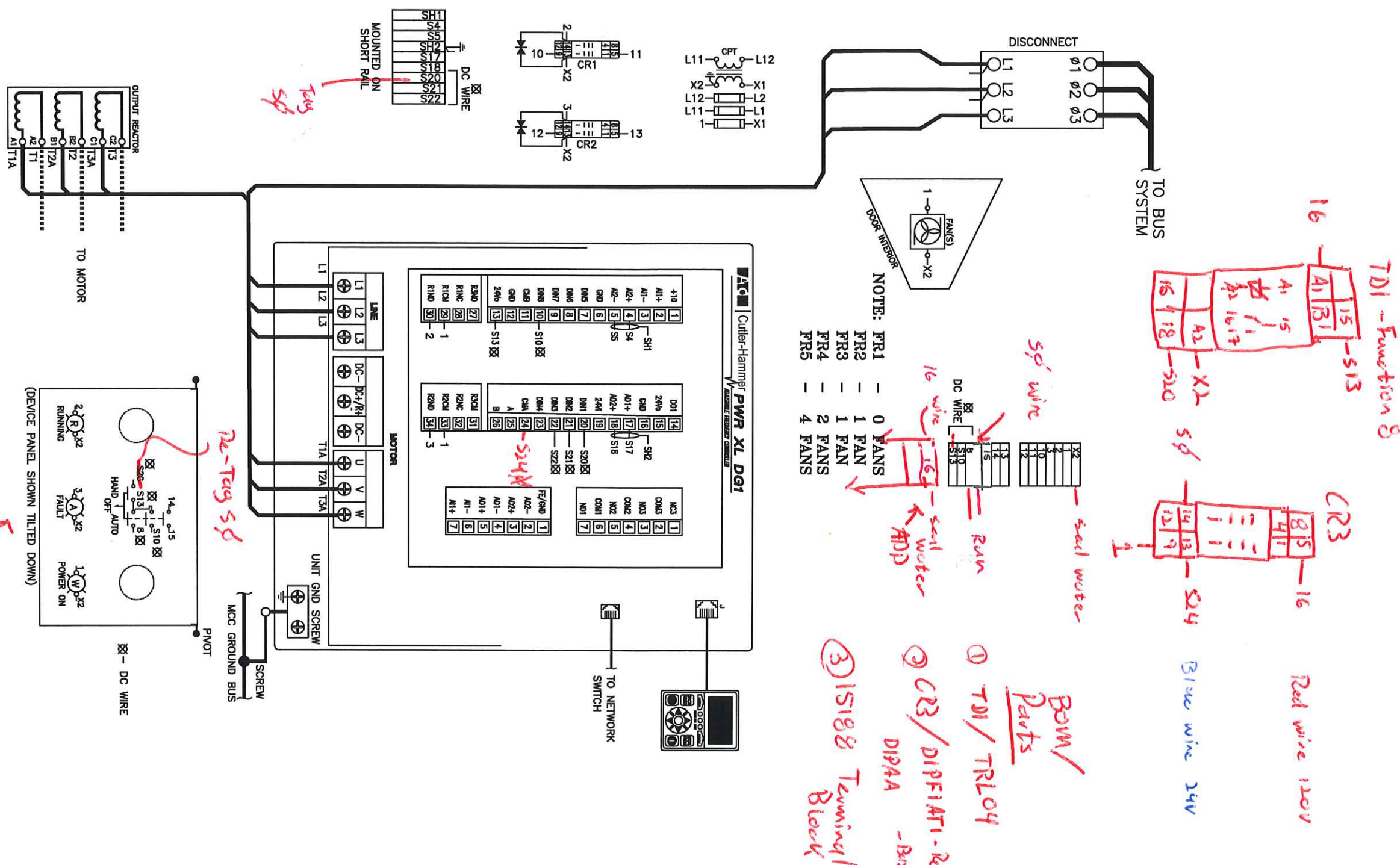
NOTE:
ALL DC WIRE TO BE BLUE

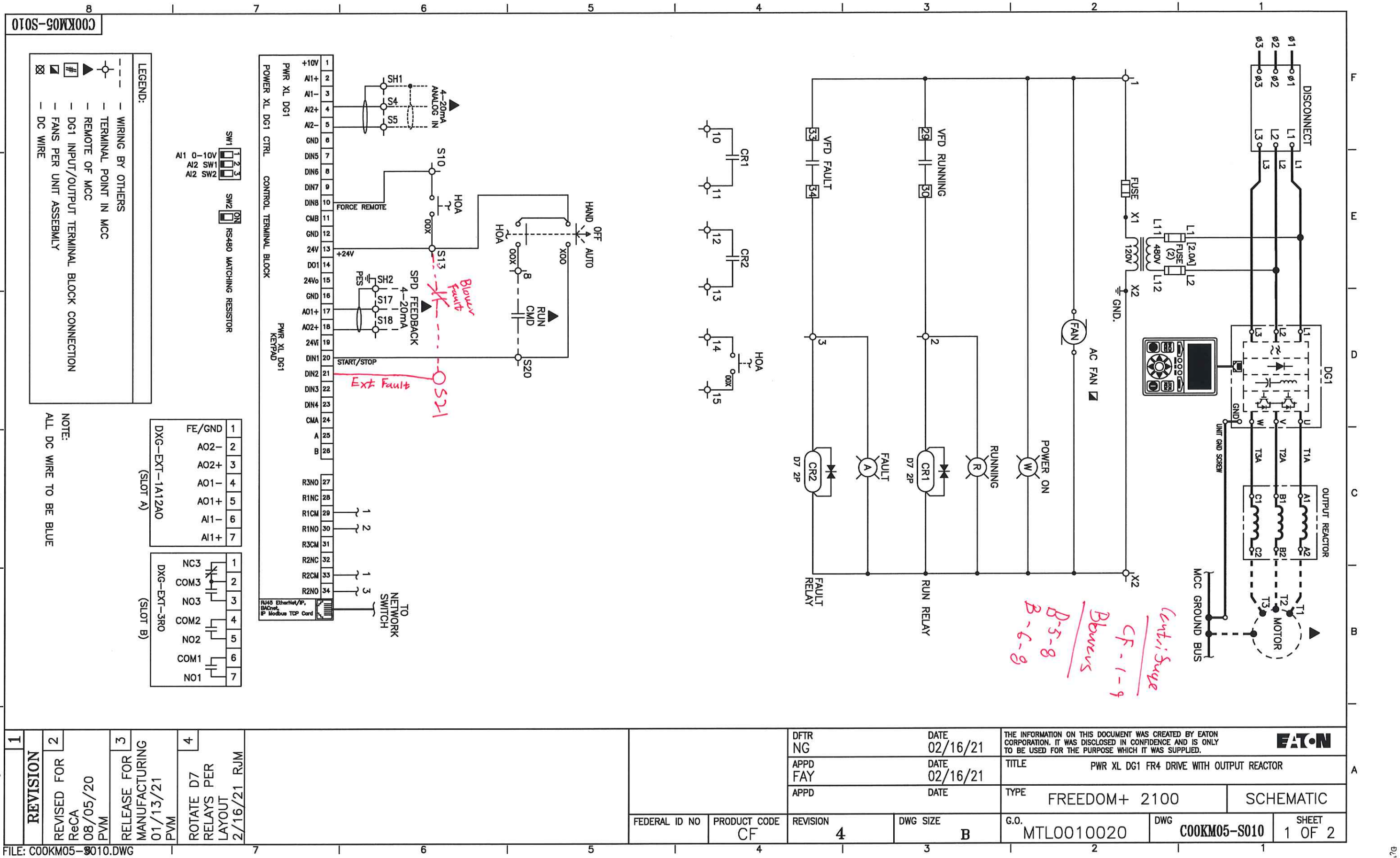
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	AO2-	2
	AO2+	3
	AO1-	4
	AO1+	5
	AI1-	6
	AI1+	7

DXG-EXT-3R0	NC3		1
	COM3		2
