



Agenda City Council Meeting

City Council Chambers
Historic City Hall, 830 Boonville

Robert Stephens, Mayor

Zone Councilmembers

Phyllis Ferguson, Zone 1
Justin Burnett, Zone 2
Mike Schilling, Zone 3
Craig Fishel, Zone 4

General Councilmembers

Jan Fisk, General A
Craig Hosmer, General B
Kristi S. Fulnecky, General C
Ken McClure, General D

Upcoming Council Meeting Agenda September 6, 2016 - 6:30 p.m.

Speakers must sign up with the City Clerk to speak to an issue on the agenda.
Speakers are to limit their remarks to three to five minutes.

Note: Sponsorship does not denote Council member approval or support.

1. **ROLL CALL.**
2. **APPROVAL OF MINUTES. August 22, 2016 - Regular, August 23, 2016 - Special, And August 30, 2016 - Special.**

Documents:

[08-22-2016 REGULAR.PDF](#)
[08-23-2016 SPECIAL.PDF](#)
[08-30-2016 SPECIAL.PDF](#)

3. **FINALIZATION AND APPROVAL OF CONSENT AGENDAS. CITIZENS WISHING TO SPEAK TO OR REMOVE ITEMS FROM THE CONSENT AGENDAS MUST DO SO AT THIS TIME.**
4. **CEREMONIAL MATTERS.**
5. **CITY MANAGER REPORT AND RESPONSES TO QUESTIONS RAISED AT THE PREVIOUS CITY COUNCIL MEETINGS.**
6. **SECOND READING AND FINAL PASSAGE. Citizens Have Spoken. May Be Voted On.**

7. Council Bill 2016-196. (Schilling)

A special ordinance approving the City Utilities Annual Operating Budget for the Fiscal Year ending September 30, 2017.

Documents:

[2016-196.PDF](#)

8. Amended Council Bill 2016-197. (Hosmer)

A general ordinance amending Chapter 36 of the Springfield, Missouri City Code, known as the Land Development Code, Article III, Division VI, Section 36-483 related to off-street parking area design standards to allow alternative residential off-street parking surfaces.

Documents:

[2016-197AMENDED.PDF](#)

9. Council Bill 2016-198. (Fulnecky)

A general ordinance amending Chapter 36 of the Springfield, Missouri City Code, known as the Land Development Code, Article II, Division IV, Section 36-247 related to Subdivision Regulations to modify lot dimension and location requirements.

Documents:

[2016-198.PDF](#)

10. Council Bill 2016-199. (Schilling)

A general ordinance amending Chapter 36 of the Springfield, Missouri, City Code, known as the Land Development Code, Article II, Division I, by adding a new section concerning proposed amendments entitled "Amendments" thereto, said section to be Section 36-214.

Documents:

[2016-199.PDF](#)

11. Council Bill 2016-200. (McClure)

A special ordinance authorizing an Amended and Restated Plan for an Industrial Development Project and Cost Benefit Analysis for, and a First Amendment to Performance Agreement with, Kraft Heinz Foods Company, related to \$26,000,000 (Aggregate Maximum Principal Amount) City of Springfield, Missouri, Industrial Development Revenue Bonds (Kraft Foods Group, Inc. Project) Series 2012.

Documents:

[2016-200.PDF](#)

12. Council Bill 2016-201. (McClure)

A general ordinance amending Springfield City Code Chapter 74, Nuisance and Housing Code, to provide for nuisance-abatement notice to occupants of properties that are not owner-occupied.

Documents:

[2016-201.PDF](#)

13. Council Bill 2016-202. (Stephens)

A special ordinance approving the plans and specifications for the College Street Route 66 Phase 2 project, Plan No. 2015PW0074TE; and the College and Broadway West Extension project, Plan No. 2016PW0005WTE; accepting the bid of Hunter Chase & Associates, Inc., in the amount of \$1,145,608.00 for these projects; and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

Documents:

[2016-202.PDF](#)

14. RESOLUTIONS.

15. EMERGENCY BILLS.

16. PUBLIC IMPROVEMENTS.

17. GRANTS. Citizens May Speak. May Be Voted On.

18. Council Bill 2016-209. (Stephens)

A special ordinance authorizing the City Manager, or his designee, to apply for and accept a grant from the Missouri Foundation for Health; to support activities aimed at assessing community mental health as well as an action plan to help the Springfield community take the next steps in addressing the myriad challenges that citizens with mental health concerns present; and amending the budget of the Springfield-Greene County Health Department for Fiscal Year 2016-2017 in an amount not to exceed \$1,000,000, to appropriate grant funds.

Documents:

[2016-209.PDF](#)

19. AMENDED BILLS.

20. COUNCIL BILLS FOR PUBLIC HEARING.

21. FIRST READING BILLS. Citizens May Speak. Not Anticipated To Be Voted On.

22. Council Bill 2016-210. (Burnett)

A special ordinance authorizing the City Manager, or his designee, to enter into an amended Contract of Obligation with the Missouri Department of Natural Resources whereby the City agrees to financially secure the future closure and post-closure care of all currently active and previously completed portions of the City's Sanitary Landfill by adding \$178,304 to its existing Contract of Obligation to account for inflation.

Documents:

[2016-210.PDF](#)

23. Council Bill 2016-211. (McClure, Hosmer, Fulnecky, And Schilling)

A general ordinance amending the Springfield City Code by repealing language contained in Chapter 118 Vehicles for Hire, and adding new regulations for Transportation Network Companies and Drivers. (The Finance and Administration Committee recommends approval.)

Documents:

[2016-211.PDF](#)

24. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS.

25. **NEW BUSINESS.**

26. **UNFINISHED BUSINESS.**

27. **MISCELLANEOUS.**

28. **CONSENT AGENDA – FIRST READING BILLS. See Item #3.**

29. **Council Bill 2016-212. (Ferguson)**

A special ordinance approving the transfer of the City's interest in real property located at 820 West Brower Street to the Springfield Community Land Trust.

Documents:

[2016-212.PDF](#)

30. **Council Bill 2016-213. (Burnett)**

A special ordinance approving the transfer of the City's interest in real property located at 1436 North Rogers Avenue to Springfield Community Gardens.

Documents:

[2016-213.PDF](#)

31. **Council Bill 2016-214. (Ferguson)**

A special ordinance approving the transfer of the City's interest in real property located at 1839 North Tyler Avenue to Alice Mcgilvry.

Documents:

[2016-214.PDF](#)

32. **CONSENT AGENDA – ONE READING BILLS. See Item #3.**

33. **Council Bill 2016-215. (McClure)**

A resolution granting a new liquor license to sell retail liquor by the drink, including Sunday sales, to DS GILL, LLC, d/b/a Zayka Indian Cuisine, located at 311 South Jefferson Avenue, Springfield, Missouri, such license to include an enclosed sunroom and a patio measuring 16 feet by 14 feet on the South side of the building.

Documents:

[2016-215.PDF](#)

34. **Council Bill 2016-216. (Fisk)**

A resolution granting a new liquor license to sell retail liquor by the drink, including Sunday sales, to Fresh Ideas Management LLC, located at 900 North Benton, Springfield, Missouri, in Findlay Student Center.

Documents:

[2016-216.PDF](#)

35. **Council Bill 2016-217. (Fulnecky)**

A resolution authorizing the City Manager, or his designee, to apply for a grant in the amount of \$9,960.00 from the Missouri Department of Conservation to support native plant establishment

and enhancement on the traffic islands at Sunset Street and Grant Avenue, and Sunset Street and Fort Avenue.

Documents:

[2016-217.PDF](#)

36. **CONSENT AGENDA – SECOND READING BILLS. Citizens Have Spoken. May Be Voted On.**

37. **Council Bill 2016-204. (Fishel)**

A special ordinance authorizing the City Manager, or his designee, to enter into a License Agreement with Environmental Works, Inc., to install and maintain one monitoring well on a public right-of-way at the Kum & Go, L.L.C., located at 3030 South Jefferson Avenue, to monitor groundwater conditions at no cost to the City.

Documents:

[2016-204.PDF](#)

38. **Council Bill 2016-205. (Ferguson)**

A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with Environmental Works, Inc., to install and maintain eight monitoring wells on public right-of-ways to monitor groundwater conditions at no cost to the City.

Documents:

[2016-205.PDF](#)

39. **BOARD CONFIRMATIONS.**

Confirm the following appointment to the Public Housing Authority: Cheryl Clay with term to expire April 11, 2018.

POSSIBLE ADDITION:

[Confirm the following appointment to the Art Museum Board: Bill Hedrick with term to expire June 1, 2019.](#)

40. **END OF CONSENT AGENDA.**

41. **ADJOURN.**

Persons addressing City Council are asked to step to the microphone and clearly state their name and address before speaking.

All meetings are recorded.

In accordance with ADA guidelines, if you need special accommodations when attending any City meeting, please notify the City Clerk's Office at 864 - 1443 at least 3 days prior to the scheduled meeting.

August 22, 2016
Springfield, Missouri

The City Council met in regular session August 22, 2016 in the Council Chambers at Historic City Hall. The meeting was called to order by Mayor Bob Stephens. A moment of silence was observed.

Roll Call

Present: Kristi Fulnecky, Phyllis Ferguson, Mike Schilling, Justin Burnett, Craig Fishel, Ken McClure, Jan Fisk, Craig Hosmer and Bob Stephens. Absent: None.

Minutes

There being no additions, deletions or corrections, the minutes of August 8, 2016 were approved as presented.

Consent Agenda

The Consent Agenda was finalized and approved as presented.

Ken McClure moved to refer the topic of campaign finance regulations to the Plans and Policies Committee, as was posted as a possible addition to the agenda in the Clerk's office on Friday. The motion was seconded by Councilman Fishel.

The motion was approved by the following vote: Ayes: Fulnecky, Ferguson, Schilling, Burnett, Fishel, McClure, Fisk and Stephens. Nays: Hosmer. Absent: None. Abstain: None.

CEREMONIAL MATTERS

City Managers report and responses to questions raised at the previous City Council meeting:

Greg Burris, City Manager, answered questions brought up from the previous Council Meeting. Mr. Burris stated a memo from the Law Department has been provided at Council's places. Mr. Burris noted 38,000 people participated in this year's Birthplace of Route 66 Festival last weekend. Cora Scott, Director of Public Information and Civic Engagement, spoke on the event and thanked those who attended. Mr. Burris stated representatives from the National Resource Network visited Springfield last Tuesday and Wednesday addressing challenges in housing, job creation and connecting anchor institutions. Mr. Burris noted an update was provided at a Council Lunch Workshop and stated the National Resource Network is currently working alongside the City to bring in a national expert in collective impact model success, who will facilitate a day-long workshop September 7th, 2016. Mr. Burris stated the Springfield Parks Department completed another successful Lasers Tennis Season and noted the Nathanael Greene/Close Memorial Park will observe a "Car-Free Park Week" August 23, 2016 through August 26, 2016 during driveway entrance construction and the popular Japanese Fall Festival is coming up on September 9-11, 2016. Mr. Burris noted Police Chief Paul Williams has provided the monthly crime statistics comparing July 2015 to July 2016 at the places of Council.

Councilman Fishel expressed his appreciation for the Birthplace of Route 66 Festival and thanked the departments for their work.

Councilwoman Fulnecky asked for a discussion about panhandlers and the Satanic Club in Springfield Public Schools. Mr. Burris responded he will provide information.

The following bills appeared on the agenda under Second Reading Bills:

**Biosolids Treatment
Improvements Project**

Sponsor: Hosmer. Council Bill 2016-181. A special ordinance approving the plans and bid specifications, and accepting the bid of Crossland Heavy Contractors, Inc. for the Biosolids Treatment Improvements Project (Plan No. 2016PW0027s) at the Southwest Wastewater Treatment Plant, in the amount of \$32,389,415.00; authorizing the City Manager, or his designee, to enter into a contract with such bidder; and approving a budget adjustment to amend the Fiscal Year 2016-2017 budget of the Environmental Services Department for the Clean Water Fund in the amount of 10 percent of the construction of this project (\$3,200,000.00) to cover contingencies and construction management services for this project.

Councilman Hosmer stated he would be voting in opposition and expressed his belief the Occupational Safety and Health Administration (OSHA) violations and prevailing wage issues are a concern for a \$32 million contract.

Mayor Pro Tem McClure expressed his concern for OSHA violations and prevailing wage issues for all contracts and stated he would be voting in favor of the bill after reviewing the documents. Mayor Pro Tem McClure expressed his belief Crossland Heavy Contractors, Inc. was a good selection for this project.

Councilwoman Fulnecky asked if documents were provided concerning OSHA violations and prevailing wages. Mr. Burris responded in the affirmative.

Councilwoman Fulnecky stated she would be voting in favor of the proposed.

Councilman Schilling expressed his concern for the relationship between Crossland Heavy Contractors, Inc. and Crossland Construction and requested information about the two companies. David Allison, Crossland Heavy Contractors, Inc., provided a brief overview of the proposed. Mr. Allison stated there is a difference in ownership between the two companies and stated the relationship between the two companies is the owners are brothers. Mr. Allison noted there are no OSHA violations for Crossland Heavy Contractors, Inc. Mr. Allison stated responses were provided to Council concerning Crossland Construction.

Councilman Hosmer asked if the ownership is different between the two companies. Mr. Allison responded in the affirmative and stated the Crossland brothers; who own Crossland Heavy Contractors, Inc., children own Crossland Construction.

Councilman Hosmer asked if there is separate management for the companies. Mr. Allison responded in the affirmative and stated there is oversight on the board level from the Crossland brothers.

Councilman Hosmer asked if the employees are shared between the two companies. Mr. Allison responded in the negative.

Councilman Hosmer asked if the companies are located in the same facility. Mr. Allison responded in the negative.

Councilman Hosmer asked for the history on wage and OSHA violations for Crossland Construction. Mr. Allison responded there are no issues other than with sub-contractors and stated those concerns have been addressed.

Councilwoman Fulnecky expressed her belief Crossland Construction has a very good reputation for large projects.

Mayor Pro Tem McClure expressed his opinion it is difficult to distinguish between prime and sub-contractors. Mr. Allison responded there is oversight from the company to review the information as well.

Council Bill 2016-181. Special Ordinance 26781 was approved by the following vote: Ayes: Fulnecky, Ferguson, Schilling, Burnett, Fishel, McClure, Fisk and Stephens. Nays: Hosmer. Absent: None. Abstain: None.

Homeland Subdivision Project

Sponsor: Ferguson. Council Bill 2016-187. A special ordinance approving the plans and specifications for the Homeland Subdivision Pacific Street and Hillcrest Avenue – Colgate Avenue to Thoman Street project, and to accept the bid of Hamilton and Dad Inc., for that project; and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

Council Bill 2016-187. Special Ordinance 26782 was approved by the following vote: Ayes: Fulnecky, Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer and Stephens. Nays: None. Absent: None. Abstain: None.

Kimbrough Avenue and Cherry Street Signal Replacement Project

Sponsor: Ferguson. Council Bill 2016-188. A special ordinance approving the plans and specifications for Kimbrough Avenue and Cherry Street Signal Replacement Project, and to accept the bid of Ewing Signal Construction, LLC in the amount of \$276,347.05 for the project; and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

Council Bill 2016-188. Special Ordinance 26783 was approved by the following vote: Ayes: Fulnecky, Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer and Stephens. Nays: None. Absent: None. Abstain: None.

RESOLUTIONS.

America’s Job Driven Grant Application

Sponsor: Fulnecky. Council Bill 2016-192. A resolution authorizing the City Manager, or his designee, to submit an America’s Job Driven Grant Application to the United States Department of Labor to support the training of individuals to fill existing and projected job openings within the healthcare industry; and declaring that this bill qualifies for approval on one reading.

Mary Ann Rojas, Director of Workforce Development, provided a brief overview of the proposed. Ms. Rojas stated the proposed requests \$3 million from the Department of Labor to support training for 372 individuals to go into health care training. Ms. Rojas noted there is not a match requirement and stated there is a requirement that resources are leveraged. Ms. Rojas noted they are providing \$800,000 in leveraged resources from the Missouri Job Center and Ozarks

Technical Community College.

Mayor Stephens expressed his appreciation for the proposed.

An opportunity was given for citizens to express their views. With no appearances, the discussion was closed.

Council Bill 2016-192. Resolution 10279 was approved by the following vote: Ayes: Fulnecky, Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer and Stephens. Nays: None. Absent: None. Abstain: None.

**Renovation of the
YMCA at 417 South
Jefferson**

Sponsor: Schilling. Council Bill 2016-193. A resolution endorsing the use of \$700,000 in Commercial Loan Program funds for the renovation of the YMCA Building at 417 South Jefferson into affordable housing to serve youth aging out of foster care; with repayment of 50 percent of those funds deferred for 20 years; and subject to the Rules and Regulations for the Commercial Loan Program. (Staff and Loan Committee recommend approval.)

Sarah Kerner, Director of Economic Development, provided a brief overview of the proposed. Ms. Kerner stated the proposed will repurpose the current YMCA building. Ms. Kerner noted the City provides a Comprehensive Housing Assistance Program and stated the money is funded through the Community Development Block Grant and HOME funds. Ms. Kerner stated the proposed is to make home-type loans using commercial loan funds which will provide affordable housing in the downtown area.

Councilman Burnett expressed his appreciation for the proposed.

Councilwoman Ferguson asked if a developer could buy single-family homes and turn them into affordable housing. Ms. Kerner responded in the affirmative.

Councilwoman Fulnecky asked if the proposed would require modification for other programs. Ms. Kerner responded no changes will be made to existing loan approval programs.

Councilwoman Fulnecky asked if the funds are made up from federal money. Ms. Kerner responded in the affirmative and stated this particular loan would come from Housing and Urban Development (HUD) money.

Councilman Schilling asked for clarification on the youth aging out of foster care.

Debbie Hart, Developer, provided a brief overview of the proposed. Ms. Hart stated the proposed is setting aside housing for youth that have aged out of foster care. Ms. Hart expressed her belief the YMCA is an excellent group for this program to be routed through because they have access to job centers, housing and will oversee staff members to help coordinate the youth that have aged out of foster care.

Councilman Schilling asked who will be paying the rent. Ms. Hart stated Rare Breed has access to a grant targeted towards youth that will pay for the rent and noted some have their own resources as well as donations from private donors.

Councilman Fishel asked if the property will be owned solely by the YMCA. Ms. Hart responded the YMCA will partner with the Housing Project for the youth aging out of foster care housing and what remains will be owned by the YMCA.

Mayor Pro Tem McClure expressed his appreciation for the proposed and asked how additional funding will be used. Ms. Hart responded the project financing will be funded through the Missouri Housing Development Commission as well as historic credits.

Mayor Pro Tem McClure asked if the proposed is approved by Council, will the YMCA come forward in asking for additional funding. Ms. Hart responded in the negative.

Councilwoman Ferguson expressed her appreciation for the proposed and asked how many units will be available. Ms. Hart responded approximately 10 or 15.

Councilwoman Fulnecky asked where the housing units will be located. Ms. Hart responded the historical YMCA will be located on the lower level, housing units will go on floors two, three and four, a new gymnasium will be built behind the existing YMCA and housing units will go above the new gym.

Councilwoman Fulnecky asked when the funding will be available and if a rezoning will be needed in the future. Ms. Hart responded funding will be available in December and will not require rezoning.

Councilwoman Fisk asked for the age of the building. Ms. Hart responded in 2018 it will be 100 years old. She noted this is when the proposed is slated to hold its grand opening.

Councilman Hosmer asked if the renovation will be included on all facilities. Ms. Hart responded in the affirmative.

Councilman Burnett expressed his appreciation for the proposed and asked if there is a place people can donate. Ms. Hart responded she will be working with the YMCA to establish a program to make it accessible for people to donate.

Mayor Stephens asked what will be below the housing units. Ms. Hart responded there will be a reception area surrounded by fitness studios and gym equipment.

Mayor Stephens asked if the new construction will be in the parking lot. Ms. Hart responded they will be taking off a section of the building and will experience a net reduction of only five parking spaces.

Mayor Stephens asked if the pool will still be located in its current location. Ms. Hart responded that information is not available yet.

An opportunity was given for citizens to express their views. With no further appearances, the discussion was closed.

Council Bill 2016-193. Resolution 10280 was approved by the following vote: Ayes: Fulnecky, Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer and Stephens. Nays: None. Absent: None. Abstain: None.

EMERGENCY BILLS.

PUBLIC IMPROVEMENTS.

**Sanitary Sewers in
Sanitary Sewer District
No. 91**

Sponsor: Ferguson. Council Bill 2016-203. A resolution declaring it necessary to construct sanitary sewers in Sanitary Sewer District No. 91 of Section No. 1 in the City, located in the general vicinity of College Street and Broadway Avenue; providing for payment thereof in the amount of \$198,858.84; and providing for publications and notices.

Steve Meyer, Director of Environmental Services, provided a brief overview of the proposed. Mr. Meyer stated the proposed is to declare it necessary to construct sanitary sewers in the general vicinity of College and Broadway. Mr. Meyers noted the proposed will eliminate ten septic tanks and noted property owners were notified before the project was brought to Council and made himself available for questions.

An opportunity was given for citizens to express their views. With no appearances, the discussion was closed.

Council Bill 2016-203. Resolution 10281 was approved by the following vote: Ayes: Fulnecky, Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer and Stephens. Nays: None. Absent: None. Abstain: None.

GRANTS.

**Workforce Innovation
and Opportunity Act
Governor's Reserve
Funds Grant**

Sponsor: Fisk. Council Bill 2016-194. A special ordinance authorizing the City Manager, or his designee, to accept \$149,997.41 of Workforce Innovation and Opportunity Act Governor's reserve funds from the Missouri Division of Workforce Development to fund the Ozark Region's Pre-Apprenticeship Academy Project for the purpose of preparing individuals to enter and succeed in registered apprenticeship programs, and to enter into necessary agreements to carry out the grant; amending the budget of the Department of Workforce Development for Fiscal Year 2016-2017 in the amount of \$149,997.41; and declaring that this bill qualifies for approval on one reading.

Marian Rojas, Director of Workforce Development, provided a brief overview of the proposed. Ms. Rojas stated the proposed is to expose youth up to 24 years old to basic skills and expose individuals to the construction trade. Ms. Rojas noted the proposed is to provide training for ten individuals who will be selected by the employers prior to training.

Councilwoman Fulnecky asked if a monetary match is required. Ms. Rojas responded in the negative.

Councilwoman Fulnecky asked for clarification on the youth contract. Ms. Rojas responded the youth program is contracted through Preferred Family Health and some of the cost goes towards administrating the program.

Councilwoman Ferguson expressed her appreciation for the proposed.

Councilman Fishel asked if the program is dedicated to the trades. Ms. Rojas responded in the affirmative.

John Oke-Thomas spoke in favor of the proposed. Mr. Oke-Thomas expressed his appreciation for the proposed and expressed his opinion the proposed is a great opportunity for those who are not able to attend college.

Mayor Pro Tem McClure asked for clarification on the steps taken prior to apprenticeship. Mr. Oke-Thomas expressed his opinion businesses focus on those who have a college degree and stated there needs to be a focus and opportunity for those who are inbetween High School and College.

Councilwoman Ferguson expressed her appreciation for Mr. Oke-Thomas's comments and agreed with his comments.

Councilwoman Fulnecky asked where Mr. Oke-Thomas's statistics came from. Mr. Oke-Thomas responded they are national statistics.

An opportunity was given for citizens to express their views. With no further appearances, the discussion was closed.

Council Bill 2016-194. Special Ordinance 26784 was approved by the following vote: Ayes: Fulnecky, Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer and Stephens. Nays: None. Absent: None. Abstain: None.

AMENDED BILLS.

COUNCIL BILLS FOR PUBLIC HEARING.

Report on the Status of All Existing Tax Increment Financing Plans

Sponsor: Fisk. Council Bill 2016-195. A resolution accepting a report on the status of all existing Tax Increment Financing plans within the City of Springfield, and determining that the redevelopment projects of each Tax Increment Financing District are making satisfactory progress under the proposed time schedule contained within their respective plans.

Sarah Kerner, Director of Economic Development, provided a brief overview of the proposed. Ms. Kerner stated the three Tax Increment Financing (TIF) locations include Commercial Street, Jordan Valley Park and the Springfield Plaza. Ms. Kerner stated the Jordan Valley TIF was approved on October 23, 2000 by Special Ordinance No. 23917, amended by City Council on November 13, 2001 by Special Ordinance No. 24114 and redevelopment areas activated during 2000-2005. Ms. Kerner noted the TIF plan objectives include eliminating adverse conditions which are detrimental to public health, safety, morals or welfare in the Redevelopment Area, enhance the tax base of the City, encourage private investment in the surrounding area that will increase employment opportunities and discourage commerce, industry and manufacturing from moving their operations to another state, to increase employment, housing and recreational opportunities in the City and to stimulate development that would not otherwise occur without Tax increment Financing assistance. Ms. Kerner stated all projects that have been activated are completed and have achieved satisfactory progress with no additional project areas to be activated. Ms. Kerner stated the Commercial Street TIF's primary purpose is to enable the City to carry out

extensive public improvements in the Area and encourage significant growth and development through private sector investment. Ms. Kerner noted the first public input session was held on August 11, 2016 and the City staff anticipates bringing recommendations for TIF expenditures forward to City Council in Fall 2016. Ms. Kerner stated the Springfield Plaza TIF plan objectives included facilitating redevelopment of the area, curing the economic underutilization of the area and to convert it to its highest and best use, alleviate those conditions that cause the area to be a “blighted area” and the encourage a consumer-friendly commercial environment that encourages activity within the Redevelopment Area and promotes the economic health and independence of the City. Ms. Kerner stated the Springfield Plaza TIF has two Redevelopment Project Areas labeled Redevelopment Project Area 1 (RPA-1) and Redevelopment Project Area 2 (RPA-2) for commercial use. Ms. Kerner noted public improvements are being constructed in RPA-1 including a signal at McCurry that has been completed and a signal at Zimmer that is currently under construction, achieving satisfactory progress.

Councilman Fishel asked if the Expo Center would be eligible for the TIF. Ms. Kerner responded in the negative.

Councilwoman Fulnecky asked if the Commercial Street TIF is limited to public improvements. Ms. Kerner responded it is only available for the 19 projects listed.

Councilwoman Ferguson asked if the developer determines how long it will take for the project to pay off. Mary Lilly Smith, Director of Planning and Development, responded it is a process of negotiation and stated incentive policies previously adopted by Council, one of which states the TIF should be the shortest period possible.

Councilwoman Fulnecky asked if the proposed is a resolution. Anita Cotter, City Clerk, responded in the affirmative.

An opportunity was given for citizens to express their views. With no appearances, the public hearing was closed.

Council Bill 2016-195. Resolution 10282 was approved by the following vote: Ayes: Fulnecky, Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer and Stephens. Nays: None. Absent: None. Abstain: None.

City Utilities Annual Operating Budget

Sponsor: Schilling. Council Bill 2016-196. A special ordinance approving the City Utilities Annual Operating Budget for the Fiscal Year ending September 30, 2017.

Scott Miller, General Manager of City Utilities, provided a brief overview of the proposed. Mr. Miller stated the proposed allows the City to take advantage of low cost energy, purchase renewable energy and is \$29 million less than the previous budget presented to Council for 2016.

Mike Finch, Associate General Manager Chief Financial Officer Administrator, provided a brief overview of the proposed. Mr. Finch stated the project expenditures for 2016 was \$518 million, where as for 2017 it is \$505 million, a reduction of \$13 million. Mr. Finch noted the disbursement authority for budget year 2017 is requesting \$537,802,884, which is a reduction of \$29 million. Mr.

Finch stated the budget year 2017 community services requested are \$39.6 million, which is a reduction of \$4.5 million and made himself available for questions.

Councilman Schilling asked for clarification on spending for coal. Mr. Finch responded they needed to spend \$14.4 million above what was budgeted in 2016 to comply with regulations and there is currently \$6.5 million budgeted for 2017 for coal.

Councilman Schilling asked if it was concerning air quality. Mr. Finch responded in the negative and stated the projects include ash handling and cleaning up the coal yard at the James River facility.

Councilman Schilling asked if a reduction in coal burning would affect the facility and would additional coal need to be bought to continue to provide energy. Mr. Finch responded in the affirmative.

Councilman Schilling asked how long coal will be used at the facilities. Mr. Finch responded they will still be burning coal at two locations. Mr. Finch stated the natural gas prices have been low and are compressing the market prices for energy.

An opportunity was given for citizens to express their views. With no appearances, the public hearing was closed.

Resident Off Street Parking

Sponsor: Hosmer. Council Bill 2016-197. A general ordinance amending Chapter 36 of the Springfield, Missouri City Code, known as the Land Development Code, Article III, Division VI, Section 36-483 related to off-street parking area design standards to allow alternative residential off-street parking surfaces.

Councilman Schilling stated it has come to the attention of City Staff that there is an error in an attachment to Council Bill 2016-197. The text on Attachment 3 of Exhibit B which states, "At least 3 feet wide" should instead say "not to exceed 3 feet wide." Mr. Schilling moved to amend Council Bill 2016-197 by replacing Attachment 3 to Exhibit B with an amended Attachment 3, which is provided in connection with this memorandum and is also on file with the City Clerk.

Councilman Burnett seconded the motion and it was amended by the following vote: Ayes: Fulnecky, Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer and Stephens. Nays: None. Absent: None. Abstain: None.

Mary Lilly Smith, Director of Planning and Development, provided a brief overview of the proposed. Ms. Smith stated the proposed will amend the zoning ordinance to permit the use of pervious pavers and other alternative methods to reduce impervious surfaces for single family duplex town homes and mobile homes. Ms. Smith noted the proposed is already permitted for multi-family, commercial and industrial uses and will help reduce stormwater runoff.

An opportunity was given for citizens to express their views. With no appearances, the public hearing was closed.

Lot Dimensions

Sponsor: Fulnecky. Council Bill 2016-198. A general ordinance amending Chapter

36 of the Springfield, Missouri City Code, known as the Land Development Code, Article II, Division IV, Section 36-247 related to Subdivision Regulations to modify lot dimension and location requirements.

Mary Lilly Smith provided a brief overview of the proposed. Ms. Smith stated the proposed will correct an inconsistency between Subdivision Regulations to clarify lot requirements and assure consistency with Zoning Ordinance.

Councilman Fishel asked if the lots in the cul-de-sacs would not be legal. Ms. Smith responded they would not be within regulations and the proposed would clarify the language.

An opportunity was given for citizens to express their views. With no appearances, the public hearing was closed.

Amending Chapter 36 to Add Section “Amendments”

Sponsor: Schilling. Council Bill 2016-199. A general ordinance amending Chapter 36 of the Springfield, Missouri, City Code, known as the Land Development Code, Article II, Division I, by adding a new section concerning proposed amendments entitled “Amendments” thereto, said section to be Section 36-214.

Mary Lilly Smith provided a brief overview of the proposed. Ms. Smith stated the proposed amends the subdivision regulations to clarify the process for making amendments. Ms. Smith noted subdivision regulations do not include the amendment process and state statutes require the Planning Commission to make recommendations for amendments and the City Council to adopt amendments by ordinance.

An opportunity was given for citizens to express their views. With no appearances, the public hearing was closed.

Amended and Restated Plan for an Industrial Development Project with Kraft Heinz Foods Company

Sponsor: McClure. Council Bill 2016-200. A special ordinance authorizing an Amended and Restated Plan for an Industrial Development Project and Cost Benefit Analysis for, and a First Amendment to Performance Agreement with, Kraft Heinz Foods Company, related to \$26,000,000 (Aggregate Maximum Principal Amount) City of Springfield, Missouri, Industrial Development Revenue Bonds (Kraft Foods Group, Inc. Project) Series 2012.

Sarah Kerner, Director of Economic Development, provided a brief overview of the proposed. Ms. Kerner stated Chapter 100 bonds provide partial personal property tax abatement on equipment purchases and are not an obligation of the City of Springfield. Ms. Kerner noted the purpose of the preliminary funding agreement between the City and Kraft Heinz is to pay legal fees associated with drafting an amended Plan, cost-benefit analysis, and performance agreement. Ms. Kerner stated the amended performance agreement adjusts Payment in Lieu of Taxes (PILOT) payment to reflect actual equipment costs. Ms. Kerner noted the employment requirement agrees not to reduce the number of jobs at the Project Site in any year during the term of the agreement by more than 25% from preceding year or by more than 50% overall.

Councilman Hosmer asked if they could reduce their number of employees by 25% each year. Ms. Kerner responded in the affirmative, noting 50% is the maximum threshold.

Councilman Hosmer expressed his concern for Kraft being able to reduce 25% of their employees. Ms. Kerner responded the proposed will be more stringent on the employment section.

Councilman Hosmer asked if Kraft is still planning on hiring additional employees. Ms. Kerner responded in the affirmative.

Councilman Hosmer asked if the PILOT payments are adjusted every year. Ms. Kerner responded in the negative and stated the PILOT adjusts based on depreciation.

Brad Erwin, Paragon Architecture, spoke in favor of the proposed. Mr. Erwin expressed his opinion the proposed encourages job creation in Springfield.

Councilman Hosmer asked if Mr. Erwin works with Kraft. Mr. Erwin responded in the negative.

An opportunity was given for citizens to express their views. With no appearances, the public hearing was closed.

The following bills appeared on the agenda under First Reading Bills:

Nuisance and Housing Code

Sponsor: McClure. Council Bill 2016-201. A general ordinance amending Springfield City Code Chapter 74, Nuisance and Housing Code, to provide for nuisance-abatement notice to occupants of properties that are not owner-occupied.

Chris Straw provided a brief overview of the proposed. Mr. Straw stated the proposed requires the property owners and all occupants to be notified in accordance with state law.

Mayor Pro Tem McClure asked if we would be in compliance with State Law. Mr. Straw responded in the affirmative.

Councilwoman Ferguson asked for clarification if the ordinance violation being posted counts towards notifying the occupant. Mr. Straw responded the notification must be done in person or by mail.