	NO3		3
	COM2		4
	NO2		5
	COM1		6
	NO1		7

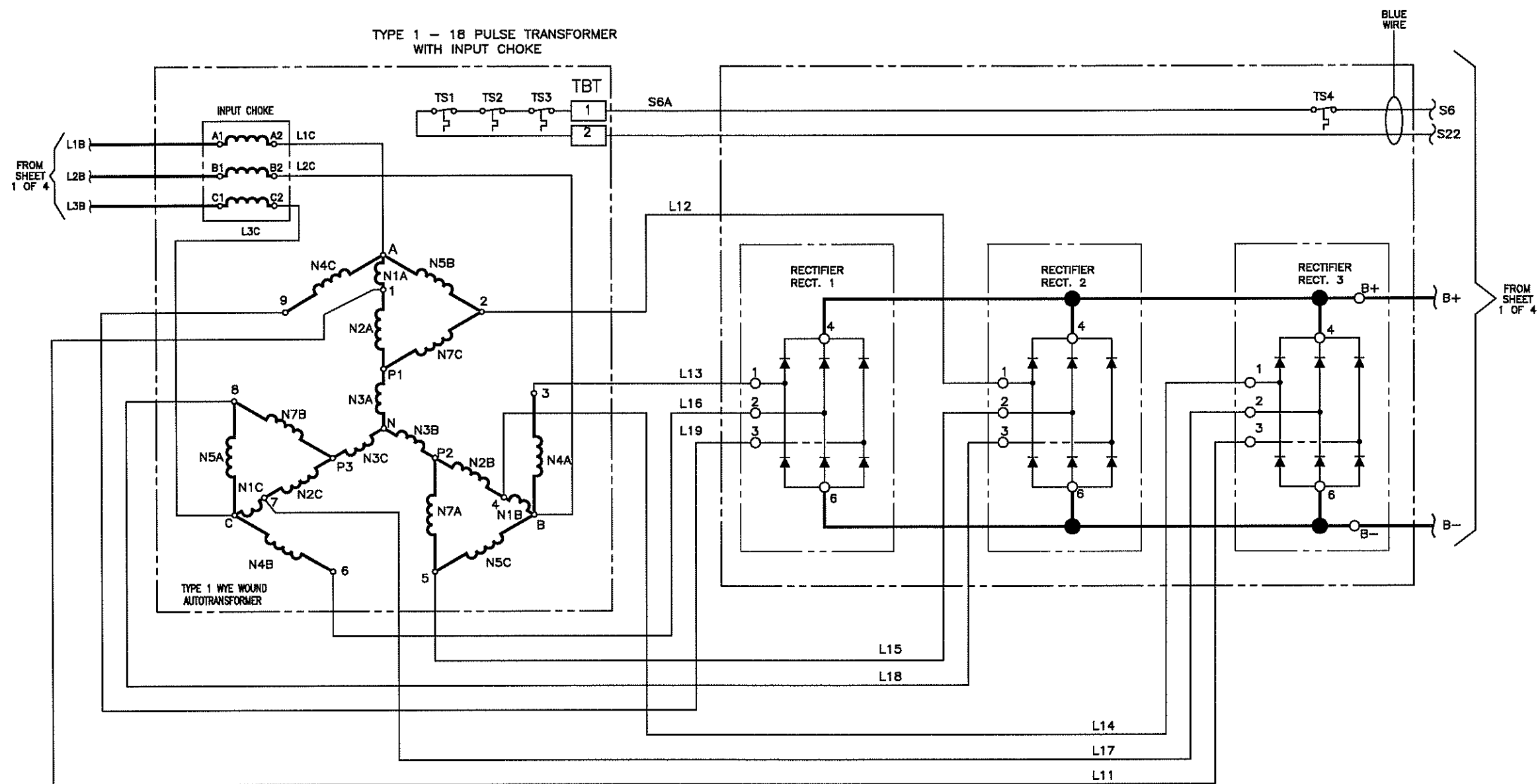
1	REVISION
2	REVISED FOR ReCA 08/05/20 PVM
3	RELEASE FOR MANUFACTURING 01/13/21 PVM
4	RELEASE FOR MANUFACTURING 02/10/21 PVM
5	MOVE CPT PER ASSEMBLY 02/16/21 RJM

		DFTR NG		DATE 02/16/21	THE INFORMATION ON THIS DOCUMENT WAS CREATED BY EATON CORPORATION. IT WAS DISCLOSED IN CONFIDENCE AND IS ONLY TO BE USED FOR THE PURPOSE WHICH IT WAS SUPPLIED.				
		APPD FAY		DATE 02/16/21	TITLE PWR XL DG1 FR3 DRIVE WITH OUTPUT REACTOR				
		APPD		DATE	TYPE FREEDOM+ 2100			SCHEMATIC	
FEDERAL ID NO	PRODUCT CODE CF	REVISION 5	DWG SIZE B	G.O. MTL0010020	DWG C00KM05-S008	SHEET 1 OF 2			





COOKM05-S011



1

REVISION

2

REVISED FOR
ReCA
08/05/20
PVM

3

RELEASE FOR
MANUFACTURING
01/13/21
PVM

FEDERAL ID NO

PRODUCT CODE
CF

REVISION
3

DWG SIZE
B

DATE
02/08/21

DATE
02/08/21

DATE

DFTR
NG

APPD
FAY

APPD

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EATON

TITLE
CPX FR8 AFD – TYPE 1 AUTOTRANSFORMER

TYPE
FREEDOM+ 2100

SCHEMATIC

G.O.
MTL0010020

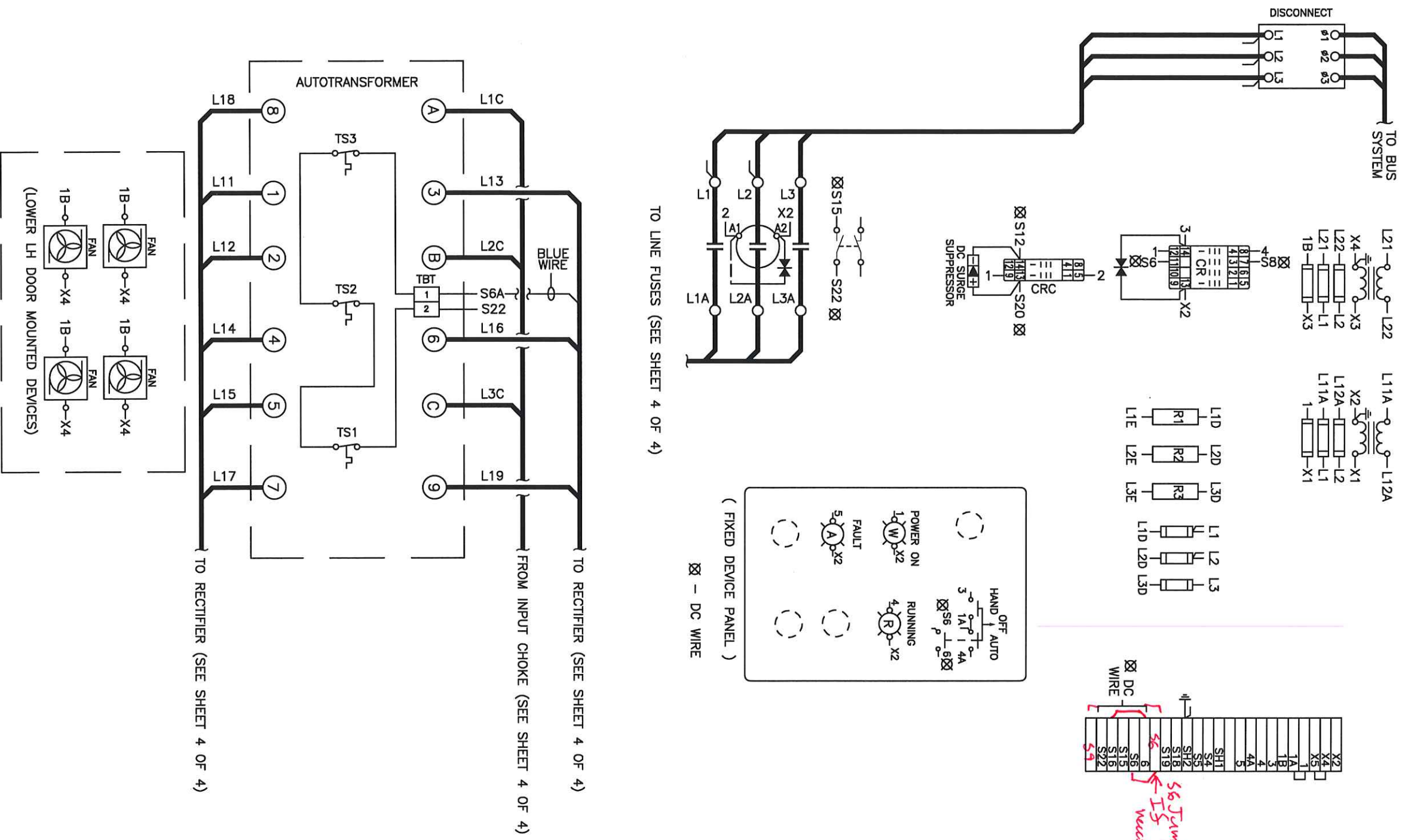
DWG
COOKM05-S011

SHEET
2 OF 4

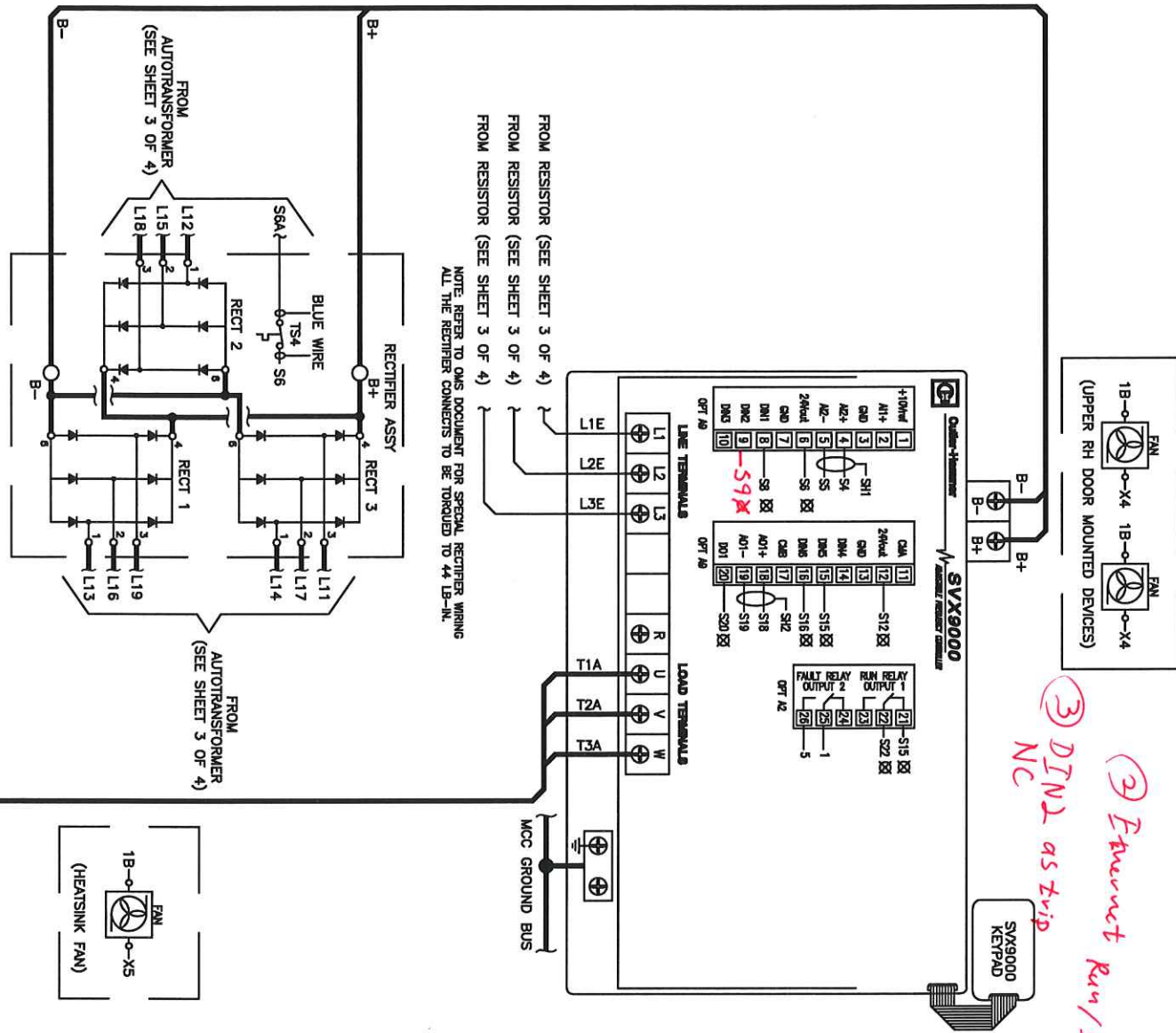
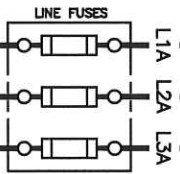
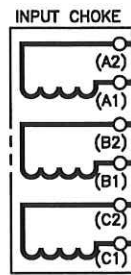
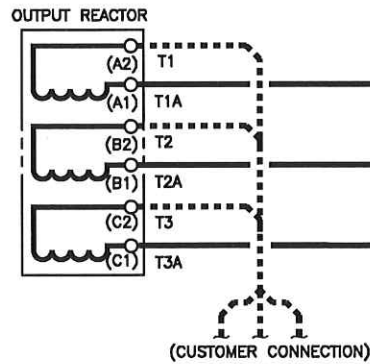
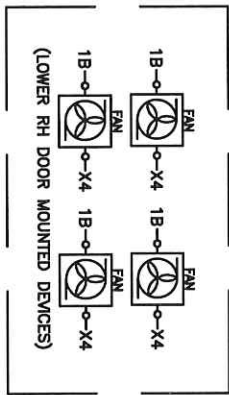
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B3 2023

110S-5-S011



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1	REVISED FOR	02/08/21	NG	CPX FR8 AFD	
2	ReCA	02/08/21	APPD	FREEDOM+ 2100	
3	08/05/20		FAY	CONNECTION	
	01/13/21		APPD	G.O. MTL0010020	
	PVM			DWG COOKM05-S011	
	MANUFACTURING			SHEET 3 OF 4	
	01/13/21				
	PVM				