Councilwoman Ferguson asked if all occupants must be notified. Mr. Straw responded if they are on the lease, they are notified, but noted all occupants are not always on the lease. Mr. Romines stated occupants have not been defined by law.

An opportunity was given for citizens to express their views. With no appearances, the discussion was closed.

College Street Route 66 Phase 3 Project

Sponsor: Stephens. Council Bill 2016-202. A special ordinance approving the plans and specifications for the College Street Route 66 Phase 2 project, Plan No. 2015PW0074TE; and the College and Broadway West Extension project, Plan No. 2016PW0005WTE; accepting the bid of Hunter Chase & Associates, Inc., in the amount of \$1,145,608.00 for these projects; and authorizing the City Manager,

or his designee, to enter into a contract with such bidder.

Dan Smith, Director of Public Works, provided a brief overview of the proposed. Mr. Smith stated the proposed includes construction along College and Broadway, just East of the Roadside Park.

Councilwoman Fulnecky asked if the amount is already budgeted. Mr. Smith responded in the affirmative.

An opportunity was given for citizens to express their views. With no appearances, the discussion was closed.

Petitions, Remonstrances, and Communications.

The following items appeared under New Business:

Recommended

The Mayor recommends the following appointment to the Public Housing Authority: Cheryl Clay with term to expire April 11, 2018.

Referred

Refer to the Plans and Policies Committee the issue of Council Campaign Finance Regulations.

As per RSMo. 109.230 (4), City records that are on file in the City Clerk's office and have met the retention schedule will be destroyed in compliance with the guidelines established by the Secretary of State's office.

UNFINISHED BUSINESS.

MISCELLANEOUS.

The following bills appeared on the agenda under Consent Agenda First Reading Bills:

License Agreement with Environmental Works, Inc. at 3030 South Jefferson Ave

Sponsor: Fishel. Council Bill 2016-204. A special ordinance authorizing the City Manager, or his designee, to enter into a License Agreement with Environmental Works, Inc., to install and maintain one monitoring well on a public right-of-way at the Kum & Go, L.L.C., located at 3030 South Jefferson Avenue, to monitor groundwater conditions at no cost to the City.

Agreement with Environmental Works, Inc. to Install and Maintain Eight Monitoring Wells

Sponsor: Ferguson. Council Bill 2016-205. A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with Environmental Works, Inc., to install and maintain eight monitoring wells on public right-of-ways to monitor groundwater conditions at no cost to the City.

The following bills appeared on the agenda under Consent Agenda One Reading Bills:

Apply for Tax Credits from the Missouri Development Finance Board

Sponsor: Burnett. Council Bill 2016-206. A resolution authorizing the City Manager, or their designee, on behalf of the City of Springfield, to apply for tax credits from the Missouri Development Finance Board for contributions to benefit the Ozarks Food Harvest.

Council Bill 2016-206. Resolution 10283 was approved by the following vote:
Ayes: Fulnecky, Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer and
Stephens. Nays: None. Absent: None. Abstain: None.

**The following bills appeared on the agenda under Consent Agenda
Second Reading Bills:**

**A Special Ordinance
Authorizing the City
Manager to enter into
an Agreement with
Missouri Highways
and Transportation
Commission and KSPR**

Sponsor: Hosmer. Council Bill 2016-189. A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with Missouri Highways and Transportation Commission and KSPR, for the purpose of sharing video from the closed-circuit television traffic monitoring cameras owned and operated by Missouri Department of Transportation and the City of Springfield.

Council Bill 2016-189. Special Ordinance 26785 was approved by the following vote: Ayes: Fulnecky, Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer and Stephens. Nays: None. Absent: None. Abstain: None.

**Agreement with
Missouri Highways
and Transportation
Commission and
Nexstar Broadcasting
Group, Inc.**

Sponsor: McClure. Council Bill 2016-190. A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with Missouri Highways and Transportation Commission and Nexstar Broadcasting Group, Inc., for the purpose of sharing video from the closed-circuit television traffic monitoring cameras owned and operated by Missouri Department of Transportation and the City of Springfield.

Council Bill 2016-190. Special Ordinance 26786 was approved by the following vote: Ayes: Fulnecky, Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer and Stephens. Nays: None. Absent: None. Abstain: None.

**Agreement with
Missouri Highways
and Transportation
Commission and
KYTV/KYCW**

Sponsor: Fishel. Council Bill 2016-191. A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with Missouri Highways and Transportation Commission and KYTV/KYCW, for the purpose of sharing video from the closed-circuit television traffic monitoring cameras owned and operated by Missouri Department of Transportation and the City of Springfield.

Council Bill 2016-191. Special Ordinance 26787 was approved by the following vote: Ayes: Fulnecky, Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer and Stephens. Nays: None. Absent: None. Abstain: None.

Confirmed

Confirm the following appointment to the Art Museum Board: Linda Passeri with terms to expire June 1, 2019.

Confirmed

Confirm the following reappointment to the Art Museum Board: Tim Rosenbury with term to expire June 1, 2019.

Adjourn

With no further business to come before Council, the meeting adjourned at approximately 8:28 pm.

Anita J. Cotter, CMC/MRCC

Prepared by Megan Cunningham

City Clerk

**August 23, 2016
Springfield, Missouri**

The City Council met in special session August 23, 2016 in the 4th Floor Conference Room in the Busch Municipal Building at 12:45 p.m. The meeting was called to order by Mayor Bob Stephens.

Roll Call

Present: Phyllis Ferguson, Mike Schilling, Justin Burnett, Craig Fishel, Ken McClure, Jan Fisk, Craig Hosmer, Kristi Fulnecky, and Bob Stephens. Absent: None.

MINUTES.

CONSENT AGENDA.

CEREMONIAL MATTERS.

CITY MANAGER'S REPORT.

SECOND READING BILLS.

RESOLUTIONS.

EMERGENCY BILLS.

PUBLIC IMPROVEMENTS.

GRANTS.

AMENDED BILLS.

PUBLIC HEARING.

FIRST READING BILLS.

PETITIONS, REMONSTRANCES, AND COMMUNICATIONS.

The following appeared on the agenda under New Business:

**Addressing substance
abuse**

Refer to the Community Involvement Committee the issue of addressing substance abuse.

MISCELLANEOUS.

CONSENT AGENDA FIRST READING BILLS.

CONSENT AGENDA ONE READING BILLS.

CONSENT AGENDA SECOND READING BILLS.

Closed Session

Councilman Burnett move to hold a closed meeting to discuss legal actions,

causes of action, litigation, privileged and confidential communications pursuant to Section 610.021 (1), RSMo.; and this meeting, record, and vote shall be closed and the City Council shall stand adjourned at the end of the closed session.

Councilwoman Fisk seconded the motion and it was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

Anita J. Cotter, CMC/MRCC
City Clerk

DRAFT

**August 30, 2016
Springfield, Missouri**

The City Council met in special session August 30, 2016 in the Springfield-Greene County Public Safety Center at 12:37 p.m. The meeting was called to order by Mayor Bob Stephens.

Roll Call

Present: Phyllis Ferguson, Mike Schilling, Justin Burnett, Craig Fishel, Jan Fisk, Craig Hosmer, Kristi Fulnecky, and Bob Stephens. Absent: Ken McClure.

MINUTES.

CONSENT AGENDA.

CEREMONIAL MATTERS.

CITY MANAGER'S REPORT.

SECOND READING BILLS.

RESOLUTIONS.

EMERGENCY BILLS.

PUBLIC IMPROVEMENTS.

GRANTS.

**FEMA FY2015 Fire
Prevention and Safety
(FP&S) Grant**

Stephens. Council Bill 2016-208. A special ordinance authorizing the City Manager, or his designee, to accept and appropriate an FY2015 Fire Prevention and Safety (FP&S) grant through the Federal Emergency Management Agency (FEMA) to fund fire prevention and education activities; and amending the budget provided for the Fire Department of the City of Springfield, Missouri, for the fiscal year 2016-2017 in the amount of \$26,115.

David Hall, Fire Chief, provided a brief overview of the proposed. He stated the federal government has a narrow window of opportunity for the City of Springfield to accept this grant. Chief Hall noted this is a fire prevention/life safety grant provided by the Federal Emergency Management Agency (FEMA). He noted his department has been working with the Springfield Public Schools' parents-as-teachers program and the Ozarks Area Community Action Corporation (OACAC) to ensure the city has safe homes, from a fire-safety aspect, for families with children under the age of 14. Chief Hall noted this grant will provide funding for 1,000 free smoke alarms, 250 fire extinguishers, and 50 escape ladders for two-story homes. He stated this grant will also help the fire department provide demonstrations for residential fire sprinklers. Chief Hall stated this grant is a five percent match and the matching funds will come from the department's public education funding.

An opportunity was given for citizens to express their views. With no appearances, the discussion was closed.

Councilwoman Ferguson expressed her support for the proposed. She expressed her opinion fire detectors and fire-safety education are important.

Council Bill 2016-208. Special Ordinance 26788 was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: McClure. Abstain: None.

AMENDED BILLS.

PUBLIC HEARING.

Final Determination of the Greene County Assessor of the Assessed Valuation by Levying a Tax on Real and Personal Property

Hosmer. Council Bill 2016-207. A special ordinance amending Special Ordinance No. 26744 and Special Ordinance No. 26745, passed by the City Council on June 13, 2016, to reflect the final determination of the Greene County Assessor of the assessed valuation by levying a tax on real and personal property for current expenses and the debt retirement of the City of Springfield, Missouri, and its boards and agencies for the Fiscal Year 2016-2017, and declaring an emergency.

David Holtman, Interim Director of Finance, provided a brief overview of the proposed. He stated the proposed is the final step in setting the City's property tax levies for 2016. Mr. Holtman noted the city has received the final assessed valuations numbers from Greene County. He stated the combined tax levy is \$0.6177 per \$100 of assess valuation. Mr. Holtman noted the proposed is declared an emergency in order to meet the State-mandated deadline of September 1, 2016.

Councilman Hosmer ask if the total amount of tax revenue for the City of Springfield is \$17 million. David Holtman responded in the affirmative. Mr. Hosmer asked if this is an additional assessment on the citizens of Springfield. Mr. Holtman responded the proposed is the property tax for the Health Department, Art Museum, and Parks Department. Mr. Hosmer asked if the tax amount is different for the City and the County. Mr. Holtman responded in the affirmative. Mr. Hosmer expressed his opinion this goes to the issue of the sewer rates for County residents should not be the same as rate for the citizens of Springfield because the county residents are not assessed the same as the city. Greg Burris, City Manager, stated County residents do not pay the same taxes as the citizens of Springfield do, but are able to take advantage of the same services provided by the City. Mr. Hosmer expressed his opinion the City should not subsidize County residents who are able to take advantage of City services while not paying the same amount in taxes as the citizens of Springfield.

Councilwoman Fulnecky ask how the percentage is calculated and is it different from 2015. David Holtman responded it is different from 2015. He stated there are limits on how much additional tax revenue can be imposed by the City. Ms. Fulnecky asked why the rate is increasing. Mr. Holtman responded the increase is due to the additional growth and requirements to operate the City. Mr. Burris responded the City could have stayed with the 2015 rates if expenses would have remained the same. Ms. Fulnecky asked for clarification on the limits of the Hancock Amendment. Mr. Burris responded the limits are not based upon a percentage. Mr. Holtman responded it is based upon the Consumer Price Index. He noted the City is allowed to have increases for growth, but is limited by the

Consumer Price Index.

Councilman Schilling asked for clarification on the sur-tax. David Holtman responded those are the additional taxes businesses pay in Springfield.

An opportunity was given for citizens to express their views. With no appearances, the discussion was closed.

Council Bill 2016-207. Special Ordinance 26789 was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: McClure. Abstain: None.

FIRST READING BILLS.

PETITIONS, REMONSTRANCES, AND COMMUNICATIONS.

NEW BUSINESS.

UNFINISHED BUSINESS.

MISCELLANEOUS.

CONSENT AGENDA FIRST READING BILLS.

CONSENT AGENDA ONE READING BILLS.

CONSENT AGENDA SECOND READING BILLS.

Closed Session

Councilman Fishel move to hold a closed meeting to discuss legal actions, causes of action, litigation, privileged and confidential communications pursuant to Section 610.021 (1), RSMo.; and hiring, firing, disciplining or promoting of particular employees pursuant to Section 610.021 (3) RSMo.; and this meeting, record, and vote shall be closed and the City Council shall stand adjourned at the end of the closed session.

Councilman Burnett seconded the motion and it was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: McClure. Abstain: None.

Anita J. Cotter, CMC/MRCC
City Clerk

One-rdg. _____
P. Hrngs. _____
Pgs. 84
Filed: 08-16-16

Sponsored by: Schilling

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016- 196

SPECIAL ORDINANCE NO. _____

AN ORDINANCE

1 APPROVING the City Utilities Annual Operating Budget for the Fiscal Year ending
2 September 30, 2017.
3
4

5 WHEREAS, the Board of Public Utilities has prepared and submitted to City
6 Council a proposed budget documenting its estimated revenue for the coming fiscal
7 year (October 1, 2016, through September 30, 2017) ("FY2017"), from all sources; as
8 well as its estimated expenditures for operating expenses, for depreciation, for payment
9 of all outstanding obligations, for transfer to the City of payments in lieu of taxes, and all
10 other expenditures for FY2017; and
11

12 WHEREAS, said budget has been on file with the City Clerk of the City of
13 Springfield, Missouri, for more than 30 days prior to September 30, 2016, in accordance
14 with the City Charter Section 16.8.
15

16 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
17 SPRINGFIELD, MISSOURI, as follows, that:
18

19 Section 1 – The proposed budget for the fiscal year ending September 30, 2017,
20 approved by the Board of Public Utilities on August 18, 2016, be deemed to be an
21 appropriation of the money authorized for disbursement thereby and should be and is
22 hereby approved. Attached hereto as "Exhibit A" is a copy of City Utilities' Resolution
23 adopting its Fiscal Year 2017 Annual Operating Budget.
24

25 Section 2 – This ordinance shall be in full force and effect from and after
26 passage.
27

28 Passed at meeting: _____
29
30

31 _____
32 Mayor
33

34 Attest: _____, City Clerk

35

36

37 Filed as Ordinance: _____

38

39

40 Approved as to form: Franklin Dan Bonin II, City Attorney

41

42 Approved for Council action: [Signature], City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 196

FILED: 8-16-16

ORIGINATING DEPARTMENT: City Utilities of Springfield, Missouri

PURPOSE: Approval of the City Utilities Annual Operating Budget for the 2017 Fiscal Year.

BACKGROUND INFORMATION: As required by the Springfield City Charter, article 16.8: The Springfield Board of Public Utilities shall prepare and submit to the council, not less than 30 days prior to the end of the fiscal year, a budget showing its estimated revenue for the coming year from all sources and its estimated expenditures for operating expenses, for depreciation, for payment of all outstanding obligations, for transfer to the City of payments in lieu of taxes, and all other estimated expenditures.

Article 16.9 of the Springfield City Charter further states that the approval of said budget by City Council shall be deemed to be an appropriation of the money authorized for disbursement thereby, and no further action needs to be taken by City Council.

REMARKS: The end of the current fiscal year and budget is Friday, September 30, 2016. The period included in City Utilities' 2017 Annual Operating Budget is October 1, 2016 through September 30, 2017.

Submitted by:



Michael Finch
Associate General Manager – Finance
and Chief Financial Officer



Scott Miller
General Manager

Exhibit A

RESOLUTION

WHEREAS, the Board of Public Utilities of Springfield, Missouri, has the charter duty to take charge and exercise control over the public utilities, including the responsibility to prepare and submit to City Council an annual budget; and

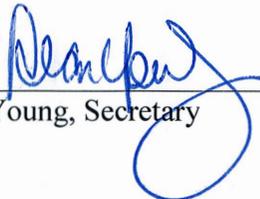
WHEREAS, Staff has presented and received input on the proposed Fiscal Year 2017 Annual Operating Budget from the Board and City Council, as well as the public by virtue of a public hearing opportunity, and has now presented to the Board a proposed Fiscal Year 2017 Annual Operating Budget, in accordance with Charter Section 16.8, together with a form of Council Ordinance and Explanation, proposing Fiscal Year 2017 disbursement authority of \$537,802,884 said budget included in the 2017 Operating Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC UTILITIES OF THE CITY OF SPRINGFIELD, MISSOURI, that the 2017 Operating Plan, incorporated herein by reference, including the Fiscal Year 2017 Annual Operating Budget, copy attached, be approved, together with City Council Ordinance and Explanation in form similar to that also attached, and the Fiscal Year 2017 Operating Budget be submitted to City Council for approval.

CERTIFICATE

The undersigned, Dean Young, Secretary of the Board of Public Utilities of the City of Springfield, Missouri, does hereby certify under his hand and seal of said Board of Public Utilities, that the above and foregoing is a true and correct copy of a resolution adopted by the Board of Public Utilities of the City of Springfield, Missouri, at its regular meeting held on the 18th day of August, 2016, pursuant to notice of time and place duly given to all members of said Board, at which meeting a quorum was present and voted throughout.

Dated this 18th day of August, 2016.



Dean Young, Secretary



One-rdg. _____
P. Hrngs. _____
Pgs. _____
Filed: _____

Sponsored by: _____

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016- _____

GENERAL ORDINANCE NO. _____

AN ORDINANCE

1 APPROVING the City Utilities Annual Operating Budget for the Fiscal Year
2 ending September 30, 2017.
3
4

5 WHEREAS, the Board of Public Utilities has prepared and submitted to the City
6 Council a proposed budget showing its estimated revenue for the coming fiscal year
7 from all sources and its estimated expenditures for operating expenses, for
8 depreciation, for payment of all outstanding obligations, for transfer to the City of
9 payments in lieu of taxes, and all other estimated expenditures; and
10

11 WHEREAS, said budget has been on file with the City Clerk of the City of
12 Springfield, Missouri, for 30 days prior to the end of the fiscal year.
13

14 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
15 SPRINGFIELD, MISSOURI, as follows, that:
16

17 Section 1 – The proposed budget for the fiscal year ending September 30, 2017,
18 approved by the Board of Public Utilities on August 18, 2016, be deemed to be an
19 appropriation of the money authorized for disbursement thereby and should be and is
20 hereby approved.
21

22 Section 2 – This ordinance shall be in full force and effect from and after
23 passage.
24

25 Passed at meeting: _____
26
27

28 _____
29 Mayor
30

31 Attest: _____, City Clerk
32

33 Filed as Ordinance: _____

34

35

36 Approved as to form: _____, Assistant City Attorney

37

38 Approved for Council action: _____, City Manager

EXPLANATION TO COUNCIL BILL NO: 2016-_____

FILED: 8-30-16

ORIGINATING DEPARTMENT: City Utilities of Springfield, Missouri

PURPOSE: Approval of the City Utilities Annual Operating Budget for the 2017 Fiscal Year.

BACKGROUND INFORMATION: As required by the Springfield City Charter, article 16.8: The Springfield Board of Public Utilities shall prepare and submit to the council, not less than 30 days prior to the end of the fiscal year, a budget showing its estimated revenue for the coming year from all sources and its estimated expenditures for operating expenses, for depreciation, for payment of all outstanding obligations, for transfer to the City of payments in lieu of taxes, and all other estimated expenditures.

Article 16.9 of the Springfield City Charter further states that the approval of the said budget by the council shall be deemed to be an appropriation of the money authorized for disbursement thereby, and no further action needs to be taken by the council.

REMARKS: The end of the current fiscal year and budget is Friday, September 30, 2016. The period included in City Utilities' 2017 Annual Operating Budget is October 1, 2016 through September 30, 2017.

Submitted by:



Michael Finch
Associate General Manager – Finance
and Chief Financial Officer

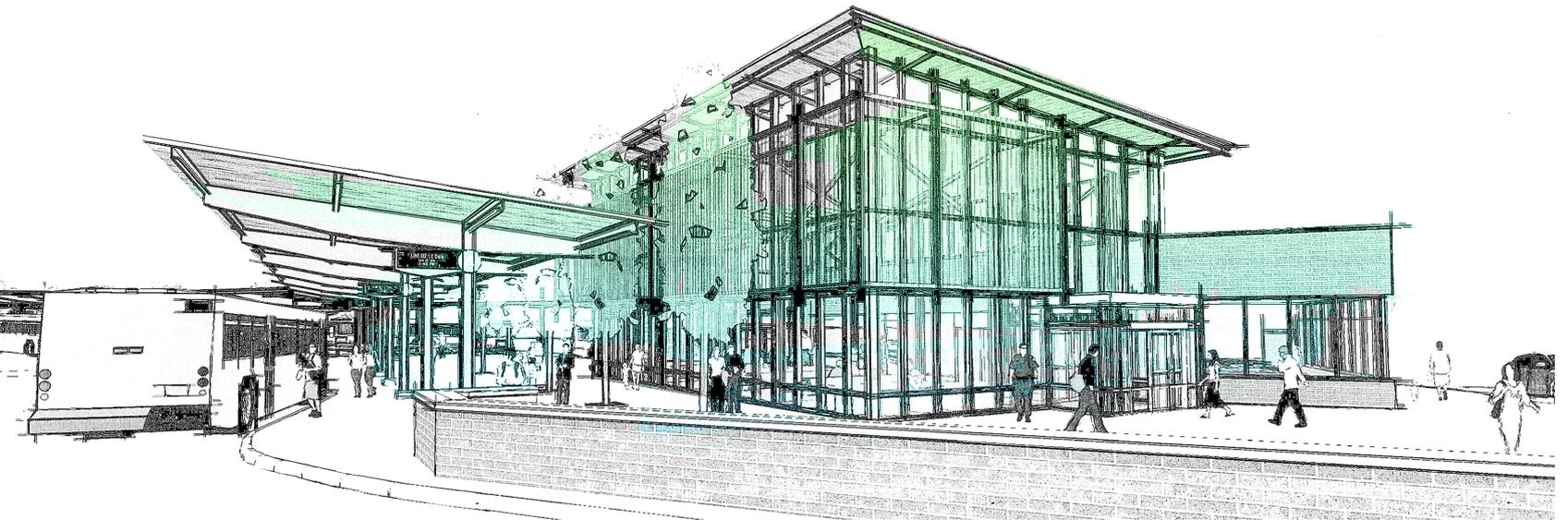


Scott Miller
General Manager



2017 Annual Operating Budget

City Utilities of Springfield





July 29, 2016

Memo To: Chair and Members of the Board of Public Utilities

We are pleased to present City Utilities' 2017 Annual Operating Budget for your consideration and approval. This budget, for the fiscal year beginning October 1, 2016, requires approval by the Board of Public Utilities and by City Council. The proposed budget outlines project expenditures necessary to responsibly serve our customers and to meet the requirements of the City Charter.

This budget is presented by functional category, with all capital, fuel, and non-capital expenditures displayed for three years, including actual, projected, and budgeted expenditures for fiscal years 2015, 2016 and 2017, respectively. Included in each category are the labor costs necessary to carry out the work included in that function. Financial Statements are included in the budget document, specifically, a projected Statement of Net Position, a Statement of Revenues, Expenses and Changes in Net Position for the total utility, and Statements of Operations for the individual business units.

A special Board meeting has been scheduled for Tuesday, August 9, 2016, at 3:00 p.m. in the City Utilities' Training Center Classroom for presentation of this budget.

A public hearing for the 2017 Annual Operating Budget followed by a joint Board/City Council study session has been scheduled for Tuesday, August 9, 2016, at 5:30 p.m. in the City Utilities' Training Center Classroom.

On behalf of our management team and all the City Utilities employees responsible for producing the 2017 Annual Operating Budget, we would like to thank you, along with the members of the CU Citizens' Advisory Council, for your support of this final part of our annual planning effort. The input you provide during the year, and especially during the budget process, is invaluable. We would be pleased to answer any questions you may have or provide any additional information you would find useful. Please call Mike Finch or me for clarification or comment while considering this budget.

Respectfully,

Scott Miller
General Manager

c: Mayor and Members of the City Council
CU Citizens' Advisory Council
CU Executive Committee
City Manager
City Clerk

**ANNUAL
OPERATING
BUDGET**

<i>Executive Summary</i>	<i>A</i>
<i>Receipts Highlights</i>	<i>B</i>
<i>Capital Improvements</i>	<i>C</i>
<i>Operating Expenditures</i>	<i>D</i>
<i>Financial Statements</i>	<i>E</i>

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Ann Marie Baker, Vice Chair
Dean Young, Secretary
Jeff Childs, Assistant Secretary

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Jeff Groves	Joe Reynolds
Skip Jansen	Denise Silvey
Bill Kirkman	

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Irwin Cohen	David Shuler
King Coltrin	William A. Smillie
Gordon Elliott	Hannah Textor
Dwayne Fulk	Phil Wannemacher
Mark Gambon	John Whittington
Theodore Higgs	Michael Zimmerman
Matt Morris	

CITY COUNCIL

Bob Stephens	Mayor
Phyllis Ferguson	Zone 1
Justin Burnett	Zone 2
Mike Schilling	Zone 3
Craig Fishel	Zone 4
Jan Fisk	General A
Craig Hosmer	General B
Kristi Fulnecky	General C
Ken McClure	General D

Budget Format

Pursuant to the Springfield City Charter, City Utilities is required to prepare an Annual Operating Budget each year for consideration by the City Council of Springfield, MO. Approval of the Annual Operating Budget establishes the total amount of expenditures for that year. This amount is referred to as disbursement authority and represents the total amount of spending appropriated for the year for all purposes including the cost of fuels, labor, capital and non-capital spending.

To ensure that expenditures in any year do not exceed total disbursement authority, City Utilities budgets all expenditures within eighteen functional categories, which are groups of projects. These projects may be capital related such as the construction of a transit bus transfer facility or they may be

related to the operations and maintenance of the Utility. Included in the 2017 Annual Operating Budget are projects related to the purchase of fuels for electric generation as well as projects related to the maintenance of water mains, gas mains, electric poles and tree trimming. Each project includes all associated costs such as labor, contract services and purchased items. Each project is classified as capital, non-capital or fuels and is assigned to one functional category used in the Annual Operating Budget document.

Because labor expenditures are assigned to the specific projects for actual accounting practice and in the projected expenditures for the Annual Operating Budget, there is no single project or line item included for labor.

Planning Approach

“Plans are nothing. Planning is everything.”
 – Dwight D. Eisenhower

City Utilities’ planning process is deliberate with an implicit focus on enabling sustainable financial strength while safely providing services at the lowest possible long-term costs for the Utilities’ customers. The process is dynamic and incorporates the impact of changing variables such as customer demands, fuel prices, regulatory changes and the economic climate.

The significance of City Utilities’ long-standing policy of intentional planning was especially evident during the 2016 fiscal year, which presented multiple unforeseen regulatory and economic obstacles. As a result of such planning, City Utilities was positioned to successfully respond to the contingencies in a responsible manner.

The annual planning process begins by evaluating and projecting certain economic assumptions and customer usage expectations. It progresses to the identification of the operating and maintenance needs of the utility systems, ensuring consistent service that safely meets customer requirements. Consideration of any replacement or renewal of the equipment that produces and delivers these services is then assessed. Regulatory and safety concerns are inherent throughout the process.

Continued preparation for the future needs of City Utilities’ customers, while ensuring that quality and reliable services are offered at competitive rates is ultimately the purpose of planning. The 2017 Operating Plan provides sound guidance for the operation of a utility that is recognized nationally for its outstanding planning process.

Budget Review Schedule

July 29, 2016	Distribution of the preliminary 2017 Operating Plan
August 9, 2016 (3:00 - 5:00 PM)	Presentation of the preliminary 2017 Operating Plan at a special-called Board Meeting (<i>City Utilities’ Training Center Classroom</i>)
August 9, 2016 (5:30 PM)	Public Hearing and Board/City Council Joint Study Session on the preliminary 2017 Annual Operating Budget (<i>City Utilities’ Training Center Classroom</i>)
August 10, 2016 - August 17, 2016	Review comments, questions and/or study session with Board and City Council, as needed
August 18, 2016 (3:00 PM)	Board Approval of the 2017 Operating Plan
August 19, 2016	Board-Approved 2017 Annual Operating Budget filed with City Clerk
August 22, 2016 (6:30 PM)	First Reading and Public Hearing of Board-Approved 2017 Annual Operating Budget by City Council
September 6, 2016 (6:30 PM)	Second Reading and Adoption of 2017 Annual Operating Budget by City Council

Glossary

APPROPRIATION - An authorization granted by a governing body to make expenditures and incur obligations for specific purposes. An appropriation is usually limited in amount and time when it may be expended.

BRITISH THERMAL UNIT (BTU) - The amount of heat energy needed to raise the temperature of one pound of water by one degree. This is the standard measurement used to state the amount of energy that a fuel has.

BUDGET - A plan of financial operations that links all planned receipts and expenditures to activities to accomplish the goals of the organization. The term "budget" usually indicates a financial plan for a single year.

BUDGET DOCUMENT - The instrument used by the budget-making authority to present a comprehensive financial program to the appropriation (governing) body for approval.

CAPITAL EXPENDITURE - Expenditure on a long-term business asset, a fixed asset.

CARRY-INS - A funding process which allows for time-line movements from a previous fiscal year to the current year.

COMMUNITY DIVIDEND - A summary of the monetary value that the City Utilities provides to the City of Springfield and the customers of City Utilities for a given time period. This usually includes the payment in lieu of taxes, utility relocates, free utility services provided to the City, the Transit System support and the Customer Dividend.

CONTINGENCY ITEM - Potential project that is not included in funding solution and which may or may not be required (e.g., dependent on other actions).

CUSTOMER DIVIDEND - Projected customer savings based on average unit price for retail customers in the State of Missouri compared to customers of City Utilities.

DAYS CASH - Number of days of cash on hand (working capital) available to meet daily Utility operations. Excludes restricted funds. (1 Day of Cash = Operating Expense divided by 365 days)

DEBT SERVICE - The organization's obligation to pay the principal and interest of all debt instruments according to a pre-determined payment schedule.

DEBT SERVICE COVERAGE - Sum of Operating Income + depreciation and amortization + other income divided by Total Annual Debt Service. Measures how many times Utility's annual income will cover annual debt payments.

DEBT SERVICE FUND - A fund established to account for the accumulation of resources (cash) for the payment of principal and interest on debt. This is often called a Sinking Fund or Bond Fund.

DEKATHERM (DTH) - Unit of energy to measure natural gas. Equivalent to one million BTU and the energy contained in about one thousand cubic feet of natural gas.

DISBURSEMENT AUTHORITY - Amount of funds allowed to be spent in a given year. Approved by City Council.

EXPENDITURE - The actual outflow of funds paid for an asset, goods or services obtained. This is the accounting entry where disbursements or accruals are recognized.

EXPENSES - A decrease in total assets. Expenses represent the total cost of operations during a period regardless of the timing of the disbursement.

FISCAL YEAR - A calendar or fiscal year represented by a 12-month period to which the annual budget applies. Also known as the budget year. City Utilities' Fiscal Year is October 1 to September 30.

FUND BALANCE - The amount of money in an account at a specific point in time.

FUND DESCRIPTIONS -

PUBLIC UTILITY - OPERATING FUND - The general fund for the Utility. All receipts and disbursements, except for some specific financings and direct interest earnings, are booked through the Operating Fund. Periodic transfers are made to/from other funds to settle-up on transactions incurred on their behalf with the Operating Fund.

DESIGNATED IMPROVEMENT ACCOUNT (DIA) - Funds in the DIA may be used for the maintenance and repair, construction, acquisitions, extensions, and improvements to a system.

BOND FUNDS - These are funds required to be set aside out of revenues to protect bondholders and City Utilities in the event of fund shortfalls. Reserves are required for Debt Service Reserves and Sinking Funds. These bond funds are found on the Statement of Net Position (Balance Sheet).

CONSTRUCTION FUNDS - These funds represent bond or financing proceeds held for construction of major capital projects. In addition to the initial bond proceeds deposited in this fund, yet-to-be consumed funds are invested and earnings on these investments are added to help fund the overall cost of the project. Project expenditures are reimbursed monthly to the Operating Fund.

GIGABYTE (GB) - A unit of computer memory or data storage capacity equal to roughly a thousand megabytes or one million bytes. This also applies to data transmission quantities over telecommunication circuits.

INTEGRATED MARKET (IM) - In March of 2014, SPP launched the IM that includes a consolidated balancing authority, a day-ahead energy market, a real-time energy market, an operating reserve market, and a market for Transmission Congestion Rights.

KILOWATT HOUR (KWh) - Equivalent to 1000 watts used over one hour.

LIQUIDATED DAMAGES - Charges associated with City Utilities railroad and coal contracts. Liquidated damages result upon failure to take sufficient quantities of coal to satisfy contracts with the coal supplier and the railroad.

MAJOR PROJECT - A project that 1) occurs only once (or every few years) and is a large dollar amount, 2) needs to be identified separately (e.g., is required by law, is a new kind of project, is politically sensitive) or 3) is a recurring project that needs additional funding (e.g., because of expected growth in the area).

MEGAWATT HOUR (MWh) - Equivalent to 1 million watts used over one hour.

NON-UTILITY RECEIPTS/DISBURSEMENTS - Items that are collected by City Utilities for the benefit of a different entity. These collections or receipts, such as sales tax and sewer billings, create a non-utility disbursement when paid over to the benefitting agency.

OFF-SYSTEM (ELECTRIC) SALES - Wholesale sales of electric power to an entity other than a City Utilities residential, commercial or industrial customer.

OPERATING EARNINGS - Operating Income excluding depreciation expense. This metric ensures that each business unit is generating enough cash flow to fund its capital improvements and debt payments.

OPERATING INCOME - The amount of profit realized from a business's operations after taking out operating expenses and depreciation. These operating expenses are costs which are incurred from operating activities and exclude income and expenses such as interest, gain or loss on investments, extraordinary items and miscellaneous items not directly related to business operations.

OPERATING PLAN - A plan of financial operations that links all planned receipts and expenditures to activities to accomplish the goals of the organization for a period exceeding one year.

RECEIPT - Funds that the organization receives as income either as designated or undesignated.