Program Notes

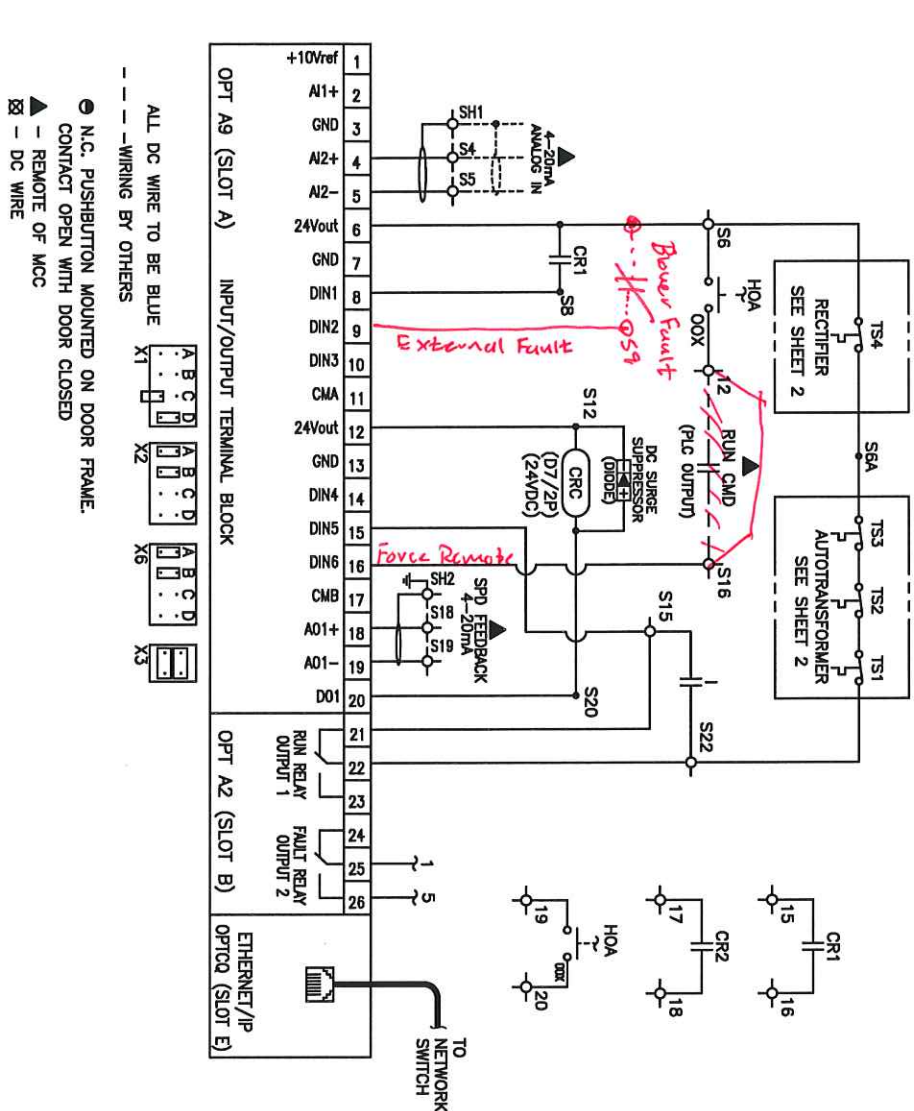
① DIN6 as force

② Exhaust Run/Speed

③ DIN2 as trip

NC

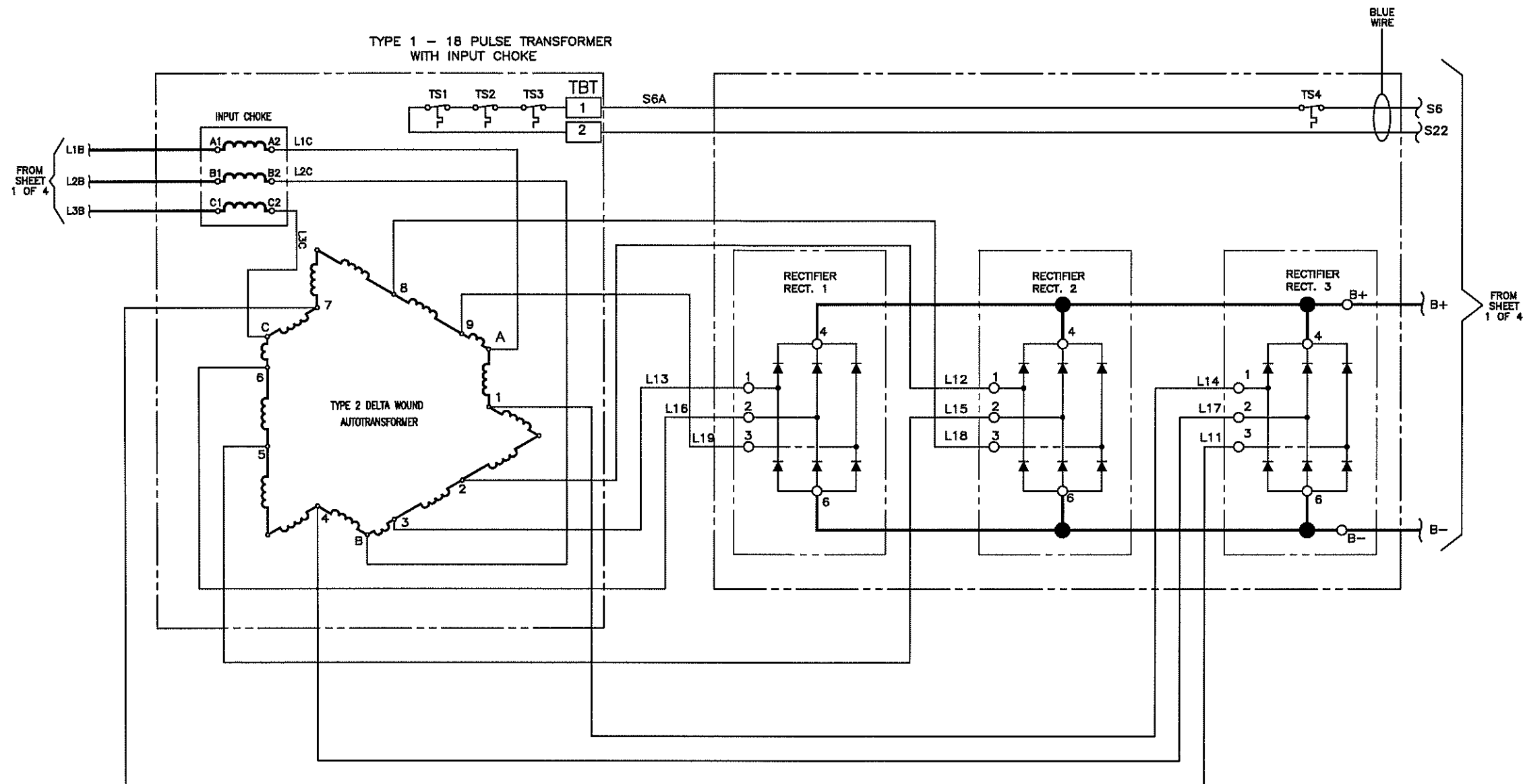
0006X100



ALL DC WIRE TO BE BLUE
 --- WIRING BY OTHERS
 ● N.C. PUSHBUTTON MOUNTED ON DOOR FRAME.
 CONTACT OPEN WITH DOOR CLOSED
 ▲ -- REMOTE OF MCC
 ☒ -- DC WIRE