RESERVE - An account used to set aside a portion of a fund balance as segregated for a specific future use.

REPROJECTED BUDGET - The current year's budget updated for actual results through a portion of the year and new projections for the remainder of the fiscal year.

SALES MARGIN - The net profit on a transaction. Sales margin equals the sales price minus the cost of providing the commodity for sale.

SOUTHWEST POWER POOL (SPP) - The Southwest Power Pool is based in Little Rock, AR and oversees the bulk electric grid and wholesale power market in the central United States on behalf of a diverse group of utilities and transmission companies.

STATEMENT OF NET POSITION (formerly the Balance Sheet) - A financial statement that presents the assets, liabilities, reserves and balances of specific funds as of a specific date.

STATEMENT OF REVENUES, EXPENSES AND CHANGES IN NET POSITION (formerly the Income Statement) - A financial statement displaying the revenues less expenses of the organization for a given period of time, usually a month or year.

THE ENERGY AUTHORITY (TEA) - A power marketing joint venture based in Jacksonville, Florida. City Utilities benefits as a member of TEA by limiting financial exposure as a result of unexpected unit outages and volatile market prices. City Utilities also receives resource management services from TEA.

2017 ANNUAL OPERATING BUDGET

EXECUTIVE SUMMARY

<i>Financial Targets</i>	1
<i>Customer Growth and Use</i>	3
<i>Economic Assumptions</i>	4
<i>Fuels and Purchased Energy Assumptions</i>	4
<i>Capital Improvements</i>	5
<i>Revenue Forecast</i>	6
<i>Expenditures</i>	7
<i>Financial Results</i>	8

EXECUTIVE SUMMARY

City Utilities' 2017 Annual Operating Budget is the product of the Utility's tradition of intentional planning. Despite facing multiple regulatory and economic obstacles in fiscal 2016, the financial position that is detailed in the 2017 Annual Operating Budget is improved from the previous plan. The present financial strength of the Utility, even amid continued regulatory and economic uncertainty, reinforces that these planning efforts are instrumental in City Utilities' continued delivery of safe, reliable, and affordable service to our customers. Although such uncertainty remains present, it is the previous planning efforts and the continued focus on financial integrity, which provide the operational flexibility for the Utility to respond to contingencies in a responsible manner.

Management strives to develop a plan that balances the need to maintain systems to adequately serve customer needs while ensuring a sound financial position. Evident in the 2017 Annual Operating Budget and the encompassing five-year Operating Plan is a continued focus on community investment. In fiscal 2016, the new transit bus transfer station began operation, which is a notable and visible investment in the community. The five-year Operating Plan continues the investment in the transit system with regular and consistent funding for transit bus replacement.

Investment in renewing and replacing aging infrastructure continues to be a focus in the Operating Plan. In 2012, the Utility began an initiative towards achieving a 100-year water main renewal cycle. As a result of this initiative, and by con-

sequence of the practice of joint trench installations, gas main renewals have also increased. Increased investment in electric pole replacement and reinforcement is also funded in the Operating Plan. Infrastructure investments in developing and improving SpringNet® and the trunked radio systems, which provide critical services to our community, are also funded in the Operating Plan.

Participation in the integrated market, and factors such as the accelerated proliferation of wind generation within the Southwest Power Pool, significantly impacted revenue forecasts for the electric system and the electric off-system as compared to previous Operating Plans. Revenue forecasts for the natural gas system are expected to decrease as compared to previous plans, primarily due to lower natural gas prices.

The accompanying sections of the Annual Operating Budget include further detail of the revenue assumptions, planned capital improvements, and expenditures associated with the day to day operation and maintenance of the Utility.

The Annual Operating Budget is presented to the Board of Public Utilities for consideration and approval. Following approval by the Board of Public Utilities, the Budget is then presented to City Council for consideration and approval.

Financial Targets

City Utilities has adopted three financial strategies to enable sustainable financial strength while providing for the lowest possible long-term costs for our customers. These strategies are integral to developing the Annual Operating Budget and corresponding five-year Operating Plan. Three financial targets must be achieved to implement these strategies: adequate working capital, an appropriate debt service coverage ratio, and sufficient operating earnings by service. These targets provide a measurement to assess the projected financial results and ensure that assumptions for revenues, rates, disbursements, and financing decisions will not adversely impact the financial strength and stability of City Utilities. Adherence to these financial targets contributes to City Utilities maintaining its recently affirmed "AA" bond rating.

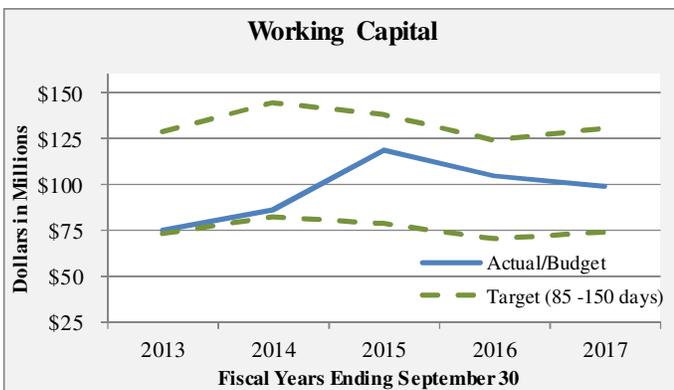
These targets, described in the following sections, focus on cash and debt management for the Utility as a whole and operating results for each business unit. It is important that decisions impacting rates, cash, capital spending, and debt can be associated with the proper business unit so that subsidization between the business units can be avoided.

Financial Targets (continued)

Working Capital

Working capital is the cash used to meet the budgeted and operational needs of the Utility throughout the year. For the 2017 fiscal year, the average daily cash requirement is projected to be \$870,000. These are the funds required to purchase fuels and materials, and to fund capital investments, employee expenses, and debt service payments. City Utilities recently completed a comprehensive review of the Utility’s historical use of working capital to develop a methodology to review and update the working capital target levels, based on CU’s current operational and financial condition. The review resulted in implementation of a working capital target based on three factors: Operational Cash Flow Model, Debt Service Adjustment, and Financial Stability. The target level is a range of 85 to 150 days of cash on hand. This aligns City Utilities’ working capital target with other “AA” rated public utilities. The working capital balance is reflected on the summary of fund balances as cash, short-term investments, and the working capital/rate stabilization fund. Cash designated for certain projects, contingencies, or reserves required by bond ordinances are not included in working capital.

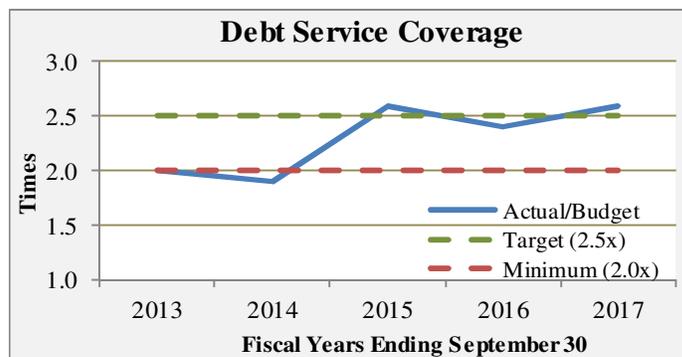
For the 2017 Annual Operating Budget, City Utilities is projected to end 2017 with 109 days of working capital. Projections for the five-year Operating Plan show working capital will remain within the target range, ending 2021 at 125 days of working capital.



Debt Service Coverage

Debt Service Coverage (DSC), the second financial target, is the ratio of total Operating Income (excluding depreciation) to total debt service. This ratio is expressed as a measure of how many times the Utility’s annual income will cover the annual debt payments.

City Utilities has set a target, based on financial standards for strongly rated utilities, for the DSC to be at least 2.5 times debt service, with a minimum required level of 2.0 times. For the 2017 Annual Operating Budget, DSC is projected to be 2.6 times and is projected to be at or above target of 2.5 times DSC during 2018-2021.



Operating Earnings

The final financial strategy is related to Operating Earnings. Operating Earnings is Operating Income excluding depreciation expense. Management uses this as a tool to ensure that each business unit is generating enough income and cash flow to cover the area’s capital improvements and debt payments.

Each year, as the five-year Operating Plan is created, Operating Earnings targets are established for each business unit based on the earnings requirements. Each business unit must support its operating expenses, debt service, capital renewal and replacements, and a portion of the Transit System. Any business unit that is projected to be below the established Operating Earnings target may be scrutinized for budget reductions, additional revenue sources, or possible financing alternatives. It is also common for Operating Earnings to fall below the target in a year when large capital improvements are planned. This is considered acceptable if future years show that the business unit will meet its Operating Earnings targets.

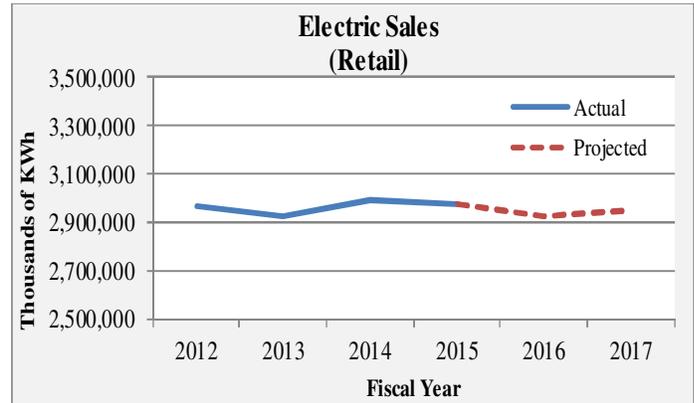
For the 2017 Annual Operating Budget, Electric and Spring-Net® business units are projected to meet their Operating Earnings targets. Natural Gas and Water will not meet the targets due to large capital projects.

Customer Growth and Use

Electric

The Electric Sales chart demonstrates the impact of customer growth and usage projections on system sales included in this Annual Operating Budget. The number of new residential customers added in 2017 is estimated at 880 and non-residential customers added to the Electric System are projected to be approximately 152. Use per residential customer is projected to increase from 2015 projections, whereas use per nonresidential customer is projected to decrease from 2015 projections, resulting in the Electric System expected unit sales to modestly increase compared to 2016 levels.

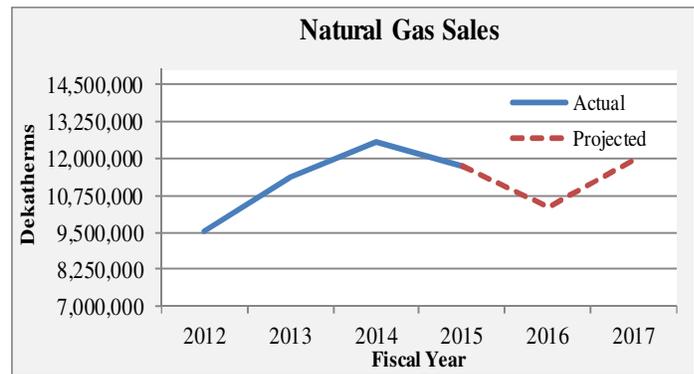
Sales projections for 2016 and 2017 are based on normal weather conditions.



Natural Gas

In 2015 the number of natural gas customers increased for the third year in a row. This increase is expected to continue at a slow pace through 2017. Use per customer is projected to increase from 2015 projections.

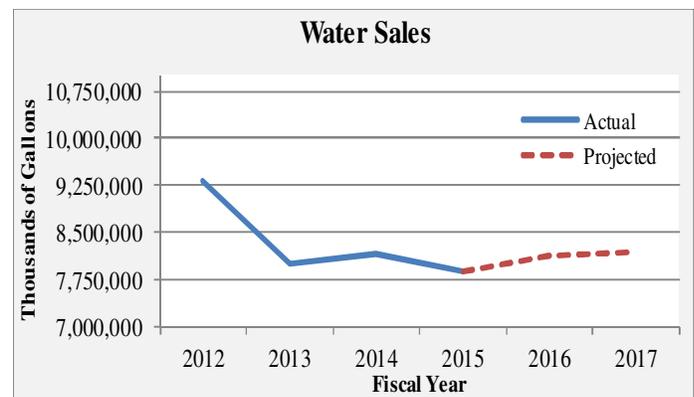
Natural gas sales projections for 2017 are based on normal weather, while 2015 depicts actual sales and 2016 includes the impact of lower natural gas prices and a warmer than normal winter.



Water

The Water System continues to experience modest growth in customers, but is still much lower than the early 2000s. Residential customer growth is projected to continue to increase slightly through 2017 with the addition of approximately 294 new customers. Non-residential customer growth is expected to increase by about 28 customers.

Water use per residential customer in 2015 was the lowest in the previous 15 years. Minor growth in water usage per customer is projected, due to adjustments for normal weather. Projections in the five-year Operating Plan continue to show a decrease in use per customer.



Broadband

The Broadband area has seen steady customer growth in recent years. Services provided by the Trunked Radio System should remain constant during this timeframe.

Transit

Transit ridership for fiscal 2017 is projected to remain relatively constant compared to 2016.

Economic Assumptions

The 2017 Annual Operating Budget includes multiple economic assumptions to assist in projecting expenditure levels. These assumptions include projections for inflation, fuel prices, borrowing costs, and investment returns. The assumptions for 2017 are conservative, based on the Federal Reserve’s current monetary policy and target inflation rate.

The rate of inflation for operating and maintenance expenses, and construction costs for the budget is 2.25% for 2017. For planning and budgeting purposes, this rate was applied to current expenditure trends to project future expenditures except where other known variables appeared likely to impact costs. Inflation rates are used by project managers as a guideline to help them budget their projects as accurately as possible. Select economic projections used to create the 2017 Annual Operating Budget are presented in the table to the right.

Economic Projections	
	2017
Inflation Rate	2.25%
Interest Borrowing Rate:	
15 year	3.00%
30 year	3.35%
Portfolio Interest Earnings Rate	2.85%

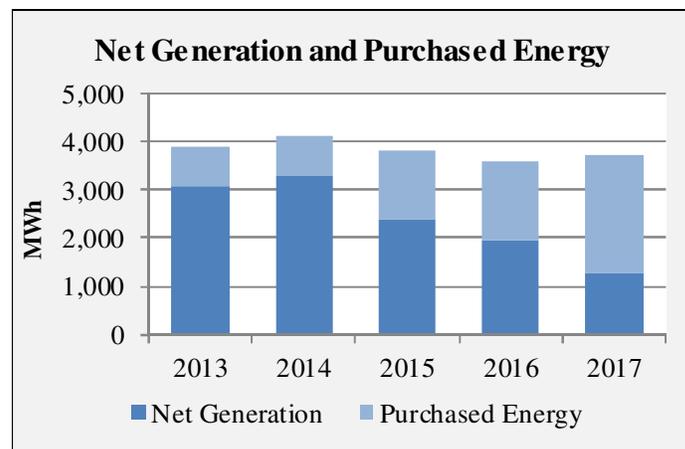
Fuels and Purchased Energy Assumptions

Assumptions for fuels, purchased energy costs, and purchased quantity estimates are an integral part of the budgeting process. Fuels, purchased energy, and renewable costs account for 32% of City Utilities’ total 2017 budgeted expenditures. Most of these costs will be paid by City Utilities’ customers through fuel cost adjustment mechanisms impacting revenues and receipts for the year. The following chart includes a summary of fuels and purchased energy assumptions.

Assuming normal weather conditions, natural gas purchases for 2017 are projected to be more than 2016. Prices for natural gas, including capacity charges, are projected higher in 2017 than 2016 and have a projected average price per Dth of \$2.76 for 2017 as compared to \$2.08 in 2016.

Purchased energy costs for 2017 are budgeted at \$62.6 million. This is driven by economic decisions to purchase energy when it is more economical than to produce it.

Fuels and Purchased Energy	
	2017
Coal:	
Tons Purchased	0.7 million
Cost of Coal Purchases	\$28.1 million
Delivered Price per Ton	\$41.71
Natural Gas:	
Dth Purchased	13.9 million
Cost of Natural Gas Purchases	\$51.4 million
Average Supply Cost per Dth	\$2.76
Purchased Energy (incl. renewables):	
MWh Purchased	2.5 million
Cost of Purchased Energy	\$62.6 million
Average Price per MWh	\$27.47



Current projections reflect the assumption that coal from the Powder River Basin in Wyoming will be consumed at JTEC coal-fired generating units. The average delivered cost of coal is projected to be \$2.37 per million BTU with freight costs included.

The historical mix of net generation and purchased energy has shifted. This is a result of participation in the Integrated Market and other factors such as the accelerated proliferation of wind energy within the Southwest Power Pool and lower natural gas prices. Current projections for fiscal 2017 include purchasing 66% of the energy needs for City Utilities, compared to 21% in 2013.

Capital Improvements

Capital Improvement projects are a major component in planning for the future of City Utilities. Capital improvements are necessary to ensure flexibility of supply, as well as extending service when demand warrants. Capital improvements are needed to maintain and restore aging infrastructure, thus continuing to meet the safety and reliability standards that our customers expect. In recent years, City Utilities modified its planning process to better prioritize projects in a manner that best serves the goals of the Utility and the needs of our customers. Category Managers from each of City Utilities' eighteen budget spending categories are tasked with reviewing, ranking, and recommending projects that should be funded given the limits in funding.

Capital expenditures for the 2017 Annual Operating Budget have a projected cost of \$69.1 million. This is a decrease from the \$82.1 million included in the 2016 Reprojected Budget. Many of the capital projects are recurring in nature, due to the on-going process of maintaining City Utilities' infrastructure. These recurring projects include such items as, preventive maintenance of electric lines, water main renewals, and natural gas service renewals.

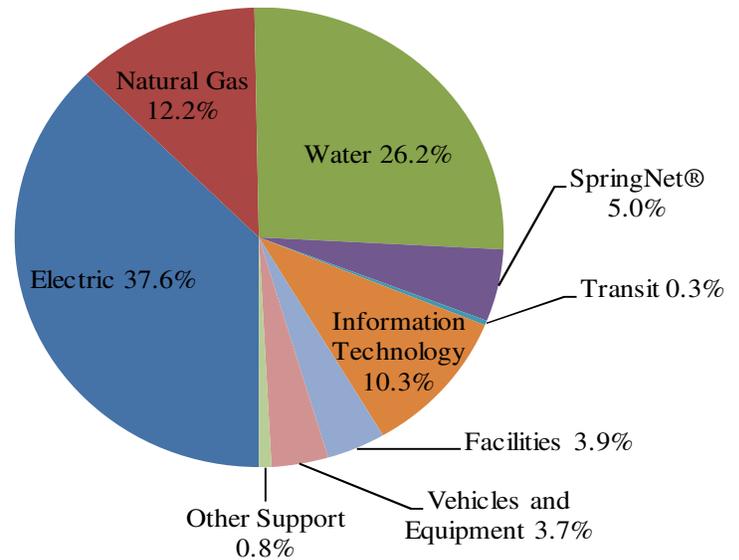
The Environmental Protection Agency (EPA) enacted the Coal Combustion Residual Rule in 2015. In order to comply with the new ruling \$6.5 million in capital spending is included in 2017.

Capital Improvements include \$8.1 million to be invested to install Advanced Metering Infrastructure for Electric, Gas, and Water customers.

Investment in renewing and replacing aging infrastructure continues to be a focus of the Utility. Capital improvements includes \$3.7 million for gas main and service renewals and \$5.4 million for water main and service renewals.

For more information on the Capital Budgeting process or a further description of the capital projects included in the 2017 Annual Operating Budget, see Section C.

Capital Expenditures by Category



Revenue Forecast

Total receipts for the Utility are projected at \$508.3 million (see pg. B-1) for fiscal year 2017, an increase of \$32.6 million compared to the 2016 reprojected budget. The majority of this expected increase is due to increased operating revenues for electric and natural gas due to the planning assumption of normal weather.

This Annual Operating Budget reflects the final of three electric rate adjustments approved by the Board of Public Utilities and City Council in 2013. No base natural gas or water rate increases are planned for 2017.

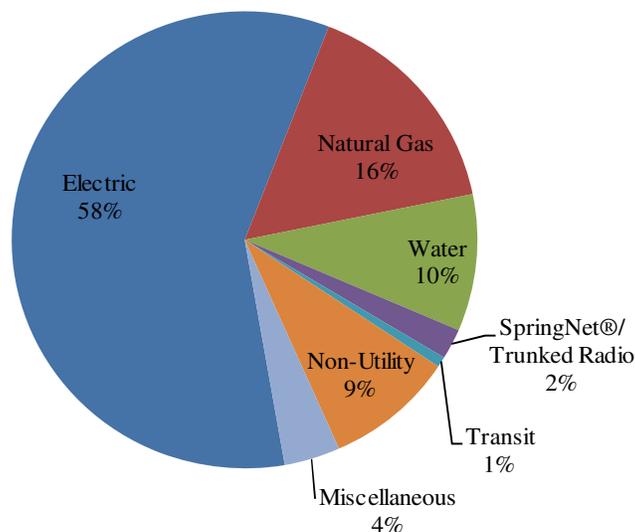
SpringNet® revenues are expected to increase slightly in fiscal 2017, as shown on page B-5, as a result of continued steady growth in customer acquisitions and bandwidth usage.

Transit operating revenues are forecasted to remain relatively flat from 2016 to 2017, as shown on page B-6. Revenues from ridership and bus advertising do not include any fare or rate increases. It is expected that the Transit System will continue to receive federal and state operating subsidies, which are also reflected in total Transit receipts.

Non-utility receipts are items that City Utilities collects and remits to a third party. These items include sales taxes collected, wastewater billings for the City of Springfield, and donations to the Project SHARE program (see pg. B-7).

Miscellaneous billings in 2017 are projected to decrease when compared to 2016. Miscellaneous billings include financing proceeds, interest income, customer contributions for service extensions, and capital grants (see pg. B-8). Proceeds from capital reimbursements from the Federal Transit Administration (FTA) are also included here.

2017 Receipts Budget



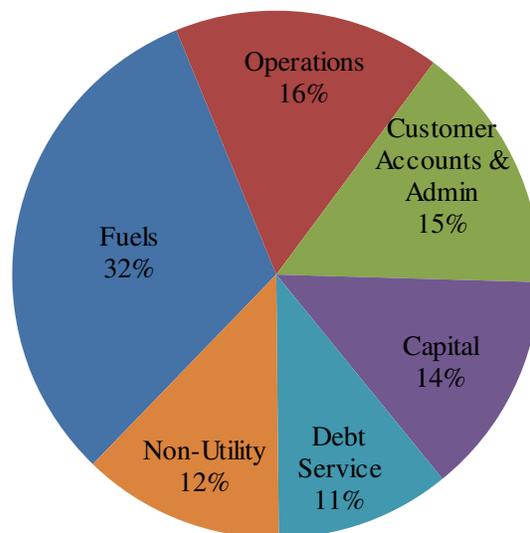
Receipts			
(\$ in millions)	Actual	Reprojected	Budget
	2015	2016	2017
Utility Operating Revenues/Receipts:			
Electric	\$ 289.3	\$ 271.0	\$ 298.2
Natural Gas	89.0	67.7	80.8
Water	44.2	49.3	49.2
SpringNet®/Trunked Radio	10.6	10.5	10.9
Transit (including subsidies)	3.6	3.7	3.7
Non-Utility Receipts	45.8	47.6	45.9
Miscellaneous Billings	66.5	25.9	19.6
Total Receipts	\$ 549.0	\$ 475.7	\$ 508.3

Expenditures

Total expenditures for the 2017 Annual Operating Budget are projected at \$505.3 million (see pg. E-14), a decrease of \$22.3 million from the 2016 reprojected budget. Expenditures for fuels and purchased power are projected to increase in fiscal year 2017 as compared to 2016 (see pg. A-4 and D-3). Expenditures for fuels will account for approximately 32% of total 2017 expenditures.

Total Disbursement Authority for the year is presented on page E-14 of the 2017 Annual Operating Budget. In addition to expenditures, Total Disbursement Authority includes a fuels contingency, net operating expenses of The Energy Authority (reported as Loss/(Gain) on Investments), changes in payables balance sheet accounts, and other miscellaneous payments. For fiscal year 2017, disbursements for all funds total \$537.8 million, as shown in the table on page A-8.

2017 Expenditures by Category



Expenditures			
(\$ in millions)	Actual	Reprojected	Budget
	2015	2016	2017
Fuels	\$ 167.4	\$ 136.5	\$ 159.7
Operations: ¹			
Power Generation	25.7	21.9	17.3
Electric T&D	20.8	21.2	21.1
Natural Gas T&D	4.2	4.3	4.3
Water Supply & Treatment	4.8	6.0	6.2
Water Distribution	3.3	4.1	4.9
Transit	4.1	4.5	4.7
Facilities	5.3	5.4	5.6
Vehicles & Equipment	2.5	2.7	2.6
SpringNet®	4.1	3.7	3.7
Information Technology	7.2	7.3	7.8
General Operations	3.6	4.4	4.4
Sub-total Operations	85.6	85.5	82.6
Customer Accounts and Admin: ¹			
Human Resources	48.6	51.3	52.8
Finance	5.0	5.5	5.7
Administrative Support	5.4	14.1	6.6
Customer Support	10.6	10.8	12.1
Sub-total Customer and Admin	69.6	81.7	77.2
Capital Improvements	76.0	82.1	69.1
Debt Service	46.3	70.8	54.2
Non-Utility	62.8	61.5	62.5
TEA Guarantees ²	-	9.6	-
Total Expenditures	\$ 507.7	\$ 527.7	\$ 505.3

¹ Expenditures for "Operations" and "Customer Accounts and Admin" consist of operations, maintenance, labor and administrative costs.

² TEA Guarantees represents equity membership guarantees to The Energy Authority (TEA). Although remittance is not anticipated, it is included as an expenditure for disbursement authority should a payment be needed. If no disbursement is required for 2016, the disbursement authority will move to 2017.

Expenditures (continued)

Disbursement Authority		
	Reprojected 2016	Budget 2017
Disbursement Authority		
Total Project Exp. (See chart pg. A-7)	\$ 527,678,834	\$ 505,338,055
Fuels Contingency ¹	35,000,000	35,000,000
Change in Payables Balances	3,108,686	(2,535,171)
Total Disbursements	\$ 565,787,520	\$ 537,802,884

¹ This disbursement will be offset by receipts through fuel adjustment mechanisms, should an increase in fuel costs occur.

Financial Results

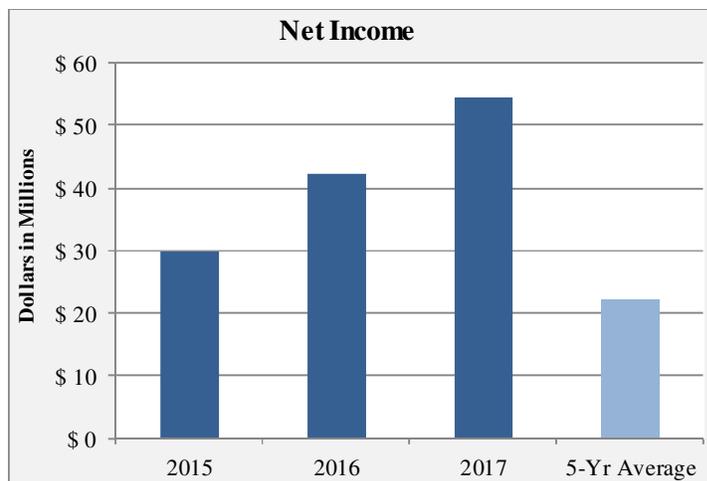
Budgeted net income for 2017 is projected at \$54.5 million, which is higher than the reprojected 2016 net income of \$42.3 million and higher than the actual 2015 net income after special item of \$29.8 million. Operating incomes from the different utility systems are projected to total \$71.4 million in 2017. This amount will be reduced by interest expense and other miscellaneous expenses and increased by interest, net capital contributions, and miscellaneous income to arrive at the net income projection of \$54.5 million. This level of operating and net income is very important for the Utility to fund its annual debt service payments and necessary capital expenditures.

The Electric System operating income is projected to increase to \$61.9 million in 2017. An electric rate increase, effective October 1, 2016, is reflected in operating income. Operating income from the Electric System is used to meet the debt service payments on the refinanced JTEC Unit 2 debt.

Natural gas operating income is projected at \$6.5 million for 2017. The 2017 Annual Operating Budget does not include any base rate increases for the Natural Gas System. The increase in operating income for 2017 is due to the planning assumption of normal weather.

The Water System expects a decrease in operating income to \$10.5 million. The 2017 Annual Operating Budget does not include any base rate increases for the Water System.

Transit revenues and subsidies are expected to remain fairly constant compared to 2016 levels. Inflationary increases in operations and maintenance are expected to cause a lower operating income for Transit operations compared to prior



years. Transit’s operating loss, after operating subsidies, is expected to be \$7.2 million in 2017. Anticipated capital contributions related to the major transit capital projects are included in Transit’s net loss but are lower than projected for 2016 due to less capital spending in 2017.

The 2017 operating income for the SpringNet® and Trunked Radio businesses is projected at \$2.5 million.

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INTRODUCTION

This section provides key information by business unit related to revenues and receipts within the Utility. For the fiscal year beginning October 1, 2016, through September 30, 2017, a brief description is included for each section of budgeted receipts.

For comparison, actual receipts for the fiscal year beginning October 1, 2014, through September 30, 2015, are also presented.

Reprojected revenues and receipts are also included for the fiscal year beginning October 1, 2015, and ending September 30, 2016.

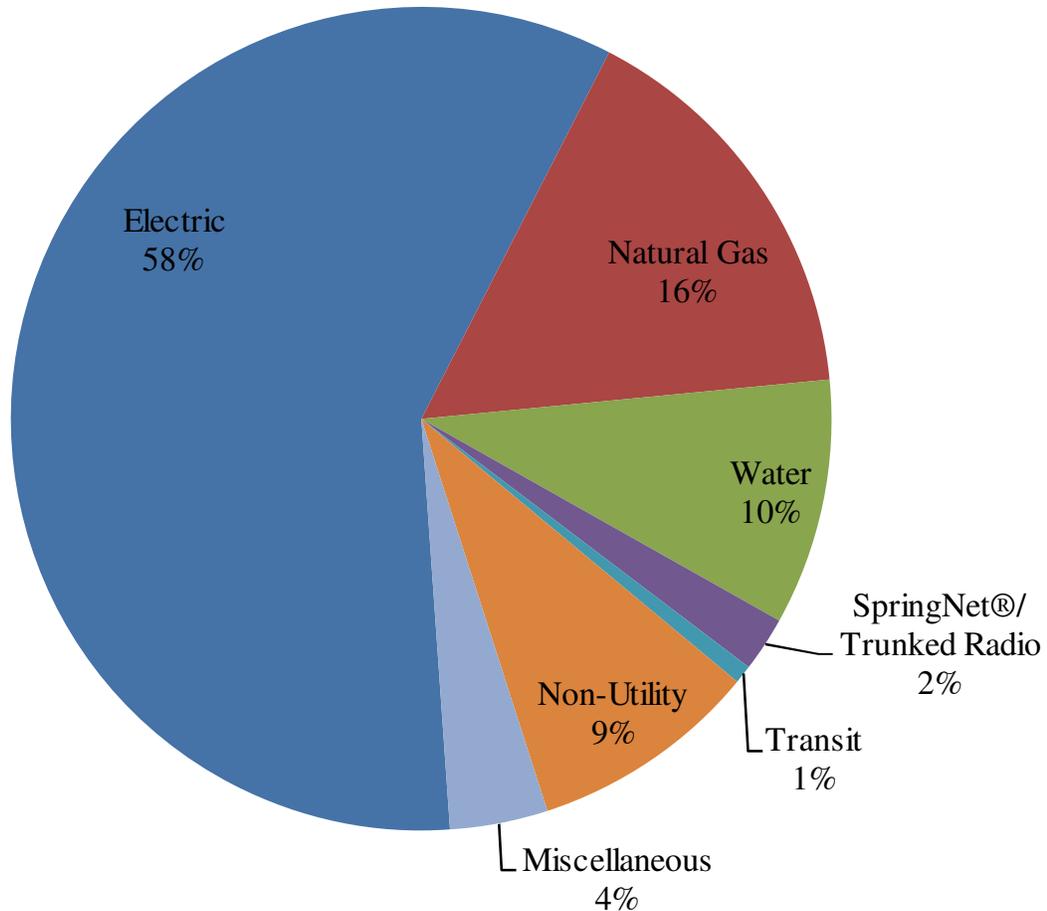
RECEIPTS HIGHLIGHTS

<i>Summary of Receipts by Category</i>	1
<i>Electric Operating Revenues/Receipts</i>	2
<i>Natural Gas Operating Revenues/Receipts</i>	3
<i>Water Operating Revenues/Receipts</i>	4
<i>SpringNet®/Trunked Radio Revenues</i>	5
<i>Transit Revenues & Operating Subsidies</i>	6
<i>Non-Utility Receipts</i>	7
<i>Miscellaneous Billings & Receipts</i>	8

Summary of Receipts by Category

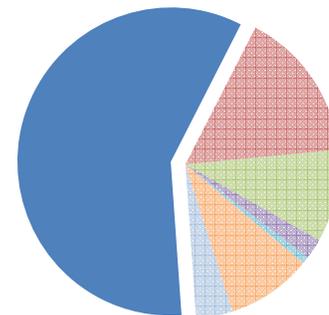
Receipts	2015 Actual	2016 Reprojected	2017 Budget
Electric Operating Revenues/Receipts	\$ 289,281,038	\$ 270,965,887	\$ 298,231,406
Natural Gas Operating Revenues/Receipts	88,978,051	67,703,657	80,854,630
Water Operating Revenues/Receipts	44,229,018	49,346,363	49,208,820
SpringNet/Trunked Radio Revenues/Receipts	10,569,955	10,496,038	10,890,060
Transit Revenues & Operating Subsidies	3,609,007	3,722,430	3,678,062
Non-Utility Receipts	45,815,942	47,628,293	45,861,456
Miscellaneous Billings & Receipts	66,490,429	25,866,411	19,562,172
Total Receipts	\$ 548,973,440	\$ 475,729,079	\$ 508,286,606

2017 Receipts by Category



Electric Operating Revenues/Receipts

Receipts	2015	2016	2017
	Actual	Reprojected	Budget
Sales Revenues	\$ 283,478,144	\$ 272,632,775	\$ 290,800,471
Other Operating Revenues	7,108,970	8,224,702	9,416,189
Total Revenues	290,587,113	280,857,477	300,216,660
Less Non-Cash Adjustments to Sales Revenues	(1,306,076)	(9,891,590)	(1,985,254)
Total Receipts	\$ 289,281,038	\$ 270,965,887	\$ 298,231,406



Description

Electric sales revenues are amounts billed to customers for the sale of electricity, adjusted to recognize revenue timing. Electric sales revenues also include interdepartmental sales charged to other operating areas of the Utility. Other operating revenues include miscellaneous service charges and rents.

Non-cash adjustments to sales revenues include unbilled revenues, interdepartmental sales, and recovery of electric fuel costs. These adjustments are included in sales revenues and are deducted to arrive at total receipts.

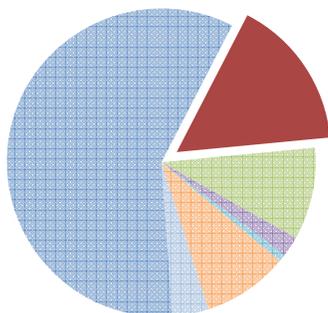
Reprojected Adjustment

- Fiscal 2016 reprojected electric system sales revenues decreased from original budget projections by approximately \$18.3 million. Fuel costs in 2016 are \$20.7 million lower than original budget assumptions, which translate to lower fuel adjustments passed on to customers through the normal electric fuel adjustment factor process. Reprojected system sales volumes for 2016 are 3% lower than original budget projections and are expected to be slightly lower than 2015 system sales volumes.
- Off-system sales revenues for fiscal 2016 are reprojected at \$17.6 million, which is lower than original projections. Off-system sales volumes are reprojected lower while sales prices are reprojected slightly higher.

Highlights

- Electric rates will increase by 3.7% at the beginning of fiscal 2017.
- Residential electric customers are projected to increase 0.90% to about 98,690 customers in 2017. Electric use per residential customer is projected to increase approximately 1.30% with residential electric sales budgeted at 1,005 gigawatt hours (GWh) in 2017.
- The average number of nonresidential electric customers is expected to increase by 1% to approximately 15,338 customers. Nonresidential electric use per customer is projected to decrease 0.59% from 2016 levels. Nonresidential electric sales are projected to increase to 1,945 GWh in 2017.
- Off-system sales include sales to Nixa, Missouri as well as energy sales through The Energy Authority and the Southwest Power Pool. Off-system sales for fiscal 2017 are forecasted at 538 GWh, up slightly from the projected forecast of 446 GWh in 2016.
- Non-cash adjustments include interdepartmental electric sales for electricity used in pumping water and charged to the water operating department, electricity used by other City Utilities facilities as well as unbilled revenues and under- or over-recovered fuel costs. Electricity for interdepartmental use is budgeted at \$3.7 million in 2017.

Natural Gas Operating Revenues/Receipts



	2015	2016	2017
Receipts	Actual	Reprojected	Budget
Sales Revenues	\$ 94,880,490	\$ 74,139,928	\$ 84,198,269
Other Operating Revenues	1,330,777	1,059,759	1,677,504
Total Revenues	96,211,266	75,199,687	85,875,773
Less Non-Cash Adjustments to Sales Revenues	(7,233,215)	(7,496,030)	(5,021,143)
Total Receipts	\$ 88,978,051	\$ 67,703,657	\$ 80,854,630

Description

Natural gas sales revenues are amounts billed to customers for the sale of natural gas, adjusted to recognize revenue timing. Natural gas sales revenues include interdepartmental sales charged to other operating areas of the Utility. Other operating revenues include miscellaneous service charges and rents.

Non-cash adjustments to sales revenues include unbilled revenues, interdepartmental sales and recovery of natural gas fuel costs. These adjustments are included in sales revenues and are deducted to arrive at total receipts.

Reprojected Adjustment

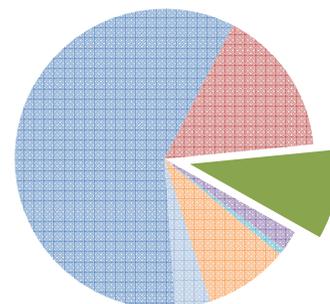
- Sales revenues for 2016 are expected to decrease from original budget projections by about \$15.3 million due to lower natural gas prices and the reprojected of lower sales volumes recognizing the warmer than normal winter.
- The expected system sales volumes in 2016 are 10.4 million dekatherms which represents a decrease from 2015 volumes of 11.7 million dekatherms. This decrease reflects slight growth in the average number of natural gas customers offset by a decrease in average use per customer.

Highlights

- Residential natural gas customers are projected to increase 0.20% to 75,082 customers in 2017. Natural gas use per residential customer is projected to increase from 2016 levels with an expectation of normal weather. Residential natural gas sales are projected to increase slightly to 5.9 million dekatherms in 2017.
- Nonresidential natural gas customers are budgeted to increase 0.35% to approximately 8,388 customers in 2017. Nonresidential natural gas use per customer is budgeted to increase in 2017 and sales are budgeted at 6.1 million dekatherms.
- Non-cash adjustments include interdepartmental natural gas sales for natural gas used in power generation charged to the electric operating department, in addition, to natural gas used by other City Utilities facilities as well as unbilled revenues and under- or over-recovered fuel costs. Natural gas for power generation is budgeted at \$6.0 million in 2017 for approximately 1.3 million dekatherms.

Water Operating Revenues/Receipts

Receipts	2015	2016	2017
	Actual	Reprojected	Budget
Sales Revenues	\$ 42,717,063	\$ 47,685,875	\$ 48,002,367
Other Operating Revenues	1,683,106	1,748,672	1,291,277
Total Revenues	<u>44,400,170</u>	<u>49,434,547</u>	<u>49,293,644</u>
Less Non-Cash Adjustments to Sales Revenues	<u>(171,152)</u>	<u>(88,184)</u>	<u>(84,824)</u>
Total Receipts	<u>\$ 44,229,018</u>	<u>\$ 49,346,363</u>	<u>\$ 49,208,820</u>



Description

Water sales revenues are the amounts billed to customers for the sale of drinking water, adjusted to recognize revenue timing. Water sales revenues include interdepartmental sales charged to other operating areas of the Utility. Other operating revenues include miscellaneous service charges.

Non-cash adjustments to sales revenues include unbilled revenues and interdepartmental sales which are deducted from total revenues to arrive at total receipts.

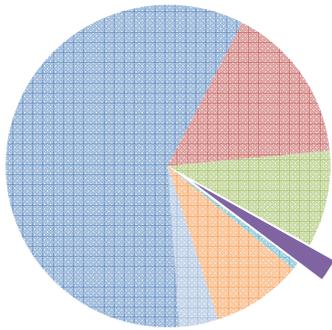
Reprojected Adjustment

- Water sales volumes for 2016 are expected to decrease from the original budget projections. The growth in average number of residential customers was reprojected lower while average number of nonresidential customers was reprojected higher. A decrease in residential and nonresidential use per customer will result in lower sales volumes by approximately 354 million gallons.

Highlights

- Residential water customers are budgeted to increase 0.40% to 73,893 customers in 2017. Water use per residential customer is budgeted to increase 2.15% with residential water sales increasing to 4.2 billion gallons in 2017.
- Nonresidential water customers are budgeted to increase 0.35% to approximately 8,061 customers in 2017. Nonresidential use per customer is budgeted to decrease 1.35% during 2017, with nonresidential water sales budgeted to decline slightly to 4.0 billion gallons.

SpringNet®/Trunked Radio Revenues



Receipts	2015	2016	2017
	Actual	Reprojected	Budget
Sales Revenues	\$ 15,001,181	\$ 13,002,404	\$ 13,256,198
Less Non-Cash Adjustments to Revenues	(4,431,226)	(2,506,366)	(2,366,138)
Total Receipts	\$ 10,569,955	\$ 10,496,038	\$ 10,890,060

Description

SpringNet® revenues are generated from providing external broadband services to the business community under the trademark SpringNet®. SpringNet® offers business solutions to high-end data users such as hospitals and healthcare facilities, banking institutions, on-line companies, and local Internet Service Providers.

Non-cash adjustments represent interdepartmental sales. These adjustments are included in sales revenues and are deducted to arrive at total receipts.

Reprojected Adjustment

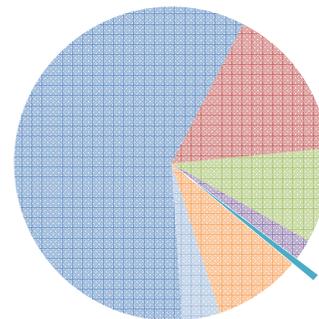
- The 2016 reprojected sales revenues, after non-cash adjustments, continue to indicate growth in SpringNet® business.

Highlights

- External sales of SpringNet® broadband services are estimated to grow to \$10.0 million in 2017. Services available to the business community include Internet-type services (NetLink) and VLAN networking services (LANLink). External revenues from the Trunked Radio System (TRS) are projected to be approximately \$900,000.
- Internal SpringNet® services provided to City Utilities' operations will track at approximately \$2.4 million annually. Beginning in fiscal 2016, internal telecommunications services were not reported as a distinct business unit. Their costs are now treated as an internal expense. This resulted in a decrease in interdepartmental revenues after fiscal 2015.

Transit Revenues & Operating Subsidies

Receipts	2015	2016	2017
	Actual	Reprojected	Budget
Sales Revenues	\$ 1,069,970	\$ 1,149,201	\$ 1,102,562
Less Non-Cash Adjustments to Sales Revenues	(916)	0	0
Add Operating Subsidies	<u>2,539,953</u>	<u>2,573,229</u>	<u>2,575,500</u>
Total Receipts	\$ <u>3,609,007</u>	\$ <u>3,722,430</u>	\$ <u>3,678,062</u>



Description

Transit operating revenues are the cash fares collected from bus passengers, the sale of bus passes and discount cards, and the amounts collected for bus, bus map, bus bench, and shelter advertising.

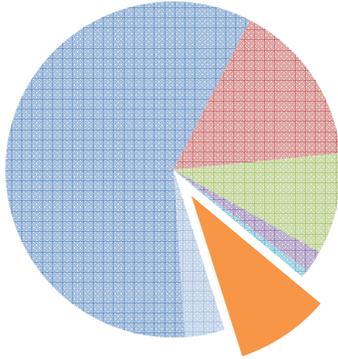
Non-cash adjustments include interdepartmental sales.

The Federal Transit Administration (FTA) and the State of Missouri provide partial funding for the operation of the transit system.

Highlights

- Advertising sales are projected at \$100,000 in fiscal 2017.
- City Utilities is eligible to receive reimbursement (80%) from FTA for maintenance expenses, some portion of paratransit, and security expenses incurred.

Non-Utility Receipts



Receipts	2015	2016	2017
	Actual	Reprojected	Budget
Reimbursements	\$ 1,580,552	\$ 3,000,000	\$ 3,000,000
Customer Meter Deposits	87,315	752,076	0
Project Share	93,171	100,000	100,000
Sales Tax Collections	11,182,618	10,507,142	11,306,056
Wastewater Revenue Billings	32,872,286	33,269,075	31,455,400
Total Receipts	\$ 45,815,942	\$ 47,628,293	\$ 45,861,456

Description

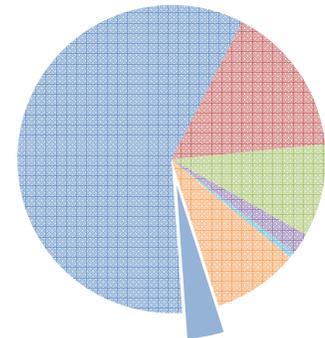
Non-Utility Receipts are funds City Utilities collects for third parties, including wastewater revenue billings, sales taxes and donations to the Project SHARE program. Upon collection, funds are subsequently remitted to the appropriate agency. Receipts of refundable customer deposits and other reimbursable items are also included in this category.

Highlights

- City Utilities provides the City of Springfield with wastewater billing services. The Annual Operating Budget includes collecting \$31.5 million in 2017 from customers for the Clean Water Services Division of the City of Springfield.
- The Annual Operating Budget includes collection of \$11.3 million during 2017 from customers for the State of Missouri for various state and local sales taxes.
- Receipts from customers for the Project SHARE program are included in the 2017 Annual Operating Budget at \$100,000. Project SHARE is a voluntary program that relies on community donations to assist City Utilities' customers with satisfying their bill.
- The 2017 Annual Operating Budget includes \$3.0 million for other miscellaneous reimbursable receipts.

Miscellaneous Billings & Receipts

Receipts	2015	2016	2017
	Actual	Reprojected	Budget
Interest Income	\$ 7,336,754	\$ 7,493,000	\$ 5,158,000
Financings	41,199,935	0	0
Capital Related Billings	4,487,548	4,558,769	2,283,932
Contributions in Aid of Construction	1,515,001	1,991,957	146,520
Other Receipts	11,951,191	11,822,685	11,973,720
Total Receipts	\$ 66,490,429	\$ 25,866,411	\$ 19,562,172



Description

Miscellaneous Billings and Receipts are sources of funds for City Utilities not reflected in previous revenues/receipts. Sources include financing proceeds, interest income, customer contributions for extension of the distribution systems, and other miscellaneous billings.

Highlights

- Interest income earned on City Utilities’ investment portfolio is projected to be \$5.2 million in 2017. Prior years included interest earned from the debt service reserve fund. Market value adjustments are not projected.
- Capital reimbursements of \$440,000 are budgeted for extension of the Electric System, \$625,000 for extension of the Natural Gas System, \$108,000 for SpringNet, and \$788,000 for extension of the Water System.
- Contributions in Aid of Construction include capital contributions of \$147,000 from FTA in 2017. These funds are projected to cover 85% of transit direct capital expenditures and 85% of administrative and general charges.
- The 2017 Annual Operating Budget includes \$10.0 million to offset the potential purchase of financial instruments included in the expenditures budget to manage natural gas prices.

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INTRODUCTION

The Capital Improvements section provides information by functional category related to utility capital expenditures for the fiscal year beginning October 1, 2016, through September 30, 2017.

Capital project expenditures are presented as Major Capital and Recurring Capital and encompass all capital costs of the project, including labor. A brief description is provided for each Major Project, including the budgeted capital expenditures for fiscal 2017, as well as the total cost of the capital project since most Capital Improvements span more than one fiscal year.

CAPITAL IMPROVEMENTS

<i>Purpose and Planning Process</i>	1
<i>Capital Budget Summary</i>	2
<i>Electric</i>	3
<i>Natural Gas</i>	6
<i>Water</i>	7
<i>SpringNet®</i>	9
<i>Information Technology</i>	10
<i>Facilities</i>	12
<i>Vehicles & Equipment</i>	13
<i>2016 Reprojection Summary</i>	14

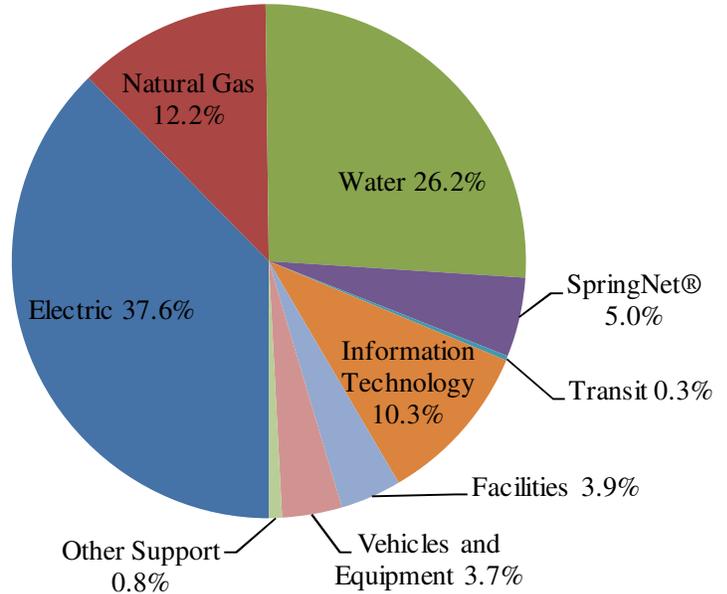
Capital Improvements Budget

Purpose

Capital budgeting is a fundamental part of the budgetary process for a municipal utility. City Utilities employs the capital budget as a tool for planning, controlling, and allocating scarce resources among competing demands. Capital improvements are necessary to continue to maintain and rehabilitate aging infrastructure in order to provide safe and reliable services to our existing customers, to prepare for future demand, and to meet environmental and regulatory requirements.

This section presents an overview of City Utilities' Capital Improvement Plan, including the planning process, the funding sources, and the capital projects funded in the 2017 Annual Operating Budget. Projects included in the 2017 Capital Improvements Plan have a projected cost of \$69.1 million and have been grouped by their functional service category.

Capital Expenditures by Category



Planning Process

Determine Revenue Projections

Based upon:

- Customer Growth/Usage
- Fuel Prices
- Rates

Project Managers Submit Project Requests

- Strategic Plan Objectives
- Operation and Maintenance of Systems
- Capital Improvements

Category Manager Committee Prioritizes Requests

- Financial Solution must include:**
- Adequate Cash Reserves
 - Financial Targets Satisfied

Capital Budget Summary

Functional Service	Major Capital	Recurring Capital	2017 Capital Budget
Electric Power Generation	\$ 8,359,000	\$ 757,000	\$ 9,116,000
Electric Transmission & Distribution	5,426,000	8,603,000	14,029,000
Natural Gas Transmission & Distribution	5,255,000	2,243,000	7,498,000
Water Supply & Treatment	5,198,000	959,000	6,157,000
Water Distribution	7,648,000	2,344,000	9,992,000
Transit	-	165,000	165,000
SpringNet®	3,002,000	78,000	3,080,000
Information Technology	6,210,000	55,000	6,265,000
Facilities	838,000	1,532,000	2,370,000
Vehicles & Equipment	2,299,000	-	2,299,000
Other Support	-	539,000	539,000
Contingencies	-	7,580,000	7,580,000
Totals	\$ 44,235,000	\$ 24,855,000	\$ 69,090,000

Contingencies

In 2014, a designated contingency fund was created for combined Revenue Producing and Municipal Improvements projects. The level of activity in both the public works and the residential housing and commercial development markets was difficult to project with a high degree of certainty. Should actual expenses for Revenue Producing and/or Municipal Improvement projects exceed the budgeted allocation within a category, money may be transferred from the designated contingency fund to supplement the budget for the affected project(s). For 2017, this portion of the \$7,580,000 available in the Contingencies budget is \$3,313,000.

Project Detail

The following pages are a detailed listing of each Major Capital Project, including a general description, the estimated costs over the five-year operating plan, funding sources, and the recurring capital improvement costs. The recurring or small capital projects are listed without detail.

Electric

Electric Generation Major Capital Projects

	2017 Budget	Total Project Cost
Environmental Improvements (JTEC)	\$493,000	\$6,200,000
<p>Purpose: This project provides funds for Selective Catalytic Reduction (SCR) system catalyst purchases and an effluent treatment system.</p> <p>Justification: To replace expended catalysts in selective catalytic reactors and to add an effluent treatment system. These projects are required to comply with operating permits and environmental regulations.</p> <p>Duration: Catalyst replacements will be ongoing. Effluent treatment system will be installed in 2018.</p>		
Water Protection/Preservation and Ash Storage Expansion (JTEC)	\$1,139,000	\$1,576,000
<p>Purpose: The regulatory process and southwest Missouri’s karst geology necessitate extensive investigations, including geophysics, to verify preservation and protection of water resources in the expansion of dry ash storage capacity at JTEC.</p> <p>Justification: Additional capacity will be required for permanent storage of dry fly ash through the operating life of the JTEC power station. The current storage space at JTEC is anticipated to be at capacity by 2034. Site investigation, permitting, and development are projected to take over five years. The work will involve significant effort, innovative geophysics, engineering analysis, and design to ensure the protection and preservation of water sources.</p> <p>Duration: The geophysical investigations, conceptual design, and detailed site investigation are expected to be completed by 2018.</p>		
Combustion Controls Upgrade (JTEC and JRPS)	\$200,000	\$3,393,000
<p>Purpose: Update of power generation automation controls systems hardware and software components. Replace JTEC Unit 2 turbine controls in 2020.</p> <p>Justification: Control systems must be updated periodically to maintain safe and efficient operations of power generation equipment. These ongoing upgrades are necessary due to normal aging, regulatory requirements and to account for obsolescence of hardware and software components.</p> <p>Duration: This is an on-going project planned for at least the next five years.</p>		
Coal Combustion Residual (CCR) Rule Compliance (JTEC and JRPS)	\$6,527,000	\$8,147,000
<p>Purpose: The Environmental Protection Agency (EPA) enacted the Coal Combustion Residual (CCR) rule in 2015. To comply with the rule, well installations, ground water monitoring, statistical analysis and subsurface investigations are required. Additionally, ash ponds for collecting bottom ash will be cleaned and closed at JRPS and JTEC. The landfill at JRPS will need to be raised in order to handle the fill from the ash ponds being cleaned and closed.</p> <p>Justification: City Utilities will need to comply with CCR regulations. The Missouri Department of Natural Resources (MDNR) will be establishing similar rules that will require parallel compliance efforts.</p> <p>Duration: Most of the deadlines for compliance occur up to and including October 2018. Monitoring and closure plan requirements will extend several years beyond the October 2018 deadlines.</p>		

Electric (continued)

Electric Generation Recurring/Small Capital Projects

JTEC Quality Control/Environmental Requirements	\$357,000
Environmental Study	\$400,000

Total Electric Generation Capital Budget \$9,116,000

Electric Transmission and Distribution Major Capital Projects

2017 Budget	Total Project Cost
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Transmission Line Right-of-Way (ROW) Purchase	\$1,005,000	\$3,027,000
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Purpose: Acquire new rights-of-way to construct 161 kV and/or 345 kV electric transmission facilities.

Justification: Expand the transmission system along the perimeter of City Utilities’ service territory to provide additional capacity to meet future load growth and relieve overloaded facilities.

Duration: This is an on-going project for the next three years.

Power Circuit Breakers Replacement	\$159,000	\$895,000
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Purpose: Replace older and ineffective power circuit breakers.

Justification: Parts for older power circuit breakers are difficult to find. Additionally, there have been improvements in the insulating mediums that more readily allow for compliance with the Environmental Protection Agency and Department of Energy Standards. Improvements in mechanism design also allow for maintenance intervals to be extended and monitoring enhanced.

Duration: This is an on-going project planned for at least the next five years.

Advanced Metering Infrastructure Installation – Electric	\$4,262,000	\$18,124,000
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Purpose: Install Advanced Metering Infrastructure (AMI) including meters and associated communication equipment.

Justification: City Utilities is in the process of moving to the Next Generation of Metering. This project includes upgrading older manual metering system to an Advanced Metering Infrastructure (AMI) which will provide customers with a variety of benefits including better customer service and better reliability. This will be a multi-year project, providing customers with up-to-date usage information, which could be helpful in understanding how to make smarter choices affecting their utilities.

Duration: This is an on-going project with completion anticipated by 2020, based on current planning efforts.

Electric (continued)

Electric Transmission and Distribution Recurring/Small Capital Projects

Revenue Producing/Developer	\$1,693,000
Distribution System Improvements	\$3,924,000
Municipal Improvements	\$1,119,000
Substation Improvements	\$1,602,000
Electric Measurement & Meter	\$175,000
Power Quality	\$90,000

Total Electric Transmission and Distribution Capital Budget	<u>\$14,029,000</u>
Total Capital Budget - Electric System	<u><u>\$23,145,000</u></u>

Natural Gas

Natural Gas Major Capital Projects	2017 Budget	Total Project Cost
Natural Gas Main and Service Renewals	\$3,690,000	\$19,946,000
<p>Purpose: The 2017 Annual Operating Budget includes \$3.7 million to replace approximately twelve miles of older natural gas mains, including a minimum of six miles of Aldyl A plastic mains and connected services.</p> <p>Justification: Natural gas mains are being renewed due to age, failure history, and risk potential. The Aldyl A component is required by order of the Missouri Public Service Commission and will remain in effect until all affected piping has been replaced. Renewal of gas mains and services is necessary to ensure continuity of safe and reliable natural gas service.</p> <p>Duration: This project will continue through the five-year Operating Plan and beyond. The budget requirements increase through the planning period to reflect additional work expected to be performed in conjunction with the Water Main Renewal effort.</p>		
Advanced Metering Infrastructure Installation – Natural Gas	\$1,565,000	\$9,637,000
<p>Purpose: Install Advanced Metering Infrastructure (AMI) including meter modules and associated communication equipment.</p> <p>Justification: This project allows City Utilities to achieve the benefits of automated meter reading and future opportunities for system monitoring as well as allowing City Utilities to provide enhanced energy usage information to customers in the future.</p> <p>Duration: This is an on-going project with completion anticipated by 2022, based on current planning efforts.</p>		
Natural Gas Recurring Capital Projects		
Revenue Producing	\$494,000	
Natural Gas Measurement	\$305,000	
Transmission and Distribution	\$646,000	
Relocations and Municipal Improvements	\$798,000	
Total Capital Budget - Natural Gas System	\$7,498,000	

Water

Water Supply and Treatment Major Capital Projects

	2017 Budget	Total Project Cost
Clearwell Construction (BWTP)	\$1,020,000	\$2,666,000
<p>Purpose: As stated in the Department of Natural Resources’ (DNR) design guide, clearwells are required to provide adequate disinfection, backwash volume, and distribution flow and pressure. A clearwell allows for efficient operations in mitigating imbalanced flows from fluctuating demands, reduces chemical application points, enhances ability to comply with the disinfection byproduct rule, and allows a buffer between potential misfeeds or other anomalies prior to entering the distribution system.</p> <p>Justification: The DNR has recommended construction of a clearwell based on “ample documentation and experience” and that “there is no reason for it to be delayed.” It is a Ten States Standard and an American Water and Wastewater Association (AWWA) accepted standard.</p> <p>Duration: This project will be completed in 2018.</p>		
Filter Upgrades (FWTP)	\$600,000	\$1,049,000
<p>Purpose: Fulbright Water Treatment Plant (FWTP) filter upgrades will replace antiquated equipment and depleted filter media.</p> <p>Justification: A 2014 engineering study conducted by Burns & McDonnell concluded filter upgrades will be necessary to maintain expected water quality from the FWTP.</p> <p>Duration: The project will be completed in 2018.</p>		
48-inch Raw Water Main Installation - Fellows Lake to Blackman Water Treatment Plant	\$3,438,000	\$7,600,000
<p>Purpose: This project will complete the 11-mile, 48-inch raw water main from Fellows Lake to the Blackman Water Treatment Plant.</p> <p>Justification: The completion of this parallel pipeline will provide raw water supply redundancy to the Blackman Water Treatment Plant as well as additional raw water supply.</p> <p>Duration: This project will be completed in 2019.</p>		
Lab Instrumentation Upgrade	\$140,000	\$548,000
<p>Purpose: Much of the analytical equipment for running required water quality analyses is aged and outdated. Replacement parts and support is becoming more difficult to get.</p> <p>Justification: The lab equipment is needed to run the required analyses to monitor water quality and is used daily.</p> <p>Duration: This project will be ongoing through the next five years and beyond.</p>		
Water Supply and Treatment Recurring/Small Capital Projects		
Water Supply	\$580,000	
Water Treatment and Production	\$379,000	
Total Water Supply and Treatment Capital Budget	<u>\$6,157,000</u>	

Water (continued)

Water Distribution Major Capital Projects

2017 Budget	Total Project Cost
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Water Main and Service Renewal

\$5,394,000	\$28,361,000
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Purpose: Replace water mains and associated services that are prone to leakage and breaks.

Justification: As City Utilities’ water infrastructure ages, the annual number of main breaks and service leaks increases. A significant portion of City Utilities’ lost and unaccounted for water is contributed by leakage and main breaks, the leading factors being the age of the pipes and weather-related soil movement. Upgrading the older mains and services will ultimately lead to a reduction in the number of main breaks and an improvement in the amount of lost and unaccounted for water. Many water main renewal projects are coordinated with natural gas main renewals.

Duration: This project will continue through the next five years and beyond.

Advanced Metering Infrastructure Installation – Water

\$2,254,000	\$12,760,000
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Purpose: Install Advanced Metering Infrastructure (AMI) including meter modules and associated communication equipment.

Justification: This project allows City Utilities to achieve the benefits of automated meter reading and future opportunities for system monitoring as well as allowing City Utilities to provide enhanced water usage information to customers in the future.

Duration: This is an on-going project with completion anticipated by 2022, based on current planning efforts.

Water Distribution Recurring/Small Capital Projects

Revenue Producing	\$492,000
Distribution System Improvements	\$1,203,000
Municipal Improvements	\$649,000

Total Water Distribution Capital Budget	\$9,992,000
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Total Capital Budget - Water System	\$16,149,000
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SpringNet® Major Capital Projects	2017 Budget	Total Project Cost
<p>SpringNet®-Ethernet Infrastructure</p> <p>Purpose: Supports and enhances the Ethernet infrastructure of the SpringNet® broadband network.</p> <p>Justification: Ensures the core network infrastructure of SpringNet® remains reliable and beneficial to the business community.</p> <p>Duration: This project will continue through the next five years with \$2.2 million projected for 2017 through 2021.</p>	\$600,000	\$2,230,000
<p>SpringNet®-Fiber/Outside Plant Infrastructure</p> <p>Purpose: Expands the fiber optic cable assets and funds construction of equipment shelters in high demand areas.</p> <p>Justification: Enables the construction of fiber optic cable extensions as well as capacity additions.</p> <p>Duration: This project will continue through the next five years with \$4.6 million projected for 2017 through 2021.</p>	\$519,000	\$4,593,000
<p>SpringNet®-Revenue Generation</p> <p>Purpose: Provides funds necessary to extend SpringNet® broadband services to new and existing customers, where economically justified.</p> <p>Justification: Enables SpringNet® to meet customer demand for SpringNet® broadband services and to generate revenue for the SpringNet® business unit.</p> <p>Duration: This project will continue through the next five years with \$10.0 million projected for 2017 through 2021.</p>	\$1,883,000	\$9,976,000
 SpringNet® Recurring/Small Capital Projects		
	Facility Relocations	\$78,000
	Total Capital Budget - SpringNet®	\$3,080,000

Information Technology

Information Technology Major Capital Projects	2017 Budget	Total Project Cost
<p>Operations Technology Implementation</p> <p>Purpose: Continued implementation of Operations Technology systems. Justification: The continued development and implementation of the new Job Order Tracking System (JOTS) is needed to replace an aging system with limited features. This system is being written internally by Information Technology staff. Duration: This project is scheduled to conclude in fiscal 2017.</p>	\$304,000	\$304,000
<p>Purchasing and Inventory Replacement</p> <p>Purpose: Develop a new Purchasing and Inventory system. Justification: Replace the existing Purchasing and Inventory system with an internally developed application to reduce the scope of the PeopleSoft replacement effort scheduled in fiscal 2017 and 2018. Duration: This project will conclude in fiscal 2017.</p>	\$240,000	\$240,000
<p>Panasonic Toughbook Replacement</p> <p>Purpose: Replace the existing Panasonic Toughbooks with Windows 10 and 4G cellular Toughpads. Justification: The existing Toughbooks do not meet Windows 10 requirements and will need to be replaced in order to upgrade to the new operating system. In addition, the new Toughpads need to have 4G cellular capabilities to be compatible with the new Mobile Work Management System that will be deployed in 2017. Duration: The majority of the effort will be complete in fiscal 2017 with the project concluding in fiscal 2018.</p>	\$800,000	\$950,000
<p>CIS and Customer Portal Maintenance</p> <p>Purpose: This will extend the life of the existing CIS. Justification: The existing system utilizes aging technology and is written in an aging language. The new user interface will be written in current Microsoft tools. The customer portal will be created to adhere to PCI Compliance standards. Duration: This project will conclude in fiscal 2017.</p>	\$594,000	\$594,000
<p>Mobile Work Management System Replacement</p> <p>Purpose: Replace existing Mobile Work Management System with a system developed internally. Justification: The existing system would require \$1.0 million in expenses over the next few years and would fall short of meeting all of the new business requirements of the utility. Duration: This project will conclude in fiscal 2017.</p>	\$642,000	\$402,000

Information Technology (continued)

	2017 Budget	Total Project Cost
Financial Supply Chain Management System (FSCM) Replacement Project	\$3,630,000	\$8,027,000

Purpose: Replace Financial Supply Chain Management System (FSCM) which serves as City Utilities’ Financial and Purchasing system.

Justification: The existing FSCM system that was implemented in April 2000 is no longer supported by the vendor. FSCM serves as a mission-critical system for City Utilities’ Financial and Purchasing/Inventory information.

Duration: This project will begin in 2017 and span three years.

Information Technology Recurring/Small Capital Projects

IT Infrastructure	\$55,000
Total Capital Budget - Information Technology	\$6,265,000

Facilities

Facilities Major Capital Projects	2017 Budget	Total Project Cost
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Partnership Industrial Center West Infrastructure	\$140,000	\$719,000
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Purpose: Funding for economic development of Partnership Industrial Center West which could include individual lot survey and topographical work, preparation of American Land Title Association (ALTA) standard surveys, site preparation and dirt work, individual lot utility infrastructure extension and/or service connections, and other administrative expenses related to preparing an individual lot for sale.

Justification: The Partnership Industrial Center West is a cooperative effort of Springfield’s Partnership for Economic Development and is comprised of City Utilities, the Springfield Area Chamber of Commerce (through its subsidiary the Springfield Business & Development Corporation), the City of Springfield, and Greene County.

Duration: This project will continue through the next five years with an additional \$579,000 projected for fiscal 2018 through 2021.