COOKM05-S012

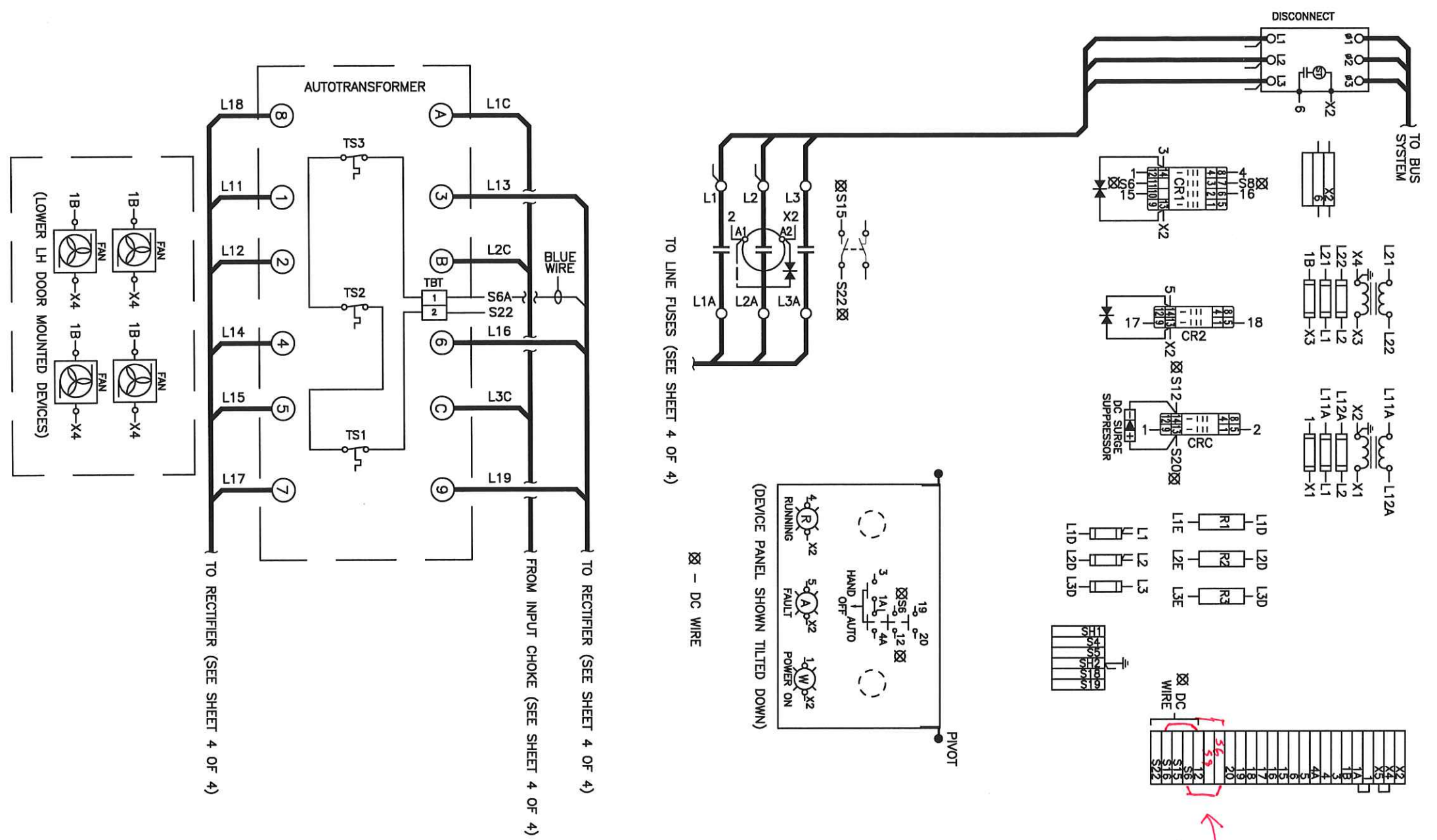
COOKM05-S012



INDUCTOR, AUTOTRANSFORMER AND RECTIFIER DIAGRAM

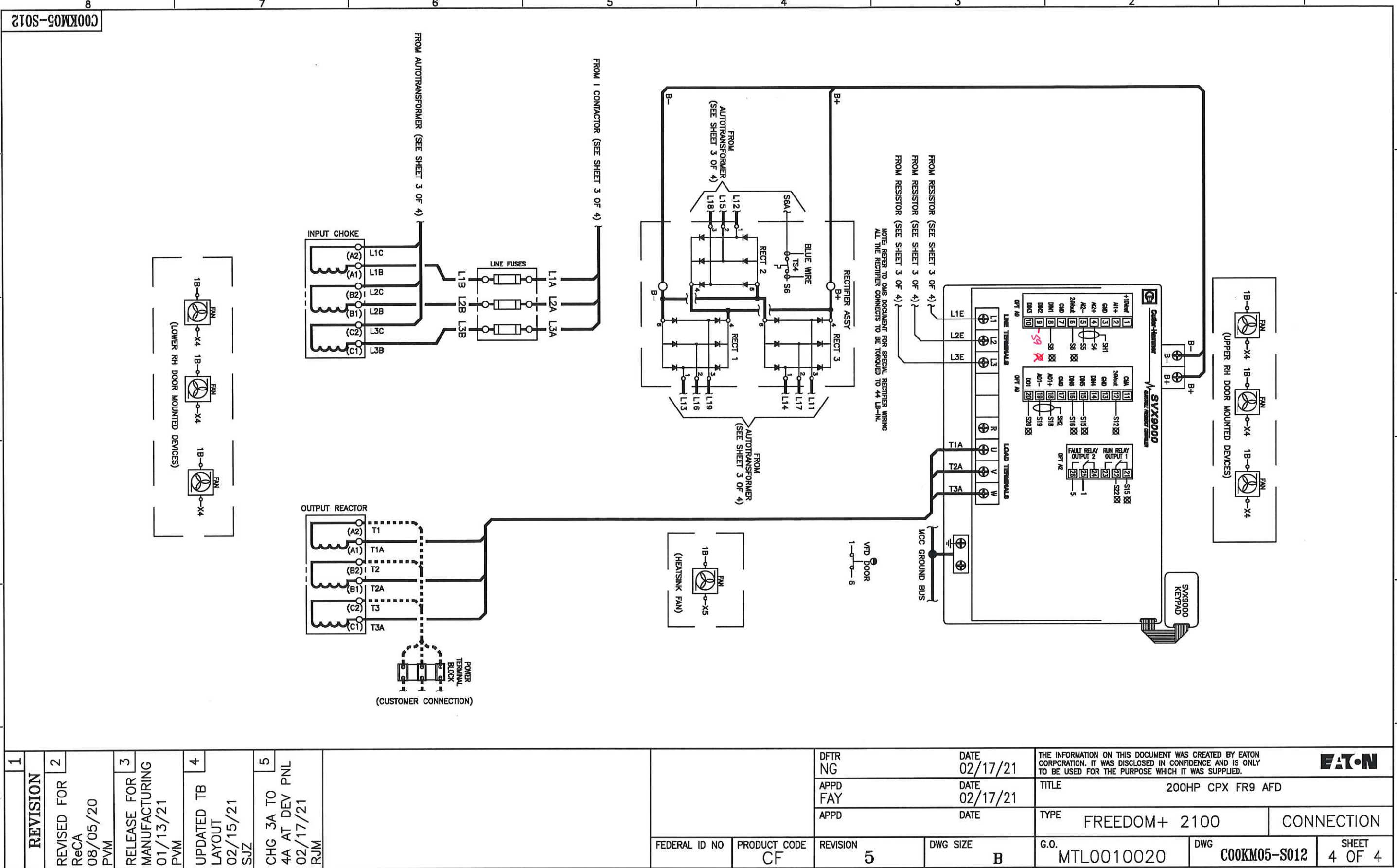
1	REVISION	2	REVISED FOR ReCA 08/05/20 PVM	3	RELEASE FOR MANUFACTURING 01/13/21 PVM	4	UPDATED TB LAYOUT 02/15/21 SJZ	5	CHG 3A TO 4A AT DEV PNL 02/17/21 RJM	FEDERAL ID NO	PRODUCT CODE CF	REVISION 5	DWG SIZE B	G.O. MTL0010020	DWG COOKM05-S012	SHEET 2 OF 4	THE INFORMATION ON THIS DOCUMENT WAS CREATED BY EATON CORPORATION. IT WAS DISCLOSED IN CONFIDENCE AND IS ONLY TO BE USED FOR THE PURPOSE WHICH IT WAS SUPPLIED.	EATON													
FILE: COOKM05-S012.DWG										DFTR NG		DATE 02/17/21		TITLE 200HP CPX FR9 AFD - TYPE 2 AUTOTRANSFORMER																	
										APPD FAY		DATE 02/17/21		TYPE FREEDOM+ 2100 CONNECTION																	
										APPD		DATE																			

COOKM05-S012



REVISION		DATE		THE INFORMATION ON THIS DOCUMENT WAS CREATED BY EATON CORPORATION. IT WAS DISCLOSED IN CONFIDENCE AND IS ONLY TO BE USED FOR THE PURPOSE WHICH IT WAS SUPPLIED.	