Facilities Additions and Renovations	\$546,000	\$3,544,000
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Purpose: The 2017 Annual Operating Budget includes \$546,000 to design and begin construction of a replacement building for the carpentry and print shop operations, with funding to complete construction in 2018.

Justification: Evolving needs within City Utilities, such as expansion of the main renewals, create the need for changes to facilities infrastructure to meet the operational demand. A replacement fleet management shop at Electric Operations and renovations at Electric Operations for SpringNet® offices have also been identified as potential projects.

Duration: This project will continue through the next five years with an additional \$2,998,000 projected for fiscal 2018 through 2021.

Telecommunications-PBX Related Applications	\$152,000	\$786,000
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Purpose: Provides funds to upgrade applications associated with City Utilities’ telephone switch.

Justification: These updates ensure the PBX and related applications remain able to be supported and will enhance City Utilities’ disaster recovery capabilities.

Duration: This project will continue through the next five years with an additional \$635,000 projected for fiscal 2018 through 2021.

Facilities Recurring/Small Capital Projects

Other Facilities Improvements	\$934,000
Trunked Radio and Scada Systems	\$57,000
Facilities Security	\$315,000
Major Interior/Exterior Projects	\$226,000

Total Capital Budget - Facilities	\$2,370,000
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Vehicles & Equipment

Vehicle & Equipment Major Capital Projects

	2017 Budget	Total Project Cost
Small Vehicle and Equipment Replacement	\$621,000	\$2,438,000
<p>Purpose: This is an ongoing project that provides funding for the scheduled replacement of the small vehicle and equipment fleet.</p> <p>Justification: Due to normal wear and tear, the vehicles are generally scheduled for replacement after ten years of service.</p> <p>Duration: This project will continue through the next five years with an additional \$1.8 million projected for 2018 through 2021.</p>		
Heavy Equipment Replacement	\$1,678,000	\$6,548,000
<p>Purpose: This is an ongoing project that provides funding for the scheduled purchase and replacement of heavy equipment.</p> <p>Justification: A priority list for replacements is established annually by the operating areas and Fleet Management. This may include items such as digger/derricks, dump trucks, service trucks and backhoes. Replacements will be based on age, condition, work requirements, and useful life.</p> <p>Duration: This project will continue through the next five years with an additional \$4.9 million projected for 2018 through 2021.</p>		
Total Capital Budget - Vehicles and Equipment	\$2,299,000	

2016 Reprojection Summary

As part of the 2017 Operating Plan process, the current 2016 Annual Operating Budget is reviewed for possible rejections. Below is a summary of material capital rejections.

Electric

- The Environmental Protection Agency (EPA) issued the final Coal Combustion Residual (CCR) rule after the fiscal 2016 budget was submitted. Rejections from other projects in the amount of \$8,130,140 were required during fiscal 2016 in order to fund the items needed to ensure compliance with these requirements.
- In fiscal 2015, a study was completed to see how many poles in the electric system were in need of repair or needing replaced. Identified in this study were 370 poles to be replaced. The budget for preventive electric line maintenance was reprojected \$1.3 million higher, of which \$900,000 came from the Facilities category.

Water Supply and Treatment

- The 48-inch raw water main from Fellows Water Treatment Plant (FWTP) to Blackman Water Treatment Plant (BWTP) has been reprojected \$3.4 million lower due to a timeline shift. The project is being continued in fiscal 2016, but will be completed in four distinct phases during the Operating Plan with completion scheduled for 2019.

Facilities

- Facilities projects were reprojected \$1.2 million lower, of which \$300,000 was transferred to Transit for the completion of the transfer facility and the remaining \$900,000 was transferred to Electric Distribution for pole replacement projects.

Transit

- The capital budget for Transit was increased during the reprojection process. The transit transfer facility was the beneficiary of the \$300,000 transfer from Facilities.

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INTRODUCTION

City Utilities groups expenditures by functional category. Operating Expenditures are presented here for the fiscal year beginning October 1, 2016 through September 30, 2017. Operating Expenditures encompass operations, maintenance, and administrative costs. Expenditures for fuels and labor are also included.

For comparative purposes, actual expenditures for the year ended September 30, 2015 and reprojected expenditures for the year ending September 30, 2016 are also presented.

The Functional Responsibility sections include brief descriptions of each category and describe the functions of each.

The Reprojected Adjustment sections present significant changes to expenditures for the current fiscal 2016.

Major Budget Initiatives encompass the major expenditures for large, nonrecurring, and new projects for fiscal 2017.

Annual Initiatives describe the significant ongoing daily activities that are budgeted within the category.

OPERATING EXPENDITURES

<i>Operating Expenditures by Category</i>	1
<i>Power Generation</i>	2
<i>Fuels, Purchased Energy, and Renewables</i>	3
<i>Electric Transmission & Distribution</i>	4
<i>Natural Gas Transmission & Distribution</i>	4
<i>Water Supply & Treatment</i>	5
<i>Water Distribution</i>	6
<i>Transit</i>	6
<i>Facilities</i>	7
<i>SpringNet®</i>	8
<i>Vehicles & Equipment</i>	8
<i>Information Technology</i>	9
<i>Human Resources</i>	10
<i>Finance</i>	11
<i>General Operations Support</i>	12
<i>Administrative Support</i>	13
<i>Customer Support</i>	14
<i>Debt Service</i>	15
<i>Non-Utility</i>	15

Operating Expenditures by Category

Expenditures	2015 Actual	2016 Reprojected	2017 Budget
Power Generation	\$ 25,687,746	\$ 21,915,128	\$ 17,258,389
Fuels and Purchased Energy	167,384,605	136,533,472	159,686,525
Electric Transmission & Distribution	20,826,801	21,151,689	21,124,105
Natural Gas Transmission & Distribution	4,193,831	4,291,759	4,301,400
Water Supply & Treatment	4,817,997	5,954,217	6,205,906
Water Distribution	3,251,833	4,144,094	4,922,800
Transit	4,085,803	4,450,791	4,662,617
Facilities	5,315,936	5,431,992	5,628,438
Vehicles & Equipment	2,510,045	2,659,313	2,643,832
SpringNet®	4,149,164	3,707,766	3,663,800
Information Technology	7,153,571	7,341,722	7,807,025
Human Resources	48,576,936	51,147,094	52,749,090
Finance	4,947,520	5,485,486	5,740,600
General Operations Support	3,632,202	4,404,633	4,448,585
Administrative Support	5,394,851	14,094,211	6,613,865
Customer Support	10,602,078	10,881,599	12,059,070
Debt Service	46,294,762	70,835,035	54,188,280
Non-Utility	62,807,210	61,521,750	62,543,505
Sub-Total Project Expenditures	431,632,891	435,951,751	436,247,832
Guarantees – The Energy Authority	0	9,642,858	0
Total Expenditures	<u>\$ 431,632,891</u>	<u>\$ 445,594,609</u>	<u>\$ 436,247,832</u>

Power Generation

Functional Responsibility

Power Generation includes the generation and control of electric power through the operation of James River Power Station (JRPS), John Twitty Energy Center (JTEC), McCartney Generating Station (MGS), and Noble Hill Landfill Renewable Energy Center (NHLREC). These facilities encompass 255 MW of base load generation from five natural gas fired steam turbines, 503 MW of base load generation from two coal fired steam turbines and 359 MW of peaking capacity from six natural gas combustion turbines. The Power System Control area dispatches available energy sources to maintain a reliable and economical power supply in real time. The Power Marketing area plans and schedules off-system, wholesale electric transactions to optimize efficiency and maximize return on investment of the Utility’s resource portfolio. The Transmission Planning area evaluates the system’s future needs and develops plans necessary for the reliable delivery of bulk power to the CU system.

Expenditures	2015	2016	2017
	Actual	Reprojected	Budget
JTEC Maintenance	\$ 11,934,738	\$ 6,840,813	\$ 7,336,752
JTEC Operations	3,515,783	4,317,501	4,116,901
JTEC Inventory	501,446	0	0
Sub-Total JTEC	15,951,967	11,158,314	11,453,653
JRPS Maintenance	3,941,254	4,297,593	616,809
JRPS Operations	2,338,467	2,352,557	532,670
JRPS Inventory	(41,611)	0	0
Sub-Total JRPS	6,238,110	6,650,150	1,149,479
Power Generation – Other	3,497,669	4,106,664	4,655,257
Total Expenditures	<u>\$ 25,687,746</u>	<u>\$ 21,915,128</u>	<u>\$ 17,258,389</u>

Major Budget Initiatives

- Low natural gas prices coupled with the addition of wind generation in the SPP footprint drove the price of power down in 2015. These low prices kept the James River Power Station steam units from being called to run for market reasons. Additionally, it became more economical to purchase power from the grid than to produce it from these units. Due to these conditions, along with changes in EPA regulations, the James River Power Station air permit was changed to allow only natural gas to be used as a fuel source on the steam units. With the lack of runtime, most of the James River Power Station personnel were transferred to the John Twitty Energy Center.

Annual Initiatives

- Operations and Maintenance expenditures for Power Generation include labor, goods, materials, and services required to maintain the reliable operation of the generating facilities.

Reprojected Adjustment

- The reprojected decrease in Power Generation resulted from re-deploying labor from the power stations to other areas of the utility. In addition, operating and maintenance costs were decreased due to lower run time of the coal units and less emissions.

Fuels, Purchased Energy, and Renewables

Functional Responsibility

Coal is the primary fuel used in generating electricity by steam units the John Twitty Energy Center (JTEC). Natural gas is the primary fuel for the steam units at the James River Power Station (JRPS) and the combustion peaking turbines.

Beginning in March 2014, City Utilities became a market participant in the Southwest Power Pool (SPP) Regional Electric Market. City Utilities provides generation to the market and also purchases energy from the market when economical. City Utilities purchases supplemental hydroelectric energy from the Southwestern Power Administration (SWPA) when it is available.

In October 2013, City Utilities entered into a 25-year contract to purchase solar energy from a solar farm that is located east of the McCartney Generating Station.

In November 2015, City Utilities entered into a 22-year contract to purchase energy from Frontier Windpower, LLC, a wholly owned subsidiary of Duke Energy. It is estimated that this 200 MW contract will deliver 554,560 MWh in fiscal 2017. It is estimated in future years the contract will deliver 740,600 MWh.

Natural gas, for resale to customers and for electric generation, is transported to Springfield through pipelines operated by Southern Star Central Gas Pipeline, Inc. and Enable Gas Transmission, LLC. The Energy Authority (TEA), as an agent for City Utilities, purchases natural gas for City Utilities' customers.

Annual Initiatives

- The Annual Operating Budget assumes that the John Twitty Energy Center will burn low-sulfur coal from the Powder River Basin in Wyoming. The 2017 Annual Operating Budget includes the purchase of approximately 672,000 tons of coal at a cost of \$28.0 million. Average delivered coal costs are budgeted at \$2.37 per million British Thermal Units (BTU). Included in the average delivered coal costs is the cost of freight.
- The Annual Operating Budget assumes a natural gas inventory of 2.3 million dekatherms valued at \$5.3 million on September 30, 2016. The inventory will be withdrawn during the 2016-17 heating season as needed to meet firm requirements for natural gas and will be replenished during the spring and summer of 2017. The budgeted natural gas inventory at September 30, 2017, is expected to increase in value to \$6.0 million for 2.3 million dekatherms.
- The budgeted coal inventory on September 30, 2017 is approximately 189,000 tons at a value of \$7.2 million.

Expenditures	2015	2016	2017
	Actual	Reprojected	Budget
Coal	\$ 62,534,040	\$ 39,660,868	\$ 32,360,206
Natural Gas	58,160,215	51,340,824	61,844,715
Other Fuels	749,044	237,550	355,500
Purchased Power	42,606,045	42,260,609	62,953,873
Emissions Consumables	1,969,965	1,372,689	738,320
Other Electric	979,819	1,224,250	1,011,426
Other Natural Gas	385,477	436,682	422,485
Total Expenditures	\$ 167,384,605	\$ 136,533,472	\$ 159,686,525

- Coal expenditures in 2016 and 2017 include costs associated within provisions of both coal and freight contracts to negate delivery of coal of approximately \$3.1 million in 2016 and \$4.3 million in 2017.
- The 2017 budgeted cost of 13.9 million dekatherms of natural gas is \$51.4 million, of which \$12.1 million is firm for transportation capacity and storage and \$5.1 million is for the purchase of 1.7 million dekatherms of natural gas used in power generation.
- In August 2008, City Utilities entered into a 20-year contract to purchase energy from the Smoky Hills Wind Project near Salina, Kansas. It is estimated that this 50 MW contract will deliver 185,000 MWh in fiscal 2017.
- In October 2013, City Utilities entered into a 25-year contract to purchase energy from Strata Solar. It is estimated that this 4.95 MW contract will deliver 9,000 MWh in fiscal 2017.
- The Annual Operating Budget assumes the purchase of 2.5 million MWh of electricity in 2017 or approximately 66% of system and off-system requirements. The budgeted cost of purchased power is \$62.6 million of which \$2.8 million is allocated to fund firm capacity charges for 50 MW from SWPA.

Electric Transmission & Distribution

Functional Responsibility

Electric Transmission & Distribution is responsible for the engineering, design, construction, and maintenance of approximately 1,800 miles of overhead and underground distribution lines, 210 miles of transmission lines, and 47 substation sites. Approximately 110,000 customers are served. Electric Transmission & Distribution is also responsible for street lighting in the community and the Tree Management Program, a program of urban forest and planting management that helps to prevent interference with the operation of the electric system.

Expenditures	2015	2016	2017
	Actual	Reprojected	Budget
Electric T & D	\$ 16,913,513	\$ 17,684,345	\$ 17,563,618
Electric T & D Storms	899,300	540,000	554,350
Measuring & Metering	529,327	532,902	452,896
Electric Substations	2,198,783	2,028,503	2,193,291
Power Quality	201,079	253,762	241,335
Electric Inventory	84,799	112,177	118,615
Total Expenditures	\$ 20,826,801	\$ 21,151,689	\$ 21,124,105

Major Budget Initiatives

- Tree Management Programs will continue during 2017 to improve electric system reliability and are budgeted at \$3.5 million.

Annual Initiatives

- Ongoing preventive and scheduled maintenance of the electric system is reflected in several budgeted projects in fiscal 2017. Overhead, underground, and substation maintenance requires a significant amount of City Utilities' labor, as well as some contract labor for specific items.
- System expansion and relocation of facilities requires engineers and technicians to work with developers, contractors, and other utilities to quickly and efficiently provide service to new customers.

Natural Gas Transmission & Distribution

Functional Responsibility

Natural Gas Transmission & Distribution is responsible for the engineering, construction, operations, and maintenance of over 1,260 miles of natural gas mains, 49 miles of natural gas transmission lines, 170 regulator and gate stations, and more than 77,000 service lines. Department of Transportation and Public Service Commission safety regulations are strictly followed to ensure the safe and efficient supply of natural gas to approximately 83,000 customers.

Expenditures	2015	2016	2017
	Actual	Reprojected	Budget
Nat Gas T & D Maint	\$ 1,267,025	\$ 1,122,689	\$ 1,308,490
Natural Gas Measurement	1,587,999	1,659,260	1,515,471
Nat Gas T & D Operations	1,368,170	1,497,110	1,464,439
Nat Gas Inventory	(29,363)	12,700	13,000
Total Expenditures	\$ 4,193,831	\$ 4,291,759	\$ 4,301,400

Annual Initiatives

- Natural Gas Transmission & Distribution non-capital expenditures include the labor, goods, materials, and services necessary to operate the natural gas system and maintain compliance with all federal and state safety regulations as they pertain to the operation of the natural gas system. Also included in non-capital expenditures are the performance and maintenance of the leak survey and cathodic protection programs, integrity management initiatives, purchase of odorant, as well as the labor, goods, and materials necessary to operate and maintain the Lake Springfield Natural Gas Peaking Station.

Water Supply & Treatment

Functional Responsibility

Water Source of Supply is responsible for overseeing collection and storage of raw water utilizing three lakes, two reservoirs, a river, two wells, and a spring. This includes engineering, operation, and maintenance of raw water pipelines, dams, intake structures, and pump stations. The laboratory at Blackman Water Treatment Plant (BWTP) also provides the scientific and technical support necessary to manage water quality in the Utility lakes and reservoirs to avoid taste and odor events.

Expenditures	2015	2016	2017
	Actual	Reprojected	Budget
Supply Operations	\$ 823,010	\$ 1,140,246	\$ 785,300
Supply Maintenance	261,833	288,042	607,144
Treatment Operations	1,723,176	2,151,597	2,342,339
Production Operations	815,097	897,670	949,877
Production Maintenance	1,194,881	1,476,662	1,521,246
Total Expenditures	\$ 4,817,997	\$ 5,954,217	\$ 6,205,906

Water Treatment and Production includes the process of treating 28 million gallons of raw water on average per day for approximately 81,000 customers to drinking water standards and pumping it through the distribution system. Included is the operation and maintenance of two treatment plants, eight pump stations and seven storage facilities to ensure production availability at rated capacities. The BWTP laboratory provides monitoring, technical assistance, and scientific support to ensure continuous compliance with state and federal drinking water regulations.

Annual Initiatives

- Annual operating expenses at the Stockton Pump Station make up a considerable portion of this budget category. The 2017 Annual Operating Budget includes power costs, U.S. Army Corps of Engineers charges for City Utilities' share of the project to maintain the Stockton dam and reservoir, spare parts, and maintenance.
- BWTP and Fulbright Water Treatment Plant (FWTP) both have extensive pumping facilities, chemical feed equipment, processing equipment, piping, valves, electrical equipment, SCADA systems, controls, storage, mixing, and settling facilities. All of these facilities require continual monitoring and maintenance. Recurring projects in this category include budget funding for these needs, as well as for chemicals to treat the water to drinking water standards and to meet all state and federal regulations.
- Mowing and maintenance of approximately 2,800 acres, much of it at Fellows and McDaniel Lakes, is performed at 21 water site properties. This also includes fence repair and routine maintenance and repairs of boat docks and pavilions at Fellows Lake.
- Funds to inspect and maintain the dams, which form the reservoirs containing City Utilities' primary sources of drinking water, are included in this budget. Coordination with the State Dam and Reservoir Safety Program is required each year along with permitting activities and two inspections per dam.
- To support watershed management and education, funding for the Watershed Committee of the Ozarks has been budgeted at \$200,000.
- Funds to operate the certified water quality laboratory are included in this budget category. City Utilities' lab performs over 60,000 analyses on water samples each year and it is one of 13 certified labs in the state. Certified water plant operators work in concert with the lab to operate the treatment plants and to process and deliver treated water to the distribution system. Lab personnel also carry out a lakes management program that is a benchmark for the Midwest region in managing surface water sources for taste and odor.
- Each year, all water systems are required to pay the Drinking Water Primacy Fee to the Missouri Department of Natural Resources (DNR). The primacy fee provides critical funding for laboratory services and activities the state must perform in order to maintain delegation of the federal drinking water program. The payment for the City Utilities drinking water system, based on the number of customers served, is projected to be \$150,000 in fiscal 2017.

Water Distribution

Functional Responsibility

Water Distribution is responsible for engineering, construction, operations, and maintenance of the water distribution system, which consists of more than 1,250 miles of water mains, 7,900 fire hydrants and 27,000 valves. The delivery of a safe and reliable supply of potable water to approximately 81,000 customers is performed in compliance with the rules and regulations of the Missouri Department of Natural Resources (DNR).

The Measuring & Metering area is responsible for the purchase, installation, and maintenance of water meters, as well as disinfection of new mains, flushing, and chlorine testing for the distribution system. This group also monitors private backflow prevention and responds to individual customer requests such as water leaks, low pressure, water connects, and disconnects.

Expenditures	2015	2016	2017
	Actual	Reprojected	Budget
Distrib. Maintenance	\$ 1,668,916	\$ 2,465,313	\$ 3,110,808
Distrib. Operations	840,794	876,594	880,514
Measuring & Metering	693,357	795,437	924,478
Water Inventory	48,766	6,750	7,000
Total Expenditures	\$ 3,251,833	\$ 4,144,094	\$ 4,922,800

Annual Initiatives

- Water distribution non-capital expenditures include the labor, equipment, and materials necessary to respond to main and service breaks, conduct a flushing program to maintain drinking water quality, systematically maintain over 81,000 meters in service, and monitor the timely testing of customers' backflow prevention assemblies.

Transit

Functional Responsibility

Transit is responsible for the operation and maintenance necessary to provide a public transportation system for the city of Springfield. City Utilities offers Fixed Route and Paratransit bus service. The Fixed Route program includes the operation of accessible buses on a fixed route schedule. The Paratransit program, Access Express, operates on a demand-responsive, origin-to-destination basis which transports disabled passengers on accessible coaches using a call-in reservation system.

A portion of operational and capital funding is provided by the Federal Transit Administration (FTA). Transit is responsible for compliance with regulations from FTA, Title VI, and the Americans with Disabilities Act (ADA).

Expenditures	2015	2016	2017
	Actual	Reprojected	Budget
Transit Operations	\$ 3,194,215	\$ 3,308,528	\$ 3,548,335
Transit Maintenance	891,588	1,142,263	1,114,282
Total Expenditures	\$ 4,085,803	\$ 4,450,791	\$ 4,662,617

Annual Initiatives

- Transit operations and maintenance expenditures include the labor, maintenance, fuel, and other ongoing expenses of daily Transit operations.

Facilities

Functional Responsibility

Facilities is responsible for the maintenance, repair, remodeling, select construction, and security of City Utilities' buildings and properties. The acquisition and maintenance of office furnishings and equipment, property acquisition, and internal mail services are also included in the Facilities category. Key functions include architectural services, engineering and design services, property management, and maintenance of facility records. Overall goals are to provide employees with a safe, clean, and productive work environment.

Telecommunications Operations is responsible for the operation and maintenance of a telephone system providing dial tone, automated voice services, and call center operations as well as operation of an Interactive Voice Response system providing Customer Account Information and Phone Pay services.

The Trunked Radio System Division operates and maintains a complex, computer-controlled two-way radio system that facilitates efficient sharing of scarce radio frequency channels among a large group of users. City Utilities, City of Springfield, and Greene County are partners in the county-wide system that serves 4,200 users in multiple government and vital non-profit agencies. The system is strictly utilized for public safety, emergency response, and operations of critical services.

Annual Initiatives

- Facilities Maintenance continues at an annual total of \$2.8 million for 2017 and includes a broad spectrum of ongoing and anticipated maintenance and repairs to City Utilities' facilities. These include maintaining roofs, building exteriors, electrical systems, plumbing systems, HVAC systems, fire suppression and alarm systems, stand-by generators, elevators, uninterruptible power supply (UPS) systems, and air compressors. Also included are the costs for minor maintenance of building interiors, exteriors and grounds.
- Security Administration and Outside Services is budgeted at \$1.4 million for 2017. This includes the cost of contract guard services for primary facilities and the operation of the central security monitoring station.
- The Trunked Radio System operations and maintenance budget for 2017 is \$681,000. An in-house staff of five people, along with electric and technical service contractors, ensures this system operates at the highest level of reliability. The system includes a hardened central electronics facility, seven radio tower sites, and sixteen consoles at the E911 Center. The division also provides wireless communications to support 140 gas and water Supervisory Control and Data Acquisition (SCADA) sites.
- Telecommunications Operations are funded at \$581,000 for 2017. These expenditures are used to support voice services for City Utilities including telephone equipment, trunks and long distance.

Expenditures	2015	2016	2017
	Actual	Reprojected	Budget
Facilities and Grounds Maintenance	\$ 2,807,518	\$ 2,739,371	\$ 2,794,882
Office Services	181,307	117,870	140,163
Telecommunications Operations ¹	617,679	538,348	581,211
Trunked Radio System	589,197	652,969	680,757
Security	1,120,235	1,383,434	1,431,425
Total Expenditures	\$ 5,315,936	\$ 5,431,992	\$ 5,628,438

¹ Beginning in 2016 Telecommunications was moved from the SpringNet® category to the Facilities category. Actuals for 2015 have been adjusted to reflect this change.

SpringNet®

Functional Responsibility

The SpringNet® network maintains two focuses: internally provided services and an external business unit operated under the SpringNet® trademark. SpringNet® has provided external broadband services since 1997. It currently offers two distinct Internet-type high speed Broadband services, NETLink (Internet access) and LANLink (business to business), plus a wireless carrier service - small cell pole attachment.

SpringNet®’s internal services include “dark fiber” resources to the Electric department, and LANLink and NETLink to the Utility. In addition to providing these services to City Utilities, LANLink, and NETLink services are provided to the City of Springfield (the City).

Annual Initiatives

- SpringNet®’s operational expenses for fiscal 2017 are budgeted at \$3.7 million. These expenditures are necessary for support, maintenance, and operations of the SpringNet® Broadband network. Major elements include interconnection fees, equipment maintenance, and right of way fees paid to the City.

Expenditures	2015	2016	2017
	Actual	Reprojected	Budget
SpringNet® Operations	3,902,583	3,695,766	3,651,300
SpringNet® Inventory	246,581	12,000	12,500
Total Expenditures ¹	<u>\$ 4,149,164</u>	<u>\$ 3,707,766</u>	<u>\$ 3,663,800</u>

¹ Beginning in 2016 Telecommunications was moved from the SpringNet® category to the Facilities category. Actuals for 2015 have been adjusted to reflect this change.

Vehicles & Equipment

Functional Responsibility

The core function of managing City Utilities’ fleet of vehicles and equipment falls within the Vehicles & Equipment category. This includes optimizing the replacement cycles, providing the necessary equipment to operating departments, preparing specifications, as well as maintaining, repairing, and rebuilding all-wheeled and non-wheeled work equipment. This category excludes expenditures relating to buses, which are included in the Transit category.

Annual Initiatives

- Fleet Operations and Maintenance expenditures in this category include Fleet Management labor, repair parts, equipment testing, and general operating expenses as well as fuel and tire repair/replacement for all vehicles excluding Transit buses.

Expenditures	2015	2016	2017
	Actual	Reprojected	Budget
Operations	\$ 648,646	\$ 630,144	\$ 730,917
Maintenance	1,875,187	2,025,069	1,908,665
Inventory	(13,788)	4,100	4,250
Total Expenditures	<u>\$ 2,510,045</u>	<u>\$ 2,659,313</u>	<u>\$ 2,643,832</u>

Information Technology

Functional Responsibility

Information Technology (IT) has three core functions: implementing new technology, the maintenance of existing technology, and internal customer support for technology.

IT maintains nine mission critical systems and nearly 80 smaller systems. The mission critical systems include the Customer Information System (CIS), Financial Supply Chain Management System (FSCM), Job Order Tracking System (JOTS), City Utilities Employee System (CUES), Energy Management System (EMS), Mobile Work Management, Outage Management System, Geographical Information System (GIS), and Exchange (Email).

Expenditures	2015	2016	2017
	Actual	Reprojected	Budget
Information Technology	7,153,571	7,341,722	7,807,025
Total Expenditures	\$ 7,153,571	\$ 7,341,722	\$ 7,807,025

Reprojected Adjustment

- The Information Technology non-capital expenditures were reduced \$485,000 during the reprojected process. The elimination of an External Penetration Test, which was included in an IT Security Audit performed earlier this year by Auditing, resulted in a reduction of \$75,000. Another \$410,000 were saved through various reductions in costs associated with EMS, Energy Management Information System (EMIS) and Route Match consulting services, GIS hardware, FSCM replacement, CIS billing changes, software compliance costs, and Toughbook licenses.

Annual Initiatives

- A substantial portion of the Information Technology budget is dedicated to developing and supporting the nearly 90 business applications in use at City Utilities. Through upgrades and enhancements, the systems improve the efficiency of business processes. These budgeted funds consist primarily of labor, ongoing hardware and software maintenance, development tools, and any upgrades planned during each year. Combined, these efforts total \$3.4 million for 2017.
- The centralized IT support center and network operations staff answer and resolve calls, address employee technology questions, install all corporate desktop hardware and software, conduct desktop application training, manage Linux and Windows operating systems, and administer network and printing services. The 2017 budget includes \$2.5 million for labor, desktop hardware and software, network licenses, and maintenance purchases.
- A significant portion of the Information Technology budget is dedicated to expanding, upgrading, and maintaining the corporate technical infrastructure of the Utility. In addition, supporting cyber security, securing systems, providing web operations, and database administration is performed by this team. In 2017, \$1.9 million has been budgeted for these responsibilities. This funding includes labor, new network equipment, contractual maintenance, and service obligations for the infrastructure assets and security tools.

Human Resources

Functional Responsibility

Human Resources administration functions include Workers' Compensation, Health Management, Benefits, Employee Labor Relations, Safety and Training, Employment, Human Resources Information Systems, and Compensation. Benefits includes the costs of employee-related insurance, employee sick and vacation usage, City Utilities' contributions for employment taxes, retirement contributions to the Missouri Local Government Employees Retirement System (LAGERS), and employee directed benefits.

Expenditures	2015	2016	2017
	Actual	Reprojected	Budget
Benefits	\$ 46,302,853	\$ 48,298,163	\$ 49,754,057
Admin. & Operations	2,274,083	2,848,931	2,995,033
Total Expenditures	<u>\$ 48,576,936</u>	<u>\$ 51,147,094</u>	<u>\$ 52,749,090</u>

Annual Initiatives

- Health, life, and long-term disability insurance are projected at \$7.7 million. City Utilities promotes wellness within its workforce to help maintain high productivity and to assist with lowering healthcare costs. The Health Management team encourages our employees to participate in an annual Health Risk Assessment and to engage in regular exercise and healthy eating.
- LAGERS is projected at \$18.2 million. FICA, unemployment, and employee-owned and directed benefits are projected at \$10.5 million, and vacation/sick leave and holiday pay plans at \$12.3 million.
- Proactive safety programs focus on reducing the occurrence and severity of workplace accidents and injuries. Employees are afforded a safe work environment through assistance in the design of equipment and facilities, development of safe work procedures, safety training, and providing necessary personal protective equipment. The 2017 budget includes \$1,047,000 for implementing these programs.
- City Utilities is committed to maintaining highly skilled and knowledgeable employees. Toward this goal, the 2017 budget includes \$551,000 to provide various types of training. This training includes technical and professional development, regulatory compliance, safety, and an education assistance program.
- City Utilities' workers' compensation program is self-insured and administered by Human Resources. The 2017 budget for this project includes \$947,000 for medical treatment and indemnity payments that are incurred as a result of workplace injuries and illnesses.

Finance

Functional Responsibility

Financial Operations is responsible for the preparation and presentation of the Utility’s financial statements, the Operating Plan, the Annual Operating Budget, project manager reports, asset management, and internal control policies. Financial Operations also includes Treasury, which is responsible for cash management, payments for bonded indebtedness and financing agreements, as well as processing receipts and disbursements. Risk Management efforts include business continuation planning, risk assessments and other loss control activities, third party risk control, and Enterprise Risk Management process development.

Expenditures	2015	2016	2017
	Actual	Reprojected	Budget
Financial Operations	\$ 2,079,331	\$ 2,236,698	\$ 2,361,736
Risk Management and Insurance	2,661,984	3,048,788	3,189,654
External Fees	206,205	200,000	189,210
Total Expenditures	<u>\$ 4,947,520</u>	<u>\$ 5,485,486</u>	<u>\$ 5,740,600</u>

Annual Initiatives

- City Utilities’ risk management and insurance program is budgeted at \$3.2 million for 2017, which includes risk management initiatives and property, casualty, and financial lines insurance coverage which protects the Utility from the potential impact of catastrophic losses and liabilities related to utility operations. This area continues to seek innovative approaches in the insurance marketplace, including the use of utility experienced brokers to aid in monitoring coverage options and to leverage new markets when needed, the use of higher deductibles, excess insurance markets, and reserves to help control expenses.
- For fiscal 2017 external fees, including City Utilities’ annual independent audit are budgeted at \$189,000. The budgeted amount for external fees also includes outside financing fees, banking fees, and investment manager fees.
- Finance Operations for ongoing financial management for the Utility is budgeted at \$2.4 million in 2017.

General Operations Support

Functional Responsibility

General Operations Support includes logistical operations such as mapping, damage prevention of underground utility facilities, purchasing, and materials management. Primary mapping functions include maintenance of permanent map records for the electric, natural gas, water, and SpringNet® fiber facilities. Purchasing is responsible for the procurement of equipment, materials, supplies, and services to support the Utility within governing rules and regulations. Materials Management provides physical storage and distribution services in six major storeroom locations, two material yards, and five unmanned locations. This area is also responsible for the cleanup, storage, and recording of hazardous materials.

Expenditures	2015	2016	2017
	Actual	Reprojected	Budget
Customer Engineering/ Contract Inspection	\$ 262,509	\$ 239,500	\$ 182,132
Drafting, Surveying, and Technical	669,124	1,152,740	1,292,145
Damage Prevention	862,782	1,123,700	1,122,171
Purchasing and Materials Management	1,837,787	1,888,693	1,852,137
Total Expenditures	\$ 3,632,202	\$ 4,404,633	\$ 4,448,585

Annual Initiatives

- The Drafting/Surveying/Technical line item summarizes costs necessary for the Geographic Information System (GIS) area to administer and maintain electric, natural gas, water, and SpringNet® fiber asset data in the GIS. Also included is support and administration of GIS data used on laptops in the field.
- Purchasing and Materials Management expenditures include labor for buyers, storeroom technicians, and administrative personnel. Additionally, advertising costs, training, and other goods and services to support these functions are also included in this budget.
- Damage Prevention expenditures represent location and notification costs necessary for City Utilities to comply with state law. Missouri Statute 319 requires all underground facility owners to locate and mark their underground facilities before any known excavation within their service territory. Due to synergies, City Utilities also administers this function for the City of Springfield’s sanitary sewer and traffic signal systems. The associated costs for the City of Springfield are budgeted in the Non-Utility category.

Administrative Support

Functional Responsibility

Administrative Support includes the senior management administration of several City Utilities’ departments, including operating areas. General Administration includes services of the General Management, Legal, Internal Auditing, Records Management, Public Policy/Governmental Relations, Environmental Affairs, and Economic Development areas. Operations Administration includes the management of the Operations Department including Damage Prevention and System Claims, and Management Services.

Expenditures	2015	2016	2017
	Actual	Reprojected	Budget
General Admin.	\$ 4,695,288	\$ 13,450,227	\$ 5,929,066
Operations Admin.	699,563	643,984	684,799
Total Expenditures	<u>\$ 5,394,851</u>	<u>\$ 14,094,211</u>	<u>\$ 6,613,865</u>

Reprojected Adjustment

- Environmental is currently involved in the remediation of a Former Manufactured Gas Plant (FMGP) near Main Street. In 2015, City Utilities management committed to remediate soils from CU owned property (referred to as Subsite 3). City Utilities entered the site into the Missouri Department of Natural Resources (MDNR) Voluntary Clean-up Program (VCP). Impacted soils and remaining underground holder structures were safely removed including environmental controls and disposal of materials found. Costs included completion of the Removal Action Plan (RAP), development of bid specifications for remediation activities, listing the site in MDNR VCP, legal services, remediation/excavation contractor, ambient air monitoring, disposal, and project oversight. Demolition of the 320 N. Main building was completed in October 2015. Excavation/removal activities began January 2016. Final grading, compaction, and site restoration was completed June 2016. Replacement of Water Street and streetscape work along Main Street remain and will be completed under a separate contract. Installation of a groundwater monitoring system will be determined following submission, and approval by MDNR, of the final Remedial Action Completion report. The initial project budget was \$7.2 million, and current estimates are approaching \$7.6 million.
- Economic Development works to help existing utility business customers grow, to attract new industrial and commercial businesses to the area, and to positively influence Springfield's quality of life. Economic Development also provides administrative support and oversight for both Partnership Industrial Centers. Economic Development works closely with the Springfield Business Development Corporation (SBDC) and City Utilities has committed to funding SBDC at \$165,000 for 2017. The SBDC provides resources and assistance to new and existing businesses seeking to create jobs within City Utilities service territory. The SBDC engages with site location consultants, the Missouri Partnership and the Missouri Department of Economic Development to recruit new industry, jobs and capital investment to Springfield and Greene County.
- The areas of Public Policy/Governmental Relations and Environmental Affairs represent the Utility in state and national legislative and regulatory processes and monitor compliance with environmental policy.
- Records Management assists the Utility in the efficient administration of records. This includes the proper retention and disposition of records.

Annual Initiatives

- Legal advises management and the Board of Public Utilities on issues concerning Utility rights and obligations. Legal is also responsible for setting injury and damages reserves, defending and paying claims arising from personal injuries, property damage, contract and warranty disputes, workers’ compensation settlements, employment disputes, and Utility territorial issues. Legal handles collections for the damage claims to Utility property.
- Internal Auditing assists management in the review of controls and processes throughout the Utility and presents an annual audit plan for approval by the Board Audit Committee. In addition, Internal Auditing coordinates work with the external auditors on the annual financial audit.

Customer Support

Functional Responsibility

Customer Support includes Communications & Community Relations, Customer Services, Field Services, Developer Support, Energy Services and Renewables, and other services provided to the community.

Major Budget Initiatives

- From the recommendation made by the Power Supply Community Task Force, City Utilities continues implementation of cost effective programs to encourage customers to use energy and water wisely. These dollars are a product of the rate increase packages passed by the Board of Public Utilities and City Council since 2006. These will generate approximately \$1.5 million per year for energy management and conservation programs.

Expenditures	2015	2016	2017
	Actual	Reprojected	Budget
Communications & Community Relations	\$ 1,032,011	\$ 1,031,694	\$ 1,093,673
Customer Services & Collections	5,300,128	5,427,594	6,336,949
Field Services & Developer Support	1,965,626	2,092,358	2,211,619
Street Lighting	857,148	435,000	629,000
Energy Services & Renewables	1,447,165	1,894,953	1,787,829
Total Expenditures	\$ 10,602,078	\$ 10,881,599	\$ 12,059,070

Annual Initiatives

- Customer Services establishes customer accounts and is responsible for Billing, Meter Reading, Credit and Collections, Scheduling, and Field Services. These departments provide services to customers by phone, the Internet, walk-in lobby, and field visits to customers' homes.
- Communications & Community Relations builds awareness of Utility programs and services and provides educational information to help customers do business with the Utility, save energy and water, and access resources about electricity, natural gas, water, transit, and broadband. Energy management, water conservation, rebates and incentives, customer services programs, and consumer safety are among the issues communicated on-line and in traditional and social media.
- On-going customer research facilitates planning, development, implementation, and evaluation of Utility communications by providing insights into customer priorities and opinions. The research also measures key customer opinions about the Utility's performance.
- EnergyWise and WaterWise programs provide cost effective solutions to encourage customers to efficiently manage their energy and water use. This is done by offering rebates to customers for the purchase and installation of energy and water efficient appliances and products and by providing customer education through Utility communications and community outreach.

Debt Service

Functional Responsibility

Expenditures for Debt Service encompass the interest payments and principal retirements on City Utilities' outstanding revenue bonds and lease obligations.

Expenditures	2015	2016	2017
	Actual	Reprojected	Budget
Debt Service	\$ 46,294,762	\$ 70,835,035	\$ 54,188,280
Total Expenditures	\$ 46,294,762	\$ 70,835,035	\$ 54,188,280

Reprojected Adjustment

- Refinancing of the 2006 Public Utility Certificates of Participation took place in early fiscal 2016. The refinancing of this debt resulted in \$2.9 million in savings over the remaining term. The original Certificates of Participation were for the construction of the McCartney Generating Station, Lake Springfield Natural Gas Peaking Station, and Noble Hill Landfill Renewable Energy Center.

Annual Initiatives

- The lease/purchase agreement, which provided funds for the emissions control financing, 48-inch raw water main, Blackman Water Treatment Plant (BWTP) expansion, Concrete Main Renewal at BWTP, southwest water storage tank, cooling tower at James River Power Station, and the Trunked Radio System, requires annual debt service payments of \$7.5 million for 2017.
- The debt service payment for the 2014 Environmental Financing will total \$3.4 million for 2017.
- Debt service for the 2015 Refunding Revenue Bonds for the construction of JTEC Unit 2 (SW2) will be \$37.1 million for 2017.
- Lease payments for the 2015 Refunding Certificates of Participation for McCartney Generating Station, Lake Springfield Natural Gas Peaking Station, and Noble Hill Landfill Renewable Energy Center are budgeted at \$6.2 million for 2017.

Non-Utility

Functional Responsibility

Non-Utility represents disbursements to customers and third parties, including meter deposit and credit balance refunds to customers, reimbursement items, sales tax remitted to the State of Missouri, sewer revenues collected on behalf of the City of Springfield, and payments in lieu of taxes.

Expenditures	2015	2016	2017
	Actual	Reprojected	Budget
Third Party Payments	\$ 62,807,210	\$ 61,521,750	\$ 62,263,505
Non-Capital Contingencies	0	0	280,000
Total Expenditures	\$ 62,807,210	\$ 61,521,750	\$ 62,543,505

Remittance items are expenditures that City Utilities must make on behalf of another party and will receive full reimbursement for the expenditure.

Annual Initiatives

- On behalf of the City of Springfield, wastewater charges are billed by City Utilities and City Utilities collects the revenues. These revenues, less an administrative fee, are remitted monthly to the City of Springfield. For 2017, wastewater remittances are estimated at \$31.5 million.
- City Utilities pays the City of Springfield a percentage of gross revenues in lieu of taxes. For the Annual Operating Budget, the rates are 3% for electric revenue, 4% for natural gas revenue, 4% for water revenue, and 4% for transit revenue. The budget projection for payments in lieu of taxes for 2017 is \$14.2 million.
- Sales taxes are collected from customers for utility usage and are, in turn, remitted to the State of Missouri less a 2% processing discount. This project is based on budgeted revenues and the various tax rates for each taxing jurisdiction served by City Utilities. For 2017, the estimated sales tax to be remitted is \$11.3 million.

INTRODUCTION

The Financial Statements show the projected results of anticipated operational and financial decisions that will be made during the budget year.

The Statement of Net Position, formerly known as the Balance Sheet, reflects the projected financial position of the Utility. The Statement of Revenues, Expenses and Changes in Net Position, formerly known as the Income Statement is provided for the Total Utility, as well as, Statements of Operations for the individual business units: Electric, Natural Gas, Transit, SpringNet®, Trunked Radio, and Water. The individual Statements of Operations reflect the impact of the allocation of budgeted expenditures and receipts.

The Designated Improvement Account, an account established by ordinance, is utilized for identification of special purpose funds. Uses of funds in the Designated Improvement Account include specified projects, special purpose accounts, and funds for future requirements.

The Key Financial Ratios serve as additional information regarding the financial position of the Utility. Financial ratios are an important tool for analysis of projected operating results and identification of financial trends.

The All Funds Cash Receipts and Disbursements reports summarize the budgeted receipts, expenditures and transfers for the various Utility funds. These reports reflect the timing differences between billing of revenues and cash receipts and between project charges and cash payments for those charges.

FINANCIAL STATEMENTS

<i>Statement of Net Position</i>	1
<i>Statement of Revenues, Expenses and Changes in Net Position - Total Utility</i>	3
<i>Statements of Operations</i>	
<i>Electric</i>	4
<i>Natural Gas</i>	5
<i>Transit</i>	6
<i>SpringNet®</i>	7
<i>Trunked Radio</i>	7
<i>Water</i>	8
<i>Key Financial Ratios</i>	9
<i>All Funds Cash Receipts and Disbursements</i>	10
<i>Statement of Cash Flows</i>	11
<i>All Funds Summary of Cash Receipts and Disbursements</i>	12
<i>Summary of Fund Balances</i>	15

STATEMENT OF NET POSITION

Fiscal Years Ending September 30

	Actual 2015	Reprojected 2016	Budget 2017
Utility Plant, At Cost:			
Plant In Service	\$ 2,188,776,169	\$ 2,229,818,814	\$ 2,126,750,684
Less Accumulated Depreciation	819,643,572	838,399,789	890,053,014
Net Plant In Service	1,369,132,597	1,391,419,025	1,236,697,670
Construction Work In Progress	52,627,244	63,335,201	241,778,594
Net Utility Plant	1,421,759,841	1,454,754,226	1,478,476,264
Funds For Bonded Indebtedness	6,071,013	6,178,847	6,287,263
Construction Funds	372	0	0
JTEC Equity Fund	4,483,828	0	0
Designated Improvement Account	129,930,720	93,604,546	101,373,438
Working Capital - Other	78,845,328	72,864,283	66,766,616
Price Risk Management Assets	194,940	194,940	194,940
Equity Interest In Partnership Industrial Center	1,897,106	2,039,763	2,190,254
Equity Interest In Electric Power Alliance	2,561,880	12,204,738	12,204,738
Regulatory Assets - Asset Retirement Obligations	1,228,362	1,263,612	1,299,880
Other Noncurrent Assets	9,651,013	9,994,889	9,927,484
Total Noncurrent Assets	1,656,624,404	1,653,099,844	1,678,720,877
Current Assets:			
Cash, Cash Equivalents And Short-term Investments	44,119,553	32,000,000	32,500,000
Accounts Receivable:			
Customers, Less Allowance For Doubtful Accounts	20,962,452	21,187,604	22,087,745
Unbilled Revenues	15,447,000	16,541,000	17,371,000
Accounts Receivable Other	2,174,094	3,948,339	4,343,221
Recoverable Fuel Costs	(3,213,663)	4,051,266	465,875
Inventories:			
Materials And Supplies	25,119,312	25,449,184	25,822,650
Coal	11,658,867	7,214,660	7,175,303
Natural Gas	6,333,280	5,272,250	6,011,520
Emissions Consumables	143,720	135,331	130,424
Prepayments	1,378,910	621,280	621,511
Total Current Assets	124,123,523	116,420,914	116,529,249
Total Assets	1,780,747,927	1,769,520,758	1,795,250,126
Deferred Outflows of Resources:			
Unamortized Loss on Reacquired Debt	19,598,662	17,984,800	17,043,394
GASB 68 Contributions after Measurement & Exp Vs. Actual Experience	29,967,770	29,967,770	29,967,770
Total Deferred Outflows of Resources	49,566,432	47,952,570	47,011,164
Total Assets and Deferred Outflows	\$ 1,830,314,359	\$ 1,817,473,328	\$ 1,842,261,290

STATEMENT OF NET POSITION*Fiscal Years Ending September 30*

	<u>Actual 2015</u>	<u>Reprojected 2016</u>	<u>Budget 2017</u>
Net Position (Equity)	\$ 998,767,070	\$ 1,041,066,085	\$ 1,095,631,406
Long-term Obligations:			
Total Long-term Obligations Outstanding	618,525,000	588,185,000	558,860,000
Unamortized Premium (Discount)	50,130,569	48,809,540	45,135,553
Total Long-term Obligations	<u>668,655,569</u>	<u>636,994,540</u>	<u>603,995,553</u>
Asset Retirement Obligations	1,228,362	1,263,612	1,299,880
Price Risk Management Liabilities	1,956,977	1,956,977	1,956,977
Pension Liability	34,294,328	34,294,328	34,294,328
Other Noncurrent Liabilities	<u>27,845,250</u>	<u>18,822,422</u>	<u>19,428,773</u>
Total Noncurrent Liabilities	<u>733,980,486</u>	<u>693,331,878</u>	<u>660,975,511</u>
Current Liabilities:			
Current Portion of Long-term Obligations	26,155,000	27,655,000	29,325,000
Accounts Payable:			
Trade	18,169,422	16,910,430	18,289,645
Other Accounts Payable	21,330,332	5,810,674	5,879,354
Customer Deposits	5,600,859	6,028,730	5,269,103
Accruals:			
Interest	5,191,074	4,888,613	4,576,676
Salaries And Wages	1,861,427	1,154,427	558,427
Payment In Lieu Of Taxes	1,155,996	1,483,937	1,539,844
Purchased Power	2,111,488	557,179	1,830,474
Purchased Fuels	6,785,246	7,141,069	7,038,140
Vacation And Sick Leave	0	9,559,127	9,559,127
Gas Holder Site Remediation	7,240,000	0	0
Other	1,965,961	1,886,180	1,788,584
Total Current Liabilities	<u>97,566,803</u>	<u>83,075,365</u>	<u>85,654,373</u>
Total Net Position and Liabilities	<u>1,830,314,359</u>	<u>1,817,473,328</u>	<u>1,842,261,290</u>
Deferred Inflows of Resources:			
Total Deferred Inflows of Resources	<u>0</u>	<u>0</u>	<u>0</u>
Total Net Position, Liabilities and Deferred Inflows	<u>\$ 1,830,314,359</u>	<u>\$ 1,817,473,328</u>	<u>\$ 1,842,261,290</u>

STATEMENT OF REVENUES, EXPENSES AND CHANGES IN NET POSITION

Fiscal Years Ending September 30

	Actual 2015	Reprojected 2016	Budget 2017
Operating Revenue	\$ 447,269,701	\$ 419,643,316	\$ 449,744,837
Operating Expense			
Production Fuel And Purchased Power	106,772,621	92,717,547	101,053,030
Natural Gas Purchased	61,987,112	42,799,695	51,391,220
Other Production	21,304,664	22,621,754	19,386,610
Distribution And Transmission	34,803,240	33,130,631	33,317,512
Bus And Garage Operations	6,175,567	5,621,319	5,900,798
Other Services	5,430,523	4,918,584	4,786,013
Customer Accounts	12,175,473	12,354,234	14,158,576
Administrative And General	30,354,985	33,433,279	34,729,704
Maintenance	43,713,907	39,854,127	37,945,611
Depreciation And Amortization	59,316,722	61,785,006	61,001,715
(Gain) Loss On Other Activities	(90,389)	0	0
Payment In Lieu Of Taxes	14,173,023	13,747,652	14,157,780
Other Taxes	379,159	233,380	483,500
Total Operating Expense	396,496,607	363,217,208	378,312,069
Operating Income (Loss)	50,773,094	56,426,108	71,432,768
Other Income (Expense)			
Interest Income	7,336,754	7,047,501	5,158,000
Net Increase (Decrease) In Fair Market Value Of Investments	1,861,126	0	0
Gain Or (Loss) On Investments	(624,699)	(1,200,000)	(1,200,000)
Interest Expense	(31,814,593)	(27,543,562)	(26,221,342)
Allowance For Funds Used During Construction	1,893,261	1,123,289	1,123,284
Operation Of Recreational Facilities	(308,367)	(352,161)	(678,519)
Long-Term Obligations Related Amortization	1,578,558	2,345,696	2,354,258
Net Capital Contributions	1,515,001	1,991,957	146,520
Miscellaneous Income (Expense)	1,330,471	2,460,187	2,450,353
Total Other Income (Expense)	(17,232,489)	(14,127,093)	(16,867,447)
Change in Net Position Before Special Item	33,540,605	42,299,015	54,565,321
Special Item	(3,721,810)	0	0
Change in Net Position	29,818,795	42,299,015	54,565,321
Net Position At Beginning Of Period	968,948,274	998,767,070	1,041,066,085
Net Position At End Of Period	\$ 998,767,070	\$ 1,041,066,085	\$ 1,095,631,406

STATEMENT OF OPERATIONS - ELECTRIC*Fiscal Years Ending September 30*

	Actual 2015	Reprojected 2016	Budget 2017
Operating Revenue			
Sales:			
Customer	\$ 255,071,942	\$ 245,117,145	\$ 268,725,929
For Resale	27,100,126	17,624,040	20,089,288
Interdepartmental	3,606,429	3,285,872	3,669,219
Under (Over) Recovered Fuel Cost	(3,813,353)	5,799,718	(2,412,965)
Unbilled	1,513,000	806,000	729,000
Total Sales	<u>283,478,144</u>	<u>272,632,775</u>	<u>290,800,471</u>
Other Operating Revenue	<u>7,108,970</u>	<u>8,224,702</u>	<u>9,416,189</u>
Total Operating Revenue	<u>290,587,113</u>	<u>280,857,477</u>	<u>300,216,660</u>
Operating Expense			
Production Fuel And Purchased Power	106,772,621	92,717,547	101,053,030
Other Production	14,371,663	14,895,028	11,677,000
Distribution And Transmission	22,034,310	21,892,596	22,956,812
Other Services	4,352	136,499	9,211
Customer Accounts	5,334,006	5,369,025	6,199,041
Administrative And General	17,176,596	19,980,361	20,026,972
Maintenance	33,307,613	27,431,147	23,677,555
Depreciation And Amortization	42,249,842	44,112,419	43,778,679
(Gain) Loss On Other Activities	(90,389)	0	0
Payment In Lieu Of Taxes	8,781,136	8,557,736	8,928,823
Other Taxes	24,949	0	0
Total Operating Expense	<u>249,966,700</u>	<u>235,092,357</u>	<u>238,307,122</u>
Operating Income (Loss)	<u>\$ 40,620,413</u>	<u>\$ 45,765,120</u>	<u>\$ 61,909,537</u>

STATEMENT OF OPERATIONS - NATURAL GAS*Fiscal Years Ending September 30*

	<u>Actual</u> <u>2015</u>	<u>Reprojected</u> <u>2016</u>	<u>Budget</u> <u>2017</u>
Operating Revenue			
Sales:			
Customer	\$ 87,647,274	\$ 66,643,898	\$ 79,177,126
Interdepartmental	7,702,799	5,759,819	6,109,569
Under (Over) Recovered Fuel Cost	(214,584)	1,465,211	(1,172,426)
Unbilled	<u>(255,000)</u>	<u>271,000</u>	<u>84,000</u>
Total Sales	94,880,490	74,139,928	84,198,269
Other Operating Revenue	<u>1,330,777</u>	<u>1,059,759</u>	<u>1,677,504</u>
Total Operating Revenue	<u>96,211,266</u>	<u>75,199,687</u>	<u>85,875,773</u>
Operating Expense			
Natural Gas Purchased	61,987,112	42,799,695	51,391,220
Distribution And Transmission	8,348,121	7,164,933	6,924,873
Customer Accounts	3,506,219	3,574,721	4,068,418
Administrative And General	3,996,239	4,015,774	4,333,792
Maintenance	3,581,775	3,387,749	3,504,651
Depreciation And Amortization	5,793,762	5,791,052	5,914,068
Payment In Lieu Of Taxes	3,579,964	3,131,617	3,216,501
Other Taxes	<u>29,561</u>	<u>15,000</u>	<u>15,000</u>
Total Operating Expense	<u>90,822,752</u>	<u>69,880,541</u>	<u>79,368,523</u>
Operating Income (Loss)	<u>\$ 5,388,515</u>	<u>\$ 5,319,146</u>	<u>\$ 6,507,250</u>

STATEMENT OF OPERATIONS - TRANSIT*Fiscal Years Ending September 30*

	Actual 2015	Reprojected 2016	Budget 2017
Operating Revenue			
Sales:			
Passenger Fare	\$ 1,037,628	\$ 1,061,782	\$ 1,002,562
Advertising	31,427	87,419	100,000
Interdepartmental Shuttle Service	916	0	0
Total Operating Revenue	1,069,970	1,149,201	1,102,562
Operating Expense			
Bus And Garage Operation	6,175,567	5,621,319	5,900,798
Administrative And General	1,592,631	1,576,419	1,727,645
Maintenance	1,435,575	1,628,839	1,583,543
Depreciation And Amortization	1,562,193	2,074,330	1,807,464
Payment In Lieu Of Taxes	42,762	44,102	44,102
Total Operating Expense	10,808,729	10,945,010	11,063,553
Operating Income (Loss)	(9,738,759)	(9,795,809)	(9,960,991)
Transit Subsidies	2,539,953	2,573,229	2,575,500
Net Capital Contributions	1,515,001	1,991,957	146,520
Net Amount Absorbed by			
Electric, Natural Gas, Water & SpringNet Customers	\$ (5,683,805)	\$ (5,230,623)	\$ (7,238,971)

STATEMENT OF OPERATIONS - SPRINGNET/TRUNKED RADIO

Fiscal Years Ending September 30

SpringNet®	Actual	Reprojected ¹	Budget
	2015	2016	2017
Operating Revenue			
Customer-External	\$ 10,582,309	\$ 9,730,354	\$ 9,996,414
Interdepartmental	4,418,872	1,641,060	1,548,790
Total Operating Revenue	15,001,181	11,371,414	11,545,204
Operating Expense			
Other Services	5,426,170	3,961,103	3,941,194
Customer Accounts	8,318	4,605	12,236
Administrative And General	2,418,187	1,556,862	1,595,576
Depreciation And Amortization	3,782,110	2,782,203	2,885,400
Other Taxes	306,391	218,380	468,500
Total Operating Expense	11,941,176	8,523,153	8,902,906
Operating Income (Loss)	\$ 3,060,005	\$ 2,848,261	\$ 2,642,298

Trunked Radio	Reprojected ¹	Budget
	2016	2017
Operating Revenue		
Customer-External	\$ 778,038	\$ 906,000
Interdepartmental	852,952	804,994
Total Operating Revenue	1,630,990	1,710,994
Operating Expense		
Other Services	820,982	835,608
Administrative And General	458,962	457,201
Depreciation And Amortization	601,799	556,896
Total Operating Expense	1,881,743	1,849,705
Operating Income (Loss)	\$ (250,753)	\$ (138,711)
Total Operating Income (Loss)	\$ 2,597,508	\$ 2,503,587

¹ Beginning with Fiscal Year 2016 Telecommunications operations will only provide support internally with the exception of the Trunked Radio division. Financial Statements will reflect these changes with separately reporting SpringNet and Trunked Radio operations.

STATEMENT OF OPERATIONS - WATER*Fiscal Years Ending September 30*

	Actual 2015	Reprojected 2016	Budget 2017
Operating Revenue			
Sales:			
Customer	\$ 42,545,912	\$ 47,597,691	\$ 47,917,543
Interdepartmental	59,152	71,184	67,824
Unbilled	112,000	17,000	17,000
Total Sales	<u>42,717,063</u>	<u>47,685,875</u>	<u>48,002,367</u>
Other Operating Revenue	<u>1,683,106</u>	<u>1,748,672</u>	<u>1,291,277</u>
Total Operating Revenue	<u>44,400,170</u>	<u>49,434,547</u>	<u>49,293,644</u>
Operating Expense			
Production	6,933,000	7,726,725	7,709,610
Distribution And Transmission	4,420,809	4,073,102	3,435,827
Customer Accounts	3,326,930	3,405,884	3,878,881
Administrative And General	5,171,332	5,844,901	6,588,519
Maintenance	5,388,944	7,406,393	9,179,862
Depreciation And Amortization	5,928,814	6,423,203	6,059,208
Payment In Lieu Of Taxes	1,769,161	2,014,196	1,968,353
Other Taxes	18,259	0	0
Total Operating Expense	<u>32,957,250</u>	<u>36,894,404</u>	<u>38,820,260</u>
Operating Income (Loss)	<u>\$ 11,442,920</u>	<u>\$ 12,540,143</u>	<u>\$ 10,473,384</u>

KEY FINANCIAL RATIOS*Fiscal Years Ending September 30*

	Actual 2015	Reprojected 2016	Budget 2017
Current Ratio	2.2	2.2	2.1
The Current Ratio measures the utility's ability to meet current obligations in a timely manner. <i>([Current Assets - Short Term Construction Funds + Working Capital + Funds for Clean Air Compliance] / Current Liabilities)</i>			
Return On Equity	3.0%	4.1%	5.0%
Return on Equity indicates the amount of return in relation to the utility's net equity. <i>(Net Income / Equity)</i>			
Operating Margin	11.3%	13.4%	15.9%
Operating Margin measures the utility's operating performance. <i>(Operating Income / Operating Revenue)</i>			
Net Margin	6.7%	10.1%	12.1%
Net Margin shows how well the utility converts sales into income which can then be re-invested in to the utility. <i>(Net Income / Operating Revenue)</i>			
Debt Service Coverage	2.6	2.4	2.6
Debt Service Coverage measures the utility's ability to cover the its principal and interest payments. <i>([Operating Income + Depreciation + Other Income] / [Principal and Interest Payments])</i>			
Debt Ratio	37.5%	36.0%	33.6%
The Debt Ratio measures the percentage of assets financed by long-term debt. <i>(Long Term Obligations / Total Assets)</i>			
Debt to Equity	66.9%	61.2%	55.1%
The Debt to Equity Ratio measures the degree of financial leverage. <i>(Long Term Obligations / Equity)</i>			
Equity to Capitalization	59.9%	62.0%	64.5%
The Equity to Capitalization Ratio "provides a measure of cost recovery, leverage and additional debt capacity," ¹ <i>(Equity/[Equity + Long Term Obligations])</i>			

¹ Description provided by Fitch U.S Public Power Peer Study, 2013.

ALL FUNDS CASH RECEIPTS AND DISBURSEMENTS*Fiscal Years Ending September 30*

	Actual 2015	Reprojected 2016	Budget 2017
Operating Fund			
Receipts (A)	\$ 512,510,190	\$ 506,984,382	\$ 540,082,525
Disbursements (C)	(499,390,637)	(519,103,935)	(539,582,525)
Excess Receipts (Disbursements)	13,119,553	(12,119,553)	500,000
Beginning Balance	31,000,000	44,119,553	32,000,000
Ending Balance	44,119,553	32,000,000	32,500,000
Designated Improvement Account			
Receipts (B)	41,199,935	0	0
Disbursements (D)	7,075,772	(42,307,218)	1,671,224
Excess Receipts (Disbursements)	48,275,707	(42,307,218)	1,671,224
Beginning Balance	160,500,341	208,776,048	166,468,830
Ending Balance	208,776,048	166,468,830	168,140,054
Construction Accounts			
Receipts (B)	0	0	0
Disbursements (D)	(1,515,800)	(4,484,200)	0
Excess Receipts (Disbursements)	(1,515,800)	(4,484,200)	0
Beginning Balance	6,000,000	4,484,200	0
Ending Balance	4,484,200	0	0
Bond Funds			
Receipts (B)	0	0	0
Disbursements (D)	103,977	107,833	108,417
Excess Receipts (Disbursements)	103,977	107,833	108,417
Transfer to Trustee	(52,812,502)	0	0
Beginning Balance	58,779,538	6,071,013	6,178,846
Ending Balance	6,071,013	6,178,846	6,287,263
Balance of Utility Funds	\$ 263,450,814	\$ 204,647,676	\$ 206,927,317

TOTAL RECEIPTS & DISBURSEMENTS

A. Utility Operating Fund	\$ 512,510,190	\$ 506,984,382	\$ 540,082,525
B. Other Funds	41,199,935	0	0
Total Receipts	\$ 553,710,125	\$ 506,984,382	\$ 540,082,525
C. Utility Operating Fund	\$ (499,390,637)	\$ (519,103,935)	\$ (539,582,525)
D. Other Funds	5,663,949	(46,683,585)	1,779,641
Total Disbursements	\$ (493,726,688)	\$ (565,787,520)	\$ (537,802,884)

STATEMENT OF CASH FLOWS*Fiscal Years Ending September 30*

	Actual 2015	Reprojected 2016	Budget 2017
RECONCILIATION OF NET OPERATING INCOME TO NET CASH PROVIDED BY OPERATING ACTIVITIES:			
Net Operating Income (Loss)	\$ 50,773,094	\$ 56,426,108	\$ 71,432,768
Adjustments To Reconcile Net Operating Income To Net Cash Provided By Operating Activities:			
Depreciation & Amortization Expense	59,316,722	61,785,006	61,001,715
Auto Depreciation Included In Vehicle Expense	2,001,517	2,186,291	2,186,304
Miscellaneous Income (Expense)	12,191	(113,042)	(125,147)
Operation Of Recreational Facilities	(308,367)	(352,161)	(678,519)
Change In Assets And Liabilities:			
Accounts Receivable	3,228,974	(1,999,397)	(1,295,023)
Unbilled Revenues	(1,370,000)	(1,094,000)	(830,000)
Price Risk Management Assets	1,555,756	0	0
Recoverable Fuel Costs	2,321,159	(7,264,929)	3,585,391
Inventories	(5,530,364)	5,183,752	(1,068,472)
Prepayments and Prepaid Insurance	(201,575)	757,630	(231)
Other Noncurrent Assets	(329,469)	(542,979)	(398,557)
Deferred Outflows - GASB 68 Contrib	(25,276,861)	0	0
Accounts Payable	2,945,375	(325,138)	1,447,895
Customer Deposits	47,094	427,871	(759,627)
Accrued Liabilities	(862,396)	(8,897,329)	532,678
GASB 68 Net Pension Liability	29,257,804	0	0
Other Noncurrent Liabilities	1,345,709	536,298	606,352
Net Cash Provided By (Used For) Operating Activities	118,926,363	106,713,983	135,637,526
CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES:			
Receipts from Federal & State Grants	2,323,468	2,573,229	2,575,500
Net Cash Provided by (Used for) Noncapital Financing Activities	2,323,468	2,573,229	2,575,500
CASH FLOWS FROM CAPITAL FINANCING ACTIVITIES:			
Net Proceeds From Issuance Of Capital Obligations	41,479,551	0	0
Trsf Of Financing Proceeds To Construction Funds	(41,174,399)	0	0
Debt Issuance Costs	(1,721,781)	0	0
Trsf Of Financing Proceeds From Construction Funds	41,174,027	372	0
Trsf Of Financing Proceeds From JTEC Equity Fund	1,516,172	4,483,828	0
Capital Grants And Contributions	6,002,550	6,550,726	2,430,452
Additions To Utility Plant, Net Of Removal	(90,850,902)	(100,313,530)	(87,983,066)
Surplusing of SpringNet Underground	8,063,999	0	0
Proceeds from issuance of 2015 Revenue Bonds	572,137,398	0	0
Transfer to Trustee - Defeased 2006 Revenue Bonds	(572,053,910)	0	0
Repayment Of Long-term Capital Obligations	(13,620,000)	(26,090,000)	(27,655,000)
Interest Paid	(32,674,763)	(27,846,023)	(26,533,280)
Net Cash Provided (Used For) Capital Financing Activities	(81,722,058)	(143,214,627)	(139,740,894)
CASH FLOWS FROM INVESTING ACTIVITIES:			
Sale And Maturities Of Investment Securities	22,822,834	42,950,643	0
Purchase Of Investment Securities	(68,626,652)	0	(1,779,642)
Interest Received	7,979,429	7,047,501	5,158,000
Arbitrage Payable	13,260,804	(16,453,512)	0
Equity Interest In Electric Power Alliance	(934,408)	(10,842,858)	(1,200,000)
Equity Interest In Partnership Industrial Centers	(2,240)	(217,657)	(225,490)
Distribution From Partnership Industrial Centers	0	75,000	75,000
Net Cash Provided From (Used For) Investing Activities	(25,500,233)	22,559,117	2,027,868
NET INCREASE (DECREASE) IN CASH AND EQUIVALENTS	14,027,540	(11,368,298)	500,000
Cash And Cash Equivalents At Beginning Of Period	29,340,758	43,368,298	32,000,000
Cash And Cash Equivalents At End Of Period	\$ 43,368,298	\$ 32,000,000	\$ 32,500,000

ALL FUND SUMMARY OF CASH RECEIPTS AND DISBURSEMENTS ACTUAL

Fiscal Year Ending September 30, 2015

	Operating Fund	Other Funds	Total Funds
RECEIPTS			
Total Revenues And Other Billings	\$ 507,773,505	\$ 0	\$ 507,773,505
Natural Gas Hedging Receipts	0	0	0
Financing Agreement Receipts	0	41,199,935	41,199,935
Total Revenues And Other Receipts	507,773,505	41,199,935	548,973,440
Receivable and Other Balance Sheet Accounts	4,736,685	0	4,736,685
Total Receipts	<u>\$ 512,510,190</u>	<u>\$ 41,199,935</u>	<u>\$ 553,710,125</u>
DISBURSEMENTS			
Non-capital And Capital Project Expenditures	\$ 340,630,424	\$ 1,025,580	\$ 341,656,004
Fuels And Purchased Power	166,019,309	0	166,019,309
Total Project Expenditures	506,649,733	1,025,580	507,675,313
Natural Gas Hedging Expenditures	0	0	0
Fuels Contingency	0	0	0
Loss (Gain) On Investments	1,629,887	0	1,629,887
Arbitrage Payable	(13,938,499)	0	(13,938,499)
Change In Payables Balances	(1,640,013)	0	(1,640,013)
Intrafund Transfers	6,689,529	(6,689,529)	0
Total Disbursements	<u>\$ 499,390,637</u>	<u>\$ (5,663,949)</u>	<u>\$ 493,726,688</u>
Receipts Net Of Disbursements	\$ 13,119,553	\$ 46,863,884	\$ 59,983,437
Transfer to Trustee for Defeased 2006 Revenue Bonds	0	(52,812,502)	(52,812,502)
Beginning Balance All Funds	31,000,000	225,279,879	256,279,879
Ending Balance All Funds	<u>\$ 44,119,553</u>	<u>\$ 219,331,261</u>	<u>\$ 263,450,814</u>

ALL FUND SUMMARY OF CASH RECEIPTS AND DISBURSEMENTS REPROJECTED

Fiscal Year Ending September 30, 2016

	<u>Operating Fund</u>	<u>Other Funds</u>	<u>Total Funds</u>
RECEIPTS			
Total Revenues And Other Billings	\$ 465,729,079	\$ 0	\$ 465,729,079
Natural Gas Hedging Receipts	10,000,000	0	10,000,000
Total Revenues And Other Receipts	475,729,079	0	475,729,079
Receivable And Other Balance Sheet Accounts:			
Change In Accounts Receivable	(3,744,697)	0	(3,744,697)
Over(Under) Recovered On Fuels Contingency	35,000,000	0	35,000,000
 Total Receipts	 <u>\$ 506,984,382</u>	 <u>\$ 0</u>	 <u>\$ 506,984,382</u>
DISBURSEMENTS			
Non-capital And Capital Project Expenditures	\$ 383,163,436	\$ 0	\$ 383,163,436
Fuels And Purchased Power	134,872,540	0	134,872,540
Total Project Expenditures	518,035,976	0	518,035,976
Guarantees - The Energy Authority	9,642,858	0	9,642,858
Fuels Contingency	35,000,000	0	35,000,000
Change In Payables Balances	3,108,686	0	3,108,686
Intrafund Transfers	(46,683,585)	46,683,585	0
 Total Disbursements	 <u>\$ 519,103,935</u>	 <u>\$ 46,683,585</u>	 <u>\$ 565,787,520</u>
 Receipts Net Of Disbursements	 <u>\$ (12,119,553)</u>	 <u>\$ (46,683,585)</u>	 <u>\$ (58,803,138)</u>
Beginning Balance All Funds	44,119,553	219,331,261	263,450,814
 Ending Balance All Funds	 <u>\$ 32,000,000</u>	 <u>\$ 172,647,676</u>	 <u>\$ 204,647,676</u>

ALL FUND SUMMARY OF CASH RECEIPTS AND DISBURSEMENT BUDGET

Fiscal Year Ending September 30, 2017

	<u>Operating Fund</u>	<u>Other Funds</u>	<u>Total Funds</u>
RECEIPTS			
Total Revenues And Other Billings	\$ 498,286,606	\$ 0	\$ 498,286,606
Natural Gas Hedging Receipts	10,000,000	0	10,000,000
Total Revenues And Other Receipts	508,286,606	0	508,286,606
Receivable And Other Balance Sheet Accounts:			
Change In Accounts Receivable	(3,204,081)	0	(3,204,081)
Over(Under) Recovered On Fuels Contingency	35,000,000	0	35,000,000
 Total Receipts	 <u>\$ 540,082,525</u>	 <u>\$ 0</u>	 <u>\$ 540,082,525</u>
DISBURSEMENTS			
Non-capital And Capital Project Expenditures	\$ 347,085,441	\$ 0	\$ 347,085,441
Fuels And Purchased Power	158,252,614	0	158,252,614
Total Project Expenditures	505,338,055	0	505,338,055
Fuels Contingency	35,000,000	0	35,000,000
Change In Payables Balances	(2,535,171)	0	(2,535,171)
Intrafund Transfers	1,779,641	(1,779,641)	0
 Total Disbursements	 <u>\$ 539,582,525</u>	 <u>\$ (1,779,641)</u>	 <u>\$ 537,802,884</u>
 Receipts Net Of Disbursements	 <u>\$ 500,000</u>	 <u>\$ 1,779,641</u>	 <u>\$ 2,279,641</u>
Beginning Balance All Funds	32,000,000	172,647,676	204,647,676
 Ending Balance All Funds	 <u>\$ 32,500,000</u>	 <u>\$ 174,427,317</u>	 <u>\$ 206,927,317</u>

SUMMARY OF FUND BALANCES*Fiscal Years Ending September 30*

	<u>Actual 2015</u>	<u>Reprojected 2016</u>	<u>Budget 2017</u>
Cash And Short-term Investments	\$ 39,676,767	\$ 32,000,000	\$ 32,500,000
Market Value Adjustment	4,442,786	0	0
Working Capital/Rate Stabilization	78,845,328	72,864,283	66,766,616
Funds For Bonded Indebtedness	6,071,013	6,178,847	6,287,263
Construction Funds	372	0	0
Designated Improvement Account:			
Funds For Electric Clean Air Compliance	8,506,250	0	0
Funds For Electric Clean Air Compliance-NHLREC	2,850,000	2,490,000	2,115,000
Reserves And Current Funding Requirements:			
Disaster Recovery Fund	18,769,057	19,800,438	20,893,502
Contingency Fund	11,267,363	11,885,710	12,541,068
Pollution Reserve Fund	28,094,209	24,656,093	28,186,963
Fuel Over Recovery	4,899,581	0	0
Carry-in Project Transit	4,547	0	0
Electric Power Alliance Guarantees	9,642,858	0	0
Arbitrage Payable	1,848,924	0	0
DSRF FDA Arbitrage	13,493,000	0	0
Trunked Radio System Capital Reserve	1,922,596	2,641,292	3,116,292
Trunked Radio O&M Reserves	75,000	75,000	75,000
Revenue Reserves	12,500,000	0	0
Water Capacity Reserve	643,335	0	0
McDaniel Lake Bridge Retirement Reserve	172,000	0	0
Health Claims Fluctuation Reserve	1,910,000	0	0
Capacity Project Equity Reserve	9,300,000	0	0
Capital Reserves	4,032,000	32,056,013	34,445,613
Total Designated Improvement Account	129,930,720	93,604,546	101,373,438
SW2 Equity Fund	4,483,828	0	0
Total Fund Balances	\$ 263,450,814	\$ 204,647,676	\$ 206,927,317



One-rdg. _____
P. Hrngs. _____
Pgs. 13
Filed: 08-30-16

Sponsored by: Hosmer

First Reading: _____

Second Reading: _____

AMENDED

COUNCIL BILL NO. 2016-197

GENERAL ORDINANCE NO. _____

AN ORDINANCE

1 AMENDING Chapter 36 of the Springfield, Missouri City Code, known as the Land
2 Development Code, Article III, Division VI, Section 36-483 related to off-
3 street parking area design standards to allow alternative residential off-
4 street parking surfaces.
5 _____
6

7 WHEREAS, certain amendments to the current Springfield City Code Chapter 36
8 are needed.
9

10 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
11 SPRINGFIELD, MISSOURI, as follows, that:
12

13 Section 1 – Chapter 36 of the Springfield, Missouri City Code, known as the Land
14 Development Code, Article III - Zoning Regulations, Division VI - Design and
15 Development Standards, Section 36-483 - Off-street parking and loading area design
16 standards, is hereby amended as follows (Note: Underlined language is to be added.
17 ~~Stricken~~ language is to be removed):
18

19 Sec. 36-483. - Off-street parking and loading area design standards.
20

21 (1) Off-street parking area design standards:
22

23 (f) Surfacing. All off-street parking areas, shall be graded for proper drainage, provided
24 with an all-weather, hard surface; and maintained in a condition to retain the
25 original surface and to prevent the release of dust, mud or silt; and to be free of
26 dust, mud, silt, standing water, trash and debris. The following materials
27 ~~Concrete, asphalt, and pavers~~ constitute an acceptable all-weather hard surface
28 material. ~~Porous pavers also constitute an all-weather hard surface material~~
29 subject to the following restrictions:
30

31 1. Asphalt ~~The porous pavers are used only for off-street parking spaces within~~
32 ~~an offstreet parking area, open to the sky.~~
33

34 2. Concrete ~~The off-street parking area open to the sky does not serve the~~
35 ~~following uses: single-family detached, single-family semi-detached, duplex~~

36 ~~or townhouse dwelling unit or mobile home.~~

37
38 3. Pervious or permeable pavement such as pervious concrete, permeable
39 interlocking concrete and brick pavers, and other pervious or permeable
40 paving systems capable of withstanding the normal wear and tear
41 associated with the parking and maneuvering of vehicles and which is
42 appropriate for traffic loads and frequency of use. All materials shall be
43 designed, installed, and maintained per current industry standards.
44 Appropriate soils and site conditions shall exist for the pervious or
45 permeable pavement to function. When designed to meet stormwater
46 requirements for flood control detention or water quality, pervious or
47 permeable pavement systems must be designed in accordance with City
48 Code, including Chapter 96.

49
50 4. Ribbon driveways that consist of two wheel tracks with a median are allowed
51 for each drive lane for single-family detached, single-family semi-detached,
52 duplex or townhouse dwelling units or mobile homes. Each wheel track shall
53 meet the surfacing requirements of this Section and shall be at least three
54 (3) feet in width. The median shall not exceed three (3) feet in width with a
55 surface of grass, gravel, or other approved pervious materials.

56
57 Section 2 – Savings Clause. Nothing in this ordinance shall be construed to affect
58 any suit or proceeding now pending in any court or any rights acquired or liability incurred
59 nor any cause or causes of action accrued or existing, under any act or ordinance repealed
60 hereby, or shall any right or remedy of any character be lost, impaired, or affected by this
61 ordinance.

62
63 Section 3 - Severability Clause. If any section, subsection, sentence, clause, or
64 phrase of this ordinance is for any reason held to be invalid, such decision shall not affect
65 the validity of the remaining portions of this ordinance. The Council hereby declares that it
66 would have adopted the ordinance and each section, subsection, sentence, clause, or
67 phrase thereof, irrespective of the fact that any one or more sections, subsections,
68 sentences, clauses, or phrases be declared invalid.

69
70 Section 4 - This ordinance shall be in full force and effect from and after passage.

71
72 Passed at meeting: _____

73
74
75 _____
76 Mayor

77 Attest: _____, City Clerk

78
79 Filed as Ordinance: _____

80
81 Approved as to form: *Richard T. Wiedner*, Assistant City Attorney

82
83 Approved for Council action: *Jay B. Smith*, City Manager

One-rdg. _____
P.Hrngs. _____
Pgs. _____
Filed: 08-30-16

SUPPLEMENTAL EXPLANATION TO COUNCIL BILL NO. 2016-197

ORIGINATING DEPARTMENT: Planning and Development

REMARKS: It has come to the attention of City Staff that there is an error in an attachment to Council Bill No. 2016-197. The text on Attachment 3 of Exhibit B which states, "At least 3 feet wide" should instead say "not to exceed 3 feet wide."

Accordingly, at staff's request, a motion was presented by Councilman Mike Schilling to amend Council Bill No 2016-197 as follows:

"I hereby move to amend Council Bill No. 2016-197 by replacing Attachment 3 to Exhibit B with an amended Attachment 3.

Submitted by:



Nick Woodman,
Assistant City Attorney

Approved by:



Greg Burris,
City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 197

FILED: 08-16-16

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To amend Subsection 36-483(1)(f), Off-street parking area design standards, in the Zoning Ordinance to allow alternative residential off-street parking surfaces. (Planning and Zoning Commission and staff recommend approval)

BACKGROUND INFORMATION: ZONING ORDINANCE TEXT AMENDMENT – RESIDENTIAL OFF-STREET PARKING SURFACE AMENDMENTS

Planning and Zoning Commission initiated amendments regarding residential off-street parking surfaces at their meeting on July 7, 2016.

Staff is requesting amendments to the design standards of surfacing material of off-street parking areas for single-family detached, single-family semi-detached, duplex, townhouse and mobile homes. The current requirements do not allow these residential uses to utilize pervious pavers, permeable pavement or other alternative methods to reduce impervious surfaces. The current requirements, however, do allow multi-family, commercial and industrial uses to utilize pervious or porous pavers.

Staff is proposing to modify the Off-street parking and loading area design standards section (36-483) of the Zoning Ordinance to allow all types of uses to utilize this alternative to constructing off-street parking surfaces. This alternative will aid in the reduction of impervious surface areas and improve stormwater runoff.

The proposed amendments will allow residential uses to construct a driveway or off-street parking with pervious or permeable pavement such as pervious concrete, permeable interlocking concrete or brick pavers, and other pervious or permeable paving systems capable of withstanding the normal wear and tear associated with the parking of vehicles. All materials shall be designed, installed, and maintained per industry standards. Appropriate soils and site conditions shall exist for the pervious or permeable pavement to function. When designed to meet stormwater requirements for flood control detention or water quality, pervious or permeable pavement systems must be designed in accordance with City Code Chapter 96.

Ribbon driveways that consist of two wheel tracks with a median are allowed for each drive lane for single-family detached, single-family semi-detached, duplex or townhouse dwelling units or mobile homes. Each wheel track shall meet the surfacing requirements of this section and shall be at least three (3) feet in width. The median shall not exceed three (3) feet in width with a surface of grass, gravel, or other approved pervious materials (Exhibit B, Attachment 3).

Ribbon driveways require less material and installation time than fully paved driveways and can be designed to fit most any space. They can typically contain at least 50% less impervious surface than a full width driveway allowing more water to drain into the

ground and reduce runoff. Ribbon driveways are able to respond more dynamically to frost and thaw cycles than fully paved driveways and are less prone to cracking.

The Development Issues Input Group (DIIG), Springfield Downtown Association (DSA), Environmental Advisory Board (EAB) and all registered neighborhood associations were notified of these amendments on July 20th and have made no objections to date.

This ordinance supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land Use; Major Goal 4, Develop the community in a sustainable manner.

FINDINGS FOR STAFF RECOMMENDATION:

1. The *Growth Management and Land Use Element* of the *Comprehensive Plan* encourages innovative development and redevelopment through the use of incentives and appropriate regulations, to achieve desired residential and nonresidential development patterns.
2. Approval of these amendments will promote sustainable practices through the reduction of impervious surface in residential areas.

REMARKS:

The Planning and Zoning Commission held a public hearing on August 4, 2016, and recommended approval, by a vote of 6 to 0, of the proposed changes to the Zoning Ordinance.

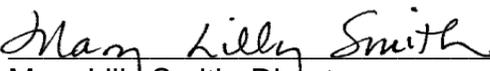
The Planning and Development Staff recommends approval of the proposed amendments.

Submitted by:



Daniel Neal, Senior Planner

Recommended by:



Mary Lilly Smith, Director

Approved by:



Greg Burris, City Manager

EXHIBITS:

Exhibit A, Record of Proceedings

Exhibit B, Revelant portions of the Development Review Staff Report

ATTACHMENTS:

Attachment 1, Proposed Changes to Zoning Ordinance (Redlined Version)

Attachment 2, Ribbon Driveway Image with Pavers

Attachment 3, Ribbon Driveway Image and Dimensions

Exhibit A

RECORD OF PROCEEDINGS RESIDENTIAL OFF-STREET PARKING SURFACE AMENDMENTS

Residential Off-Street Parking Surface Amendments

Citywide

Applicant: City of Springfield

Mr. Hosmer states that this is a request to amend Section 36-483 Off-street parking and loading area design standards for single-family detached, single-family semi-detached, duplex, townhouse and mobile homes.

Planning and Zoning Commission initiated amendments to residential off-street parking surfaces section on July 7, 2016. The Growth Management and Land Use Element of the Comprehensive Plan recommends making land use and development decisions in a reasonable, responsible, predictable manner based on approved plans and ordinances. Staff is recommending amendments to the design standards of surfacing material for off-street parking areas for single-family detached, single-family semi-detached, duplex, townhouse and mobile homes. The current requirements do not allow these residential uses to utilize pervious pavers, permeable pavement or other alternative methods to reduce impervious surfaces. The current requirements, however, do allow multi-family, commercial and industrial uses to utilize pervious or porous pavers. Staff is proposing to modify the Off-street parking and loading area design standards section (36-483.) of the Zoning Ordinance to allow all uses to utilize this alternative to constructing off-street parking surfaces. This will provide an alternative to reducing impervious surface areas and stormwater runoff.

- Residential driveway or off-street parking will be able to use pervious or permeable pavement such as pervious concrete, permeable interlocking concrete and brick pavers, and other pervious or permeable paving systems for vehicle parking.
- All materials shall be designed, installed, and maintained per industry standards.
- The proposed amendments will allow for ribbon driveways.
- Each wheel track shall meet the surfacing requirements of this section and shall be at least three (3) feet in width. The median shall not exceed three (3) feet in width with a surface of grass, gravel, or other approved pervious materials.

Note: Language to be deleted is ~~stricken~~. Language to be added is underlined.

Sec. 36-453. – Off-street parking and loading area design standards.

(1) Off-street parking area design standards:

(f) Surfacing. All off-street parking areas, shall be graded for proper drainage, provided with an all-weather, hard surface; and maintained in a condition to retain the original surface and to prevent the release of dust, mud or silt; and to be free of dust, mud, silt, standing water, trash and debris. The following materials Concrete, asphalt, and pavers constitute an acceptable all-weather hard surface material. ~~Porous pavers also constitute an all-weather hard surface material subject to the following restrictions:~~

1. Asphalt ~~The porous pavers are used only for off-street parking spaces within an off-street parking area, open to the sky.~~

2. Concrete The off street parking area open to the sky does not serve the following uses: single family detached, single family semi-detached, duplex or townhouse dwelling unit or mobile home.
3. Pervious or permeable pavement such as pervious concrete, permeable interlocking concrete and brick pavers, and other pervious or permeable paving systems capable of withstanding the normal wear and tear associated with the parking and maneuvering of vehicles and appropriate for the traffic loads and frequency of use. All materials shall be designed, installed, and maintained per industry standards. Appropriate soils and site conditions shall exist for the pervious or permeable pavement to function. When designed to meet stormwater requirements for flood control detention or water quality, pervious or permeable pavement systems must be designed in accordance with City Code Chapter 96.
4. Ribbon driveways that consist of two wheel tracks with a median are allowed for each drive lane for single-family detached, single-family semi-detached, duplex or townhouse dwelling units or mobile homes. Each wheel track shall meet the surfacing requirements of this section and shall be at least three (3) feet in width. The median shall not exceed three (3) feet in width with a surface of grass, gravel, or other approved pervious materials.

Mr. Ray opened the public hearing.

No Speakers.

Mr. Ray closed the public hearing and noted as well as Ms. Cox that these are good ideas.

COMMISSION ACTION:

Ms. Cox motions that we approve Residential Off-Street Parking Surface Amendments (Citywide). Mr. Cline seconded the motion. The motion **carried** as follows: Ayes: Ray, Doennig, Shuler, Cline, Cox, and Coltrin. Nays: None. Abstain: None. Absent: Ogilvy, Edwards, and Rose.

Bob Hosmer, AICP
Principal Planner

PURPOSE: To amend Subsection 36-483.(1)(f), Off-street parking area design standards., in the Zoning Ordinance to allow alternative residential off-street parking surfaces.

REPORT DATE: July 27, 2016

APPLICANT: City of Springfield

FINDINGS FOR STAFF RECOMMENDATION:

1. The *Growth Management and Land Use Element* of the *Comprehensive Plan* encourages innovative development and redevelopment through the use of incentives and appropriate regulations, to achieve desired residential and nonresidential development patterns.
2. Approval of these amendments will promote sustainable practices through the reduction of impervious surface in residential areas.

RECOMMENDATION:

Staff recommends **approval** of this request.

COMPREHENSIVE PLAN:

1. The *Growth Management and Land Use Element* of the *Comprehensive Plan* encourages innovative development and redevelopment through the use of incentives and appropriate regulations, to achieve desired residential and nonresidential development patterns.

STAFF COMMENTS:

1. Planning and Zoning Commission initiated amendments regarding residential off-street parking surfaces at their meeting on July 7, 2016.
2. Staff is requesting amendments to the design standards of surfacing material of off-street parking areas for single-family detached, single-family semi-detached, duplex, townhouse and mobile homes. The current requirements do not allow these residential uses to utilize pervious pavers, permeable pavement or other alternative methods to reduce impervious surfaces. The current requirements, however, do allow multi-family, commercial and industrial uses to utilize pervious or porous pavers.
3. Staff is proposing to modify the Off-street parking and loading area design standards section (36-483.) of the Zoning Ordinance to allow all uses to utilize

this alternative to constructing off-street parking surfaces. This will provide an alternative to reducing impervious surface areas and stormwater runoff.

4. With the proposed amendments, the aforementioned residential uses will be able to use a driveway or off-street parking of pervious or permeable pavement such as pervious concrete, permeable interlocking concrete and brick pavers, and other pervious or permeable paving systems capable of withstanding the normal wear and tear associated with the parking and maneuvering of vehicles and appropriate for the traffic loads and frequency of use. All materials shall be designed, installed, and maintained per industry standards. Appropriate soils and site conditions shall exist for the pervious or permeable pavement to function. When designed to meet stormwater requirements for flood control detention or water quality, pervious or permeable pavement systems must be designed in accordance with City Code Chapter 96.
5. The proposed amendments will also allow for ribbon driveways that consist of two wheel tracks with a median for each drive lane for single-family detached, single-family semi-detached, duplex or townhouse dwelling units or mobile homes. Each wheel track shall meet the surfacing requirements of this section and shall be at least three (3) feet in width. The median shall not exceed three (3) feet in width with a surface of grass, gravel, or other approved pervious materials (Exhibit B, Attachment 42). The width of residential driveway approaches shall not exceed 22 feet without permission from City Traffic Engineer and shall not be less than 12 feet for new construction. The width of a driveway is measured at the Right-of-Way line.
6. The Development Issues Input Group (DIIG), Springfield Downtown Association (DSA), Environmental Advisory Board (EAB) and all registered neighborhood associations were notified of these amendments on July 20th and have made no objections to date.

CITY COUNCIL MEETING:

August 22, 2016

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

ATTACHMENT 1
PROPOSED CHANGES TO ZONING ORDINANCE
RESIDENTIAL OFF-STREET PARKING SURFACE AMENDMENTS

Note: Language to be deleted is ~~stricken~~. Language to be added is underlined.

Sec. 36-453. – Off-street parking and loading area design standards.

(1) Off-street parking area design standards:

(f) Surfacing. All off-street parking areas, shall be graded for proper drainage, provided with an all-weather, hard surface; and maintained in a condition to retain the original surface and to prevent the release of dust, mud or silt; and to be free of dust, mud, silt, standing water, trash and debris. ~~The following materials Concrete, asphalt, and pavers constitute an acceptable all-weather hard surface material. Porous pavers also constitute an all-weather hard surface material subject to the following restrictions:~~

1. ~~Asphalt~~~~The porous pavers are used only for off-street parking spaces within an off-street parking area, open to the sky.~~
2. ~~Concrete~~~~The off-street parking area open to the sky does not serve the following uses: single-family detached, single-family semi-detached, duplex or townhouse dwelling unit or mobile home.~~
3. Pervious or permeable pavement such as pervious concrete, permeable interlocking concrete and brick pavers, and other pervious or permeable paving systems capable of withstanding the normal wear and tear associated with the parking and maneuvering of vehicles and appropriate for the traffic loads and frequency of use. All materials shall be designed, installed, and maintained per industry standards. Appropriate soils and site conditions shall exist for the pervious or permeable pavement to function. When designed to meet stormwater requirements for flood control detention or water quality, pervious or permeable pavement systems must be designed in accordance with City Code Chapter 96.
4. Ribbon driveways that consist of two wheel tracks with a median are allowed for each drive lane for single-family detached, single-family semi-detached, duplex or townhouse dwelling units or mobile homes. Each wheel track shall meet the surfacing requirements of this section and shall be at least three (3) feet in width. The median shall not exceed three (3) feet in width with a surface of grass, gravel, or other approved pervious materials.





3 feet wide

3 feet wide

Not to exceed 3 feet wide

One-rdg. _____
P. Hrngs. X
Pgs. 11
Filed: 08-16-16

Sponsored by: Fulnecky

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016- 198

GENERAL ORDINANCE NO. _____

AN ORDINANCE

1 AMENDING Chapter 36 of the Springfield, Missouri City Code, known as the Land
2 Development Code, Article II, Division IV, Section 36-247 related to
3 Subdivision Regulations to modify lot dimension and location
4 requirements.

5
6 WHEREAS, _____
7 are needed.

8
9 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
10 SPRINGFIELD, MISSOURI, as follows, that:

11
12 Section 1 – Chapter 36 of the Springfield, Missouri City Code, known as the Land
13 Development Code, Article II - Subdivision Regulations, Division IV - Requirements for
14 Improvements, Reservation and Design, Section 36-247 - Lots, is hereby amended as
15 follows (Note: Underlined language is to be added. ~~Stricken~~ language is to be removed):

16
17 Sec. 36-247. – Lots.

18
19 (1) Dimensions. The lot size, width, depth, shape and orientation, and the minimum
20 building setback lines shall be appropriate for the location of the subdivision and
21 for the type of development and use contemplated.

22
23 (a) Lot dimensions shall conform to the requirements of the zoning article if
24 such requirements are more stringent, otherwise lot dimensions shall be as
25 follows:

26
27 1. Residential lots shall be not less than the minimum width and area as
28 permitted in the zoning ordinance ~~6,000 square feet in area and shall not~~
29 ~~be less than 50 feet in width at the building line.~~

30
31 2. Depth and width of properties reserved or laid out for commercial and industrial
32 purposes shall be adequate to provide for the off-street service and parking
33 facilities required by the type of use and development contemplated but in no
34 case shall the lot frontage on a public street be less than 36 feet.

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(2) Location. All lots shall abut by their required full frontage on a publicly dedicated street or a street that has received legal status as such.

Section 2 – This ordinance shall be in full force and effect from and after passage.

Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: Richard T. Wader, Assistant City Attorney

Approved for Council action: Greg Burns, City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 198

FILED: 08-16-16

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To amend Subsection 36-247 (1) and (2), in the Subdivision Regulations to modify lot dimension and location requirements. (Planning and Zoning Commission and staff recommend approval)

BACKGROUND INFORMATION: SUBDIVISION REGULATION TEXT AMENDMENT – LOT DIMENSION AND LOCATION AMENDMENTS

This Council bill makes two amendments to the Subdivision Regulations.

The first amendment addresses minimum lot size and width. The current Subdivision Regulations require all residential lots to have at least 6,000 square feet of area and a minimum lot width of 50 feet; however, the Zoning Ordinance allows residential lots in the R-TH, Residential Townhouse District to have 5,000 square foot lots with 45 feet of lot width. There are also Cluster Subdivision provisions that allow sizes and widths to be reduced below minimums. Staff is proposing to amend Section 36-247(1) of the Subdivision Regulations to simply reference the applicable Zoning Ordinance for required lot dimension minimums.

The second amendment clarifies what constitutes a valid subdivision lot. The proposed Subdivision Regulation amendments recommends removing the term “full” from the lot location requirements and replacing it with “required”. Staff has processed numerous subdivision variances over the years when a lot line makes a slight deviation that causes the proposed lot to not have public street frontage along the entire or “full” front of a lot. The proposed amendment will allow a lot to be created following the subdivision process if the lot has the minimum required width, as designated in the Zoning Ordinance, on a publicly dedicated street or a street that has received legal status as such. This will allow more flexibility for the applicant and staff when reviewing an oddly shaped lot.

The Development Issues Input Group (DIIG), Springfield Downtown Association (DSA), Environmental Advisory Board (EAB) and all registered neighborhood associations were notified of these amendments on July 20th and have made no objections to date.

This ordinance supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land Use; Major Goal 4, Develop the community in a sustainable manner.

FINDINGS FOR STAFF RECOMMENDATION:

1. The *Growth Management and Land Use Element* of the *Comprehensive Plan* recommends making land use and development decisions in a reasonable, responsible, predictable manner based on approved plans and ordinances.

2. The *Growth Management and Land Use Element* of the *Comprehensive Plan* encourages innovative development and redevelopment through the use of incentives and appropriate regulations, to achieve desired residential and nonresidential development patterns.
3. Approval of these amendments will clarify, remove inconsistencies and provide more flexibility in the subdivision review process.

REMARKS:

The Planning and Zoning Commission held a public hearing on August 4, 2016, and recommended approval, by a vote of 6 to 0, of the proposed changes to the Subdivision Regulations.

The Planning and Development Staff recommends approval of the proposed amendments.

Submitted by:

Daniel Neal, Senior Planner

Recommended by:

Approved by:



Mary Lilly Smith, Planning Director



Greg Burris, City Manager

EXHIBITS:

- Exhibit A, Record of Proceedings
- Exhibit B, Development Review Staff Report

ATTACHMENTS:

- Attachment 1, Proposed Changes to Subdivision Regulations (Redlined Version)
- Attachment 2, Final Language after Proposed Changes (Clean Version)
- Attachment 3, Existing Language in Subdivision Regulations (Current Text)

Exhibit A

**RECORD OF PROCEEDINGS
LOT DIMENSION AND LOCATION AMENDMENTS**

Subdivision Regulation Amendments
Citywide
Applicant: City of Springfield

Mr. Hosmer states that this is a request to amend Section Subsection 36-247.(1) and (2), Lots., add a new Section 36-214 in the Subdivision Regulations to modify lot dimension and location requirements and add an amendment process.

Staff is requesting amendments to allow for a process to amend the Subdivision Regulations. The current Subdivision Regulations do not have a process for amendments to the regulations. State Statutes Section 89.410 states that the planning commission shall recommend and the council may by ordinance adopt regulations governing the subdivision of land within its jurisdiction. Staff is proposing to add a new section to the Subdivision Regulations that follows the current process and meets State Statutes where any amendments must be recommended by Planning and Zoning Commission and approved by the City Council. This will clarify the Subdivision Regulations amendment process for staff and citizens. The second amendment addresses the minimum lot size and width conflicts with current zoning code requirements. Staff is proposing to amend Section 36-247(1) of the Subdivision Regulations to simply reference the Zoning Ordinance for required lot dimension minimums.

The third amendment clarifies what constitutes a valid subdivision lot. Staff is proposing to remove the term "full" from the lot location requirements and replace it with "required". The proposed amendment will allow a lot to be created if the lot has the minimum required width, as designated in the Zoning Ordinance, on a publicly dedicated street or a street that has received legal status.

Note: Language to be deleted is ~~stricken~~. Language to be added is underlined.

Sec. 36-214. – Amendments

- (1) For the purpose of providing for the public health, safety and general welfare, the city council may from time to time amend the provisions imposed by this article. Public hearings on all proposed amendments shall be held by the planning and zoning commission and the city council.

Sec. 36-247. – Lots.

- (1) Dimensions. The lot size, width, depth, shape and orientation, and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated.
- (a) Lot dimensions shall conform to the requirements of the zoning article if such requirements are more stringent, otherwise lot dimensions shall be as follows:
1. Residential lots shall be not less than the minimum width and area as permitted in the zoning ordinance ~~6,000 square feet in area and shall not be less than 50 feet in width at the building line.~~
 2. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated but in no case shall the lot frontage on a public street be less

than 36 feet.

(2) Location. All lots shall abut by their required full frontage on a publicly dedicated street or a street that has received legal status as such.

Mr. Ray opened the public hearing.

No Speakers

Mr. Ray closed the public hearing and noted that this is a common sense remedy.

COMMISSION ACTION:

Mr. Doennig motions that we approve the consent item Subdivision Regulation Amendments (Citywide).

Ms. Cox seconded the motion. The motion **carried** as follows: Ayes: Ray, Doennig, Shuler, Cline, Cox, and Coltrin. Nays: None. Abstain: None. Absent: Ogilvy, Edwards, and Rose.

Bob Hosmer, AICP
Principal Planner

Exhibit B

PURPOSE: To amend Subsection 36-247.(1) and (2), Lots., and add a new Section 36-214 in the Subdivision Regulations to modify lot dimension and location requirements and add an amendment process.

REPORT DATE: July 27, 2016

APPLICANT: City of Springfield

FINDINGS FOR STAFF RECOMMENDATION:

1. The *Growth Management and Land Use Element* of the *Comprehensive Plan* recommends making land use and development decisions in a reasonable, responsible, predictable manner based on approved plans and ordinances.
2. The *Growth Management and Land Use Element* of the *Comprehensive Plan* encourages innovative development and redevelopment through the use of incentives and appropriate regulations, to achieve desired residential and nonresidential development patterns.
3. Approval of these amendments will clarify, remove inconsistencies and provide more flexibility in the subdivision review process.

RECOMMENDATION:

Staff recommends **approval** of this request.

COMPREHENSIVE PLAN:

1. The *Growth Management and Land Use Element* of the *Comprehensive Plan* encourages innovative development and redevelopment through the use of incentives and appropriate regulations, to achieve desired residential and nonresidential development patterns.

STAFF COMMENTS:

1. Staff recommends three amendments to the Subdivision Regulations.
2. The first amendment outlines the process for amending the Subdivision Regulations. The current Subdivision Regulations do not have a process for amendments to the regulations. State Statutes Section 89.410 states that the planning commission shall recommend and the council may by ordinance adopt regulations governing the subdivision of land within its jurisdiction. Staff is proposing to add a section to the Subdivision Regulations that follows the current process and State Statutes where any amendments must be recommended by Planning and Zoning Commission at a public hearing and reviewed and

approved as an ordinance by City Council. This will clarify the Subdivision Regulations amendment process for staff and citizens.

3. The second amendment addresses minimum lot size and width. The current Subdivision Regulations require all residential lots to have at least 6,000 square feet of area and a minimum lot width of 50 feet; however, the Zoning Ordinance allows residential lots in the R-TH, Residential Townhouse District to have 5,000 square foot lots with 45 feet of lot width. There are also Cluster Subdivision provisions that allow sizes and widths to be reduced below minimums. Staff is proposing to amend Section 36-247(1) of the Subdivision Regulations to simply reference the Zoning Ordinance for required lot dimension minimums.
4. The third amendment clarifies what constitutes a valid subdivision lot. The proposed Subdivision Regulations amendments recommends removing the term “full” from the lot location requirements and replacing it with “required”. Staff has processed numerous subdivision variances over the years when a lot line makes a slight deviation that causes the proposed lot to not have public street frontage along the entire or "full" front of a lot. The proposed amendment will allow a lot to be created following the subdivision process if the lot has the minimum required width, as designated in the Zoning Ordinance, on a publicly dedicated street or a street that has received legal status as such. This will allow more flexibility for the applicant and staff when reviewing an oddly shaped lot.
5. The Development Issues Input Group (DIIG), Springfield Downtown Association (DSA), Environmental Advisory Board (EAB) and all registered neighborhood associations were notified of these amendments on July 20th and have made no objections to date.

CITY COUNCIL MEETING:

August 22, 2016

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

ATTACHMENT 1
PROPOSED CHANGES TO SUBDIVISION REGULATIONS
LOT DIMENSION AND LOCATION AMENDMENTS

Note: Language to be deleted is ~~stricken~~. Language to be added is underlined.

Sec. 36-214. – Amendments

(1) For the purpose of providing for the public health, safety and general welfare, the city council may from time to time amend the provisions imposed by this article. Public hearings on all proposed amendments shall be held by the planning and zoning commission and the city council.

Sec. 36-247. – Lots.

- (1) Dimensions. The lot size, width, depth, shape and orientation, and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated.
 - (a) Lot dimensions shall conform to the requirements of the zoning article if such requirements are more stringent, otherwise lot dimensions shall be as follows:
 1. Residential lots shall be not less than the minimum width and area as permitted in the zoning ordinance~~6,000 square feet in area and shall not be less than 50 feet in width at the building line.~~
 2. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated but in no case shall the lot frontage on a public street be less than 36 feet.
- (2) Location. All lots shall abut by their ~~required~~full frontage on a publicly dedicated street or a street that has received legal status as such.

ATTACHMENT 2
FINAL LANGUAGE AFTER PROPOSED CHANGES
LOT DIMENSION AND LOCATION AMENDMENTS

Sec. 36-214. – Amendments

- (1) For the purpose of providing for the public health, safety and general welfare, the city council may from time to time amend the provisions imposed by this article. Public hearings on all proposed amendments shall be held by the planning and zoning commission and the city council.

Sec. 36-247. – Lots.

- (1) Dimensions. The lot size, width, depth, shape and orientation, and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated.
 - (a) Lot dimensions shall conform to the requirements of the zoning article if such requirements are more stringent, otherwise lot dimensions shall be as follows:
 1. Residential lots shall be not less than the minimum width and area as permitted in the zoning ordinance.
 2. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated but in no case shall the lot frontage on a public street be less than 36 feet.
- (2) Location. All lots shall abut by their required frontage on a publicly dedicated street or a street that has received legal status as such.

ATTACHMENT 3
EXISTING LANGUAGE IN SUBDIVISION REGULATIONS
LOT DIMENSION AND LOCATION AMENDMENTS

Secs. 36-214–36-220. – Reserved.

Sec. 36-247. – Lots.

- (1) Dimensions. The lot size, width, depth, shape and orientation, and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated.
 - (a) Lot dimensions shall conform to the requirements of the zoning article if such requirements are more stringent, otherwise lot dimensions shall be as follows:
 1. Residential lots shall be not less than 6,000 square feet in area and shall not be less than 50 feet in width at the building line.
 2. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated but in no case shall the lot frontage on a public street be less than 36 feet.
- (2) Location. All lots shall abut by their full frontage on a publicly dedicated street or a street that has received legal status as such.

One-rdg. _____
P. Hrngs. X
Pgs. 10
Filed: 08-16-16

Sponsored by: Schilling

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016- 199

GENERAL ORDINANCE NO. _____

AN ORDINANCE

1 AMENDING Chapter 36 of the Springfield, Missouri, City Code, known as the Land
2 Development Code, Article II, Division I, by adding a new section concerning
3 proposed amendments entitled "Amendments" thereto, said section to be Section
4 36-214.
5 _____
6

7 WHEREAS, certain amendments to the current Springfield City Code Chapter 36 are
8 needed.
9

10 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
11 SPRINGFIELD, MISSOURI, as follows, that:
12

13 Section 1 – Chapter 36 of the Springfield, Missouri City Code, known as the Land
14 Development Code, Article II - Subdivision Regulations, Division I - Generally, is hereby
15 amended by adding a new section thereto, Section 36-214 to be set out as follows (Note:
16 Underlined language is to be added. ~~Stricken~~ language is to be removed):
17

18 Sec. 36-214. – Amendments.
19

20 (1) For the purpose of providing for the public health, safety and general welfare, the City
21 Council may from time to time amend the provisions imposed by this article. Public
22 hearings on all proposed amendments shall be held by the planning and zoning
23 commission and be approved or rejected by City Council.
24

25 Section 2 – This ordinance shall be in full force and effect from and after passage.
26

27 Passed at meeting: _____
28

29 _____
30 Mayor

31 Attest: _____, City Clerk
32

33 Filed as Ordinance: _____
34

35 Approved as to form: Franklin Don Bonin II, City Attorney
36

37 Approved for Council action: [Signature], City Manager
38

EXPLANATION TO COUNCIL BILL NO: 2016-199

FILED: 08-16-16

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To add a new Section 36-214 in the Subdivision Regulations to add an amendment process. (Planning and Zoning Commission and staff recommend approval).

BACKGROUND INFORMATION: SUBDIVISION REGULATION TEXT AMENDMENT – AMENDMENT PROCESS AMENDMENTS

The current Subdivision Regulations do not have a process for amendments to the regulations. State Statutes Section 89.410 states that the planning commission shall recommend and the City Council may by ordinance adopt regulations governing the subdivision of land within its jurisdiction. Staff is proposing to add a section to the Subdivision Regulations, entitled “Amendments,” that follows the current process and Missouri Law where any amendments must be recommended by Planning and Zoning Commission at a public hearing and reviewed and approved as an ordinance by City Council. This will clarify the Subdivision Regulations amendment process for staff and citizens.

The Development Issues Input Group (DIIG), Springfield Downtown Association (DSA), Environmental Advisory Board (EAB) and all registered neighborhood associations were notified of these amendments on July 20th and have made no objections to date.

This ordinance supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land Use; Major Goal 4, Develop the community in a sustainable manner.

FINDINGS FOR STAFF RECOMMENDATION:

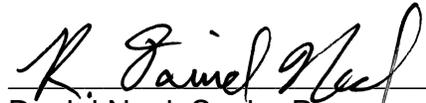
1. The *Growth Management and Land Use Element* of the *Comprehensive Plan* recommends making land use and development decisions in a reasonable, responsible, predictable manner based on approved plans and ordinances.

REMARKS:

The Planning and Zoning Commission held a public hearing on August 4, 2016, and recommended approval, by a vote of 6 to 0, of the proposed changes to the Subdivision Regulations.

The Planning and Development Staff recommends approval of the proposed amendments.

Submitted by:


Daniel Neal, Senior Planner

Recommended by:


Mary Lilly Smith, Planning Director

Approved by:


Greg Burris, City Manager

EXHIBITS:

Exhibit A, Record of Proceedings

Exhibit B, Development Review Staff Report

ATTACHMENTS:

Attachment 1, Proposed Changes to Subdivision Regulations (Redlined Version)

Attachment 2, Final Language after Proposed Changes (Clean Version)

Attachment 3, Existing Language in Subdivision Regulations (Current Text)

Exhibit A

RECORD OF PROCEEDINGS AMENDMENT PROCESS AMENDMENTS

Subdivision Regulation Amendments

Citywide

Applicant: City of Springfield

Mr. Hosmer states that this is a request to amend Section Subsection 36-247.(1) and (2), Lots., add a new Section 36-214 in the Subdivision Regulations to modify lot dimension and location requirements and add an amendment process.

Staff is requesting amendments to allow for a process to amend the Subdivision Regulations. The current Subdivision Regulations do not have a process for amendments to the regulations. State Statutes Section 89.410 states that the planning commission shall recommend and the council may by ordinance adopt regulations governing the subdivision of land within its jurisdiction. Staff is proposing to add a new section to the Subdivision Regulations that follows the current process and meets State Statutes where any amendments must be recommended by Planning and Zoning Commission and approved by the City Council. This will clarify the Subdivision Regulations amendment process for staff and citizens. The second amendment addresses the minimum lot size and width conflicts with current zoning code requirements. Staff is proposing to amend Section 36-247(1) of the Subdivision Regulations to simply reference the Zoning Ordinance for required lot dimension minimums.

The third amendment clarifies what constitutes a valid subdivision lot. Staff is proposing to remove the term "full" from the lot location requirements and replace it with "required". The proposed amendment will allow a lot to be created if the lot has the minimum required width, as designated in the Zoning Ordinance, on a publicly dedicated street or a street that has received legal status.

Note: Language to be deleted is ~~stricken~~. Language to be added is underlined.

Sec. 36-214. – Amendments

- (1) For the purpose of providing for the public health, safety and general welfare, the city council may from time to time amend the provisions imposed by this article. Public hearings on all proposed amendments shall be held by the planning and zoning commission and the city council.

Sec. 36-247. – Lots.

- (1) Dimensions. The lot size, width, depth, shape and orientation, and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated.
- (a) Lot dimensions shall conform to the requirements of the zoning article if such requirements are more stringent, otherwise lot dimensions shall be as follows:
1. Residential lots shall be not less than the minimum width and area as permitted in the zoning ordinance ~~6,000 square feet in area and shall not be less than 50 feet in width at the building line.~~
 2. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated but in no case shall the lot frontage on a public street be less than 36 feet.

(2) Location. All lots shall abut by their required full frontage on a publicly dedicated street or a street that has received legal status as such.

Mr. Ray opened the public hearing.

No Speakers

Mr. Ray closed the public hearing and noted that this is a common sense remedy.

COMMISSION ACTION:

Mr. Doennig motions that we approve the consent item Subdivision Regulation Amendments (Citywide). Ms. Cox seconded the motion. The motion **carried** as follows: Ayes: Ray, Doennig, Shuler, Cline, Cox, and Coltrin. Nays: None. Abstain: None. Absent: Ogilvy, Edwards, and Rose.

Bob Hosmer, AICP
Principal Planner

Exhibit B

PURPOSE: To amend Subsection 36-247.(1) and (2), Lots., and add a new Section 36-214 in the Subdivision Regulations to modify lot dimension and location requirements and add an amendment process.

REPORT DATE: July 27, 2016

APPLICANT: City of Springfield

FINDINGS FOR STAFF RECOMMENDATION:

1. The *Growth Management and Land Use Element* of the *Comprehensive Plan* recommends making land use and development decisions in a reasonable, responsible, predictable manner based on approved plans and ordinances.
2. The *Growth Management and Land Use Element* of the *Comprehensive Plan* encourages innovative development and redevelopment through the use of incentives and appropriate regulations, to achieve desired residential and nonresidential development patterns.
3. Approval of these amendments will clarify, remove inconsistencies and provide more flexibility in the subdivision review process.

RECOMMENDATION:

Staff recommends **approval** of this request.

COMPREHENSIVE PLAN:

1. The *Growth Management and Land Use Element* of the *Comprehensive Plan* encourages innovative development and redevelopment through the use of incentives and appropriate regulations, to achieve desired residential and nonresidential development patterns.

STAFF COMMENTS:

1. Staff recommends three amendments to the Subdivision Regulations.
2. The first amendment outlines the process for amending the Subdivision Regulations. The current Subdivision Regulations do not have a process for amendments to the regulations. State Statutes Section 89.410 states that the planning commission shall recommend and the council may by ordinance adopt regulations governing the subdivision of land within its jurisdiction. Staff is proposing to add a section to the Subdivision Regulations that follows the current process and State Statutes where any amendments must be recommended by Planning and Zoning Commission at a public hearing and reviewed and

approved as an ordinance by City Council. This will clarify the Subdivision Regulations amendment process for staff and citizens.

3. The second amendment addresses minimum lot size and width. The current Subdivision Regulations require all residential lots to have at least 6,000 square feet of area and a minimum lot width of 50 feet; however, the Zoning Ordinance allows residential lots in the R-TH, Residential Townhouse District to have 5,000 square foot lots with 45 feet of lot width. There are also Cluster Subdivision provisions that allow sizes and widths to be reduced below minimums. Staff is proposing to amend Section 36-247(1) of the Subdivision Regulations to simply reference the Zoning Ordinance for required lot dimension minimums.
4. The third amendment clarifies what constitutes a valid subdivision lot. The proposed Subdivision Regulations amendments recommends removing the term “full” from the lot location requirements and replacing it with “required”. Staff has processed numerous subdivision variances over the years when a lot line makes a slight deviation that causes the proposed lot to not have public street frontage along the entire or "full" front of a lot. The proposed amendment will allow a lot to be created following the subdivision process if the lot has the minimum required width, as designated in the Zoning Ordinance, on a publicly dedicated street or a street that has received legal status as such. This will allow more flexibility for the applicant and staff when reviewing an oddly shaped lot.
5. The Development Issues Input Group (DIIG), Springfield Downtown Association (DSA), Environmental Advisory Board (EAB) and all registered neighborhood associations were notified of these amendments on July 20th and have made no objections to date.

CITY COUNCIL MEETING:

August 22, 2016

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

ATTACHMENT 1
PROPOSED CHANGES TO SUBDIVISION REGULATIONS
LOT DIMENSION AND LOCATION AMENDMENTS

Note: Language to be deleted is ~~stricken~~. Language to be added is underlined.

Sec. 36-214. – Amendments

(1) For the purpose of providing for the public health, safety and general welfare, the city council may from time to time amend the provisions imposed by this article. Public hearings on all proposed amendments shall be held by the planning and zoning commission and the city council.

Sec. 36-247. – Lots.

- (1) Dimensions. The lot size, width, depth, shape and orientation, and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated.
 - (a) Lot dimensions shall conform to the requirements of the zoning article if such requirements are more stringent, otherwise lot dimensions shall be as follows:
 1. Residential lots shall be not less than the minimum width and area as permitted in the zoning ordinance~~6,000 square feet in area and shall not be less than 50 feet in width at the building line.~~
 2. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated but in no case shall the lot frontage on a public street be less than 36 feet.
- (2) Location. All lots shall abut by their ~~required~~full frontage on a publicly dedicated street or a street that has received legal status as such.

ATTACHMENT 2
FINAL LANGUAGE AFTER PROPOSED CHANGES
LOT DIMENSION AND LOCATION AMENDMENTS

Sec. 36-214. – Amendments

- (1) For the purpose of providing for the public health, safety and general welfare, the city council may from time to time amend the provisions imposed by this article. Public hearings on all proposed amendments shall be held by the planning and zoning commission and the city council.

Sec. 36-247. – Lots.

- (1) Dimensions. The lot size, width, depth, shape and orientation, and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated.
 - (a) Lot dimensions shall conform to the requirements of the zoning article if such requirements are more stringent, otherwise lot dimensions shall be as follows:
 1. Residential lots shall be not less than the minimum width and area as permitted in the zoning ordinance.
 2. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated but in no case shall the lot frontage on a public street be less than 36 feet.
- (2) Location. All lots shall abut by their required frontage on a publicly dedicated street or a street that has received legal status as such.

ATTACHMENT 3
EXISTING LANGUAGE IN SUBDIVISION REGULATIONS
LOT DIMENSION AND LOCATION AMENDMENTS

Secs. 36-214–36-220. – Reserved.

Sec. 36-247. – Lots.

- (1) Dimensions. The lot size, width, depth, shape and orientation, and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated.
 - (a) Lot dimensions shall conform to the requirements of the zoning article if such requirements are more stringent, otherwise lot dimensions shall be as follows:
 1. Residential lots shall be not less than 6,000 square feet in area and shall not be less than 50 feet in width at the building line.
 2. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated but in no case shall the lot frontage on a public street be less than 36 feet.
- (2) Location. All lots shall abut by their full frontage on a publicly dedicated street or a street that has received legal status as such.

Pub. Imp. _____
Govt. Grnt. _____
Emer. _____
P. Hrngs. X
Pgs. 23
Filed: 08-16-16

Sponsored by: McClure

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016- 200

SPECIAL ORDINANCE NO. _____

AN ORDINANCE

1 AUTHORIZING An Amended and Restated Plan for an Industrial Development Project
2 and Cost Benefit Analysis for, and a First Amendment to Performance
3 Agreement with, Kraft Heinz Foods Company, related to \$26,000,000
4 (Aggregate Maximum Principal Amount) City of Springfield, Missouri,
5 Industrial Development Revenue Bonds (Kraft Foods Group, Inc.
6 Project) Series 2012.
7 _____
8

9 WHEREAS, the City of Springfield, Missouri, (the "City") is a constitutional home
10 rule charter city and political subdivision of the State of Missouri, duly created,
11 organized and existing under and by virtue of the Constitution and laws of the State of
12 Missouri and the City's Charter; and
13

14 WHEREAS, the City is authorized under the provisions of Article VI, Section 27 of
15 the Missouri Constitution, as amended, and Sections 100.010 to 100.200, inclusive, of
16 the Revised Statutes of Missouri, as amended (collectively, the "Act"), to purchase,
17 construct, extend and improve certain projects (as defined in the Act) for the purposes
18 set forth in the Act and to issue industrial development revenue bonds for the purpose of
19 providing funds to pay the costs of such projects and to lease or otherwise dispose of
20 such projects to private persons or corporations for manufacturing, commercial,
21 warehousing and industrial development purposes upon such terms and conditions as
22 the City shall deem advisable; and
23

24 WHEREAS, the City, in accordance with Section 100.050 of the Act, has
25 previously approved a plan for industrial development (the "Plan") for Kraft Foods
26 Group, Inc. (together with any successors or assigns, the "Company"), with respect to a
27 project consisting of the acquisition and installation of new equipment at the Company's
28 existing plant (the "Project"), after notice of the Project was given to the taxing
29 jurisdictions in accordance with Section 100.059.1 of the Act; and
30

31 WHEREAS, pursuant to the Act, the City adopted Special Ordinance No. 26112
32 on August 27, 2012, authorizing the issuance of its Industrial Development Revenue
33 Bonds in an aggregate principal amount not to exceed \$26,000,000 (the “2012 Bonds”),
34 for the purpose of acquiring new equipment to be installed at the Company’s existing
35 plant located in Springfield, Missouri (the “Project Improvements”); and
36

37 WHEREAS, pursuant to such Ordinance, the City and Company entered into a
38 Performance Agreement (the “Performance Agreement”) on October 1, 2012 to grant
39 the Company certain rights and establish obligations with respect to the abatement of
40 ad valorem personal property taxes on the Project; and
41

42 WHEREAS, the Company has requested that the City approve an Amended and
43 Restated Plan for an Industrial Development Project and Cost-Benefit Analysis (the
44 “Amended and Restated Plan”) to account for the cost of the Project being less than as
45 set forth in the Plan, establish the maximum amount of 2012 Bonds to be issued at
46 \$18,980,000, and to adjust the Payments in Lieu of Taxes based on the reduced amount
47 of the 2012 Bonds; and
48

49 WHEREAS, the Company has requested that the City enter into a First
50 Amendment to Performance Agreement (the “First Amendment of Performance
51 Agreement”) to modify the amounts to be paid by the Company.
52

53 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
54 SPRINGFIELD, MISSOURI, as follows, that:
55

56 Section 1 – Approval and Authorization of Documents. The Amended and
57 Restated Plan attached hereto as “Exhibit A” and the First Amendment to Performance
58 Agreement attached hereto as “Exhibit B” are hereby approved in a form substantially
59 similar to the documents attached hereto.
60

61 Section 2 – Execution of City Documents. The City is hereby authorized to enter
62 into and the Mayor, City Manager, Director of Finance, City Clerk, and City Attorney are
63 hereby authorized and directed to execute and deliver, for and on behalf of and as the
64 act and deed of the City, the First Amendment to Performance Agreement attached
65 hereto as “Exhibit B,” and such other documents, certificates and instruments as may
66 be necessary or desirable to carry out and comply with the intent of this Ordinance.
67

68 Section 3 – Severability. The sections, paragraphs, sentences, clauses and
69 phrases of this Ordinance shall be severable. In the event that any such section,
70 paragraph, sentence, clause or phrase of this Ordinance is found by a court of
71 competent jurisdiction to be invalid, the remaining portions of this Ordinance are valid,
72 unless the court finds the valid portions of the Ordinance are so essential to and
73 inseparably connected with and dependent upon the void portion that it cannot be
74 presumed that the City Council has enacted the valid portions without the void ones, or
75 unless the court finds that the valid portions, standing alone, are incomplete and are
76 incapable of being executed in accordance with the legislative intent.

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Section 4 – Further Authority. The officers of the City, including the Mayor, the City Manager, the Director of Finance, the City Clerk, and the City Attorney are hereby authorized and directed to execute all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of this Ordinance and to make ministerial alterations, changes or additions in the foregoing agreements, statements, instruments and other documents herein approved, authorized and confirmed which they may approve, and the execution or taking of such action shall be conclusive evidence of such necessity or advisability.

Section 5 – Governing Law. This Ordinance shall be governed exclusively by and construed in accordance with the applicable laws of the State of Missouri.

Section 6 – Effective Date. This Ordinance shall take effect and be in full force from and after the date of its passage by the City Council.

Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to Form: A. Scholer, Weder, Assistant City Attorney

Approved for Council Action: [Signature], City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 200

FILED: 08-16-16

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To approve an amended plan for an industrial development project for Kraft Heinz Foods Company (Kraft Heinz), a Pennsylvania corporation, which was funded by Taxable Industrial Development Revenue Bonds (Kraft Foods Group, Inc. Project), Series 2012, and approving an amended Performance Agreement with Kraft Heinz relating to said amended Plan.

BACKGROUND INFORMATION: Chapter 100 bonds provide personal property tax abatement on equipment purchases. Chapter 100 bonds are not an obligation of the City of Springfield.

In 2012, the City authorized the issuance of up to \$26 million in Industrial Development Revenue ("Chapter 100") bonds for the purchase of equipment for the Springfield Plant of Kraft Foods Group, Inc. (now Kraft Heinz Foods Group), by Special Ordinance No. 26112. This equipment is in use in the Springfield, Missouri plant.

On January 25, 2016, the City Council approved Special Ordinance No. 26681, which authorized the City Manager to execute a Preliminary Funding Agreement between the City and Kraft Heinz Foods Company (Kraft Heinz), because Kraft Heinz desired to amend its Chapter 100 Plan to reflect the true cost of purchases made under the Plan, which will reduce its PILOT payments. The PILOT payments set in the Plan were based on the estimated cost of the equipment purchases. The revised Plan reflects PILOTS based on the actual cost of the equipment.

REMARKS: Kraft Heinz has audited its project costs related to the 2012 bond issue, and its equipment costs were slightly lower than projected, while "soft costs" such as materials and installation were higher than expected. Kraft Heinz desires to amend its Chapter 100 Plan to reflect the true cost of equipment purchased under that Plan, which will reduce its PILOT payments that are based on equipment cost. The maximum amount of the 2012 bond issue will now be capped at \$18,980,000.

The related amendment to the Performance Agreement with Kraft Heinz reflects this reduced cap and adjusts provisions in the Performance Agreement to modify the amount of its PILOT payments.

Using the funds provided by Kraft Heinz pursuant to the Preliminary Funding Agreement, the City retained Gilmore & Bell, P.C. to prepare the necessary documents for amending the Plan and Performance Agreement to reflect the true costs of the project.

This ordinance supports the following Field Guide 2030 goal(s): Chapter 3, Economic Development; Major Goal 2, Aggressively use Economic Development Incentives to encourage investment in the community and to encourage job creation and retention; Objective 2b, Continue to explore creative and flexible methods to attract and retain jobs and business investment in the community.

Staff recommends approval.

Submitted by:



Sarah Kerner, Interim Economic Development Director

Recommended by:



Mary Lilly Smith, Planning Director

Approved by:



Greg Burris, City Manager

Exhibit A

FIRST AMENDMENT TO PERFORMANCE AGREEMENT

THIS FIRST AMENDMENT TO PERFORMANCE AGREEMENT (“First Amendment”) is made and entered into as of this _____ day of _____, 2016, by and between the **CITY OF SPRINGFIELD, MISSOURI**, a constitutional home rule charter city and municipal corporation organized and existing under the laws of the State of Missouri (the “**City**”) and **KRAFT HEINZ FOODS COMPANY**, a Pennsylvania corporation, authorized to do business in Missouri (the “**Company**”)(All capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Performance Agreement defined below).

RECITALS

A. On October 1, 2012, the City and Kraft Foods Group, Inc. entered into a Performance Agreement (the “**Performance Agreement**”) with respect to the issuance of \$26,000,000 (Aggregate Maximum Principal Amount) City of Springfield, Missouri, Industrial Development Revenue Bonds (Kraft Goods Group, Inc. Project) Series 2012 (the “**2012 Bonds**”), which were authorized pursuant to the provisions of Sections 100.010 to 100.200 of the Revised Statutes of Missouri, as amended, and Article VI, Section 27(b) of the Missouri Constitution, as amended.

B. Kraft Foods Group, Inc. has subsequently merged with H.J. Heinz Holding Corporation to become Kraft Heinz Foods Company, a wholly owned subsidiary of The Kraft Heinz Company.

C. The City and the Company have agreed to cap the amount of the 2012 Bonds which may be issued at \$18,980,000 and adjust the PILOTS based on the reduced amount of the 2012 Bonds.

D. The City and the Company desire to enter into this First Amendment in order to modify the amounts of the PILOTS to be paid by the Company.

AGREEMENT

NOW, THEREFORE, in consideration of the premises and mutual promises contained herein and other good and valuable consideration, the adequacy and sufficiency of which are hereby acknowledged, the City and the Company agree as follows:

Section 1. The Performance Agreement is hereby amended by the addition of the following definition to Section 1.1, which shall read as follows:

“**Amended Cost-Benefit Analysis**” means the Amended and Restated Plan for an Industrial Development Project and Cost-Benefit Analysis for Kraft Heinz Foods Company, approved by the City pursuant to ~~Resolution~~ Ordinance No. _____.

Section 2. The Performance Agreement is hereby amended by the deletion of existing Section 3.2 and the insertion of a new Section 3.2 which shall read as follows:

Section 3.2. Payments In Lieu of Taxes for Project. The Company and the City agree that each item of personal property financed with the Bonds shall be exempt from ad valorem taxes for a period not exceeding ten years. Personal property financed with the Bonds includes personal property acquired after January 1, 2012 in connection with the Project. The Project Equipment would otherwise be exempt from ad valorem taxes during the entire term of the Lease (which term will end not later than December 1, 2023), therefore the Company agrees that it shall make a PILOT to the City on or before December 31 of each year in an amount equal to the applicable percentage shown below times the value assigned to the Project in the Cost-Benefit Analysis for years 2012-15 and in the Amended Cost-Benefit Analysis for years 2016-2023, as depreciated as shown in the Cost-Benefit Analysis and the Amended Cost-Benefit Analysis, and then multiplied by the then current tax rates for each taxing district.

Abatement Year	For Personal Property Acquired in Year	Tax/Calendar Years	Percentage of PILOTS
1-10	2012	2013-2022	50%
	2012	2023 and thereafter	100%
1-10	2013	2014-2023	50%
	2013	2024 and thereafter	100%

Section 3. The terms of the Performance Agreement shall remain in full force and effect, except as modified herein.

Section 4. The parties hereto acknowledge and agree that this First Amendment may be executed in one or more original counterparts, each of which when taken together shall constitute one and the same instrument.

[The remainder of this page intentionally left blank.]

IN WITNESS WHEREOF, the parties hereto have caused this First Amendment to be executed in their respective corporate names, all as of the date first above written.

CITY OF SPRINGFIELD, MISSOURI

By: _____
Name: Greg Burris
Title: City Manager

[SEAL]

ATTEST:

By: _____
Name: Anita Cotter
Title: City Clerk

Approved as to Form:

By: _____
Name: Frank Romines
Title: City Attorney

KRAFT HEINZ FOODS COMPANY,
a Pennsylvania corporation

By: _____
Name: _____
Title: _____

Exhibit B

SPRINGFIELD, MISSOURI

**AMENDED AND RESTATED PLAN FOR AN
INDUSTRIAL DEVELOPMENT PROJECT
AND
COST-BENEFIT ANALYSIS**

FOR

KRAFT HEINZ FOODS COMPANY

**RELATED TO \$26,000,000
(AGGREGATE MAXIMUM PRINCIPAL AMOUNT)
CITY OF SPRINGFIELD, MISSOURI
INDUSTRIAL DEVELOPMENT REVENUE BONDS
(KRAFT FOODS GROUP, INC. PROJECT)
SERIES 2012**

TABLE OF CONTENTS

	<u>Page</u>
I. PURPOSE OF THIS PLAN	1
II. DESCRIPTION OF CHAPTER 100 FINANCINGS	1
General	1
Issuance and Sale of Bonds	1
Property Tax Abatement	2
III. DESCRIPTION OF THE PARTIES	2
Kraft Heinz Foods Company... ..	2
Springfield, Missouri.....	2
IV. REQUIREMENTS OF THE ACT	2
Description of the Project.....	2
Estimate of the Costs of the Project.....	3
Source of Funds to be Expended for the Project.....	3
Statement of the Terms Upon Which the Project is to be Leased or Otherwise Disposed of by the City.	3
Affected School District, Community College District, County and City.....	3
Current Assessed Valuation.....	3
Payments in Lieu of Taxes.....	3
Cost-Benefit Analysis and Discussion of Exhibits.....	4
V. ASSUMPTIONS AND BASIS OF PLAN.....	4
 ATTACHMENT A – SUMMARY OF KEY ASSUMPTIONS	
 EXHIBIT 1 - PROJECT ASSUMPTIONS	
 EXHIBIT 2 - SUMMARY OF COST BENEFIT ANALYSIS	
 EXHIBIT 3 - PROJECTED TAX REVENUES WITHOUT ABATEMENT ON PROJECT EQUIPMENT	
 EXHIBIT 4 - PROJECTED PILOT AMOUNTS ON PROJECT EQUIPMENT	
 EXHIBIT 5 - PROJECTED TAX ABATEMENT ON PROJECT EQUIPMENT	

* * *

SPRINGFIELD, MISSOURI

**AMENDED AND RESTATED
PLAN FOR AN INDUSTRIAL DEVELOPMENT PROJECT
AND
COST-BENEFIT ANALYSIS
FOR
KRAFT HEINZ FOODS COMPANY**

I. PURPOSE OF THIS AMENDED AND RESTATED PLAN

Through the adoption of Resolution No. 9973 on July 30, 2012, the City Council of Springfield, Missouri (the “City”) approved a Chapter 100 Plan for Industrial Development (the “Original Plan”) for Kraft Foods Global, Inc., an affiliate entity of Kraft Foods Group, Inc., which has subsequently merged with H.J. Heinz Holding Corporation to become Kraft Heinz Foods Company, a wholly owned subsidiary of The Kraft Heinz Company (the “Company”). The Original Plan authorized the issuance of taxable industrial development revenue bonds in the aggregate principal amount of not to exceed \$26,000,000 to finance the costs of an industrial development project (the “2012 Bonds”). The 2012 Bonds were authorized pursuant to the provisions of Sections 100.010 to 100.200 of the Revised Statutes of Missouri, as amended, and Article VI, Section 27(b) of the Missouri Constitution, as amended (collectively, the “Act”).

This Amended and Restated Plan for an Industrial Development Project and Cost-Benefit Analysis (the “Amended Plan”) has been prepared to account for the cost of the Project (defined below) being less than as set forth in the Original Plan. The maximum amount of the 2012 Bonds which may be issued will be capped at \$18,980,000 and the Payments in Lieu of Taxes will be adjusted based on this reduced amount of the 2012 Bonds. This Amended Plan will satisfy the requirements of the Act and analyze the potential costs and benefits, including the related tax impact on all affected taxing jurisdictions, of the reduced amount of industrial development revenue bonds to finance the Project (defined below) and to facilitate the abatement of ad valorem personal property taxes on the bond-financed property.

II. DESCRIPTION OF CHAPTER 100 FINANCINGS

General. The Act authorizes cities, counties, towns and villages to issue industrial development revenue bonds to finance the purchase, construction, extension and improvement of warehouses, distribution facilities, research and development facilities, office industries, agricultural processing industries, service facilities that provide interstate commerce, industrial plants and other commercial facilities.

Issuance and Sale of Bonds. Revenue bonds issued pursuant to the Act do not require voter approval and are payable solely from revenues received from the project. The municipality issues its bonds and in exchange, the benefited company promises to make payments that are sufficient to pay the principal of and interest on the bonds as they become due. Thus, the municipality merely acts as a conduit for the financing.

Concurrently with the closing of the bonds, the Company will convey to the municipality title to the property included in the project. (The municipality must be the legal owner of the property while the bonds are outstanding for the property to be eligible for tax abatement, as further described below.) At the same time, the municipality will lease the property back to the benefited company pursuant to a lease

agreement. The lease agreement will require the Company, acting on behalf of the municipality, to use the bond proceeds to pay the costs or reimburse the costs of purchasing, constructing and installing the project, as applicable. The property involved may be real and/or personal property. This Project involves only personal property, as further described herein.

Under the lease agreement, the