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2	ReCA	02/17/21	DATE	200HP CPX FR9 AFD	
3	08/05/20		DATE	TYPE	
4	PVM		DATE	FREEDOM+ 2100	
5	RELEASE FOR			CONNECTION	
6	MANUFACTURING			G.O.	
7	01/13/21			MTL0010020	
8	PVM			DWG	
9	UPDATED TB			COOKM05-S012	
10	LAYOUT			SHEET	
11	02/15/21			3 OF 4	
12	SJZ				
13	CHG 3A TO				
14	4A AT DEV PNL				
15	02/17/21				
16	RJM				

FILE: COOKM05-S012.DWG



COOKM05-S012

1	REVISION
2	REVISED FOR ReCA 08/05/20 PVM
3	RELEASE FOR MANUFACTURING 01/13/21 PVM
4	UPDATED TB LAYOUT 02/15/21 SJZ
5	CHG 3A TO 4A AT DEV PNL 02/17/21 RJM

		DFTR NG		DATE 02/17/21		THE INFORMATION ON THIS DOCUMENT WAS CREATED BY EATON CORPORATION. IT WAS DISCLOSED IN CONFIDENCE AND IS ONLY TO BE USED FOR THE PURPOSE WHICH IT WAS SUPPLIED.								
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		APPD		DATE		TYPE FREEDOM+ 2100				CONNECTION				
FEDERAL ID NO		PRODUCT CODE CF		REVISION 5		DWG SIZE B		G.O. MTL0010020			DWG COOKM05-S012		SHEET 4 OF 4	

Change Proposal: No 37
Install PBR metal panels over exposed vapor barrier in Process Building
if work completed during North Plant scope of work

CODE	DESCRIPTION	QUANTITY	UNIT	COST	MATERIAL	COST	LABOR	COST	EQUIPMENT	COST	SUB-CONTR.
DIV. 1	GENERAL CONDITIONS										PAGE 1
1101	SUPERVISION /TRUCK /FUEL	0	WKS		0.00	2,500	0.00	450	0.00		0.00
1115	SAFETY INSPECTOR	0	MO.		0.00		0.00		0.00	750	0.00
1123	TRAVEL EXPENSES/SUBSIST.	0	MO.	3000	0.00		0.00		0.00		0.00
1	UTILITIES - TELEPHONE	0	MO.	300.00	0.00		0.00		0.00		0.00
1145	UTILITIES - TOILET	1	EA/MO.	150.00	150.00		0.00		0.00		0.00
1161	ICEM/WATER	1	MO.	100.00	100.00		0.00		0.00		0.00
1162	HAND WASHING STATION	1	MO.	150.00	150.00		0.00		0.00		0.00

TOTALS:		400.00		0.00		0.00		0.00
DIV. 2	Metal Siding to Exposed Vapor Barrier							
	Add PBR Panel with trim to exposed vapor barrier areas @ Process Building							
		1 LS		0.00		0.00		72,369.86
		CY		0.00		0.00		0.00
		CY		0.00		0.00		0.00

	TOTALS				
SUMMARY	0.00	0.00	0.00	72,369.86	
DIV. 1 GENERAL CONDITIONS	400.00	0.00	0.00	0.00	
DIV. 5 METALS	0.00	0.00	0.00	72,369.86	

TOTALS ("On-Job Cost")	400.00	0.00	0.00	72,369.86

TOTAL MATERIAL				
TOTAL LABOR (PAYROLLS)				
TOTAL EQUIPMENT & MISC				
TOTAL SUB-CONTRACT				

ESTIMATE SUMMARY	400.00	0.00	0.00	72,369.86
	0.00			
	0.00			
	72,369.86			

	SUB-TOTAL (ON-JOB COST)	72,769.86
SALES TAX ON MATERIALS	FACTOR:	0
TAX ON PAYROLLS	FACTOR:	0.00
1010 ALL INSURANCE EXCEPT BUILDER RISK	FACTOR:	35%
BUILDERS RISK ON INCREASE TO TIME	FACTOR:	7.727
1011 BUILDERS RISK ON CHANGE ORDER AMOUNT	FACTOR:	0.015
		0.00
		360.06

	SUB-TOTAL (ACTUAL COST)	74,056.92
		1,524.00
		156.00
BOND PREMIUM - GENERAL CONTRACT 2 YR MAINTENANCE BOND		
	SUB-TOTAL (ADJUSTED JOB COST)	75,736.92
	OVERHEAD/PROFIT 15 %	11,361.00
TOTAL		87,097.92

01-Mar-22
 Bixby Water Reclamation Facility
 Bixby Oklahoma
 \$3,846.00
 Olsson

Change Proposal No 36
 Fault wiring from sump pumps to supervisory panel

CODE	DESCRIPTION	QUANTITY	UNIT	cost	MATERIAL	cost	LABOR	cost	EQUIPMENT	cost	SUB-CONTR.
DIV. 16	Electrical wire sump pump to supervisory panel				MATERIAL		LABOR		EQUIPMENT		SUB-CONT.
	Fault Wiring	1	LS		0.00		0.00		0.00		3,265.00
			CY		0.00		0.00		0.00		0.00
			CY		0.00		0.00		0.00		0.00
	TOTALS:				0.00		0.00		0.00		3,265.00
	SUMMARY				MATERIAL		LABOR		EQUIPMENT		SUB-CONT.
DIV. 5	METALS				0.00		0.00		0.00		3,265.00
	TOTALS ("On-Job Cost")				0.00		0.00		0.00		3,265.00
	ESTIMATE SUMMARY										
	TOTAL MATERIAL				0.00						
	TOTAL LABOR (PAYROLLS)				0.00						
	TOTAL EQUIPMENT & MISC				0.00						
	TOTAL SUB-CONTRACT				3,265.00						
	SUB-TOTAL (ON-JOB COST)				3,265.00						
	SALES TAX ON MATERIALS				0.00						
	TAX ON PAYROLLS				0.00						
1010	ALL INSURANCE EXCEPT BUILDER RISK				30.00						
1011	BUILDER'S RISK ON INCREASE TO TIME				0.00						
	BUILDERS RISK ON CHANGE ORDER AMOUNT				11.76						
	SUB-TOTAL (ACTUAL COST)				3,306.76						
1020	BOND PREMIUM - GENERAL CONTRACT				32.00						
	2 YR MAINTENANCE BOND				5.24						
	SUB-TOTAL (ADJUSTED JOB COST)				3,344.00						
	OVERHEAD/PROFIT 15 %				502.00						
	TOTAL				3,846.00						



2211 East 6th Street
Tulsa, OK 74104
Phone: 918-585-3640
Fax: 918-585-3683

**2034 Bixby Water Reclamation Facility- Change order quote Basement
Sump Pump Fault Wiring**

DATE: February 28, 2022

TO: Kevin Lang

FROM: Tony Watson

PROJECT: 2034 Bixby Water Reclamation Facility

Complete cost of labor and Material for adding Fault wiring from Basement sump pumps to supervisory panel.

Material - \$1056.00

Labor - 2209.00

Total - \$3265.00

If you have any questions or need any further clarification, please call.

Thanks,

Tony Watson
Project Manager
918-688-6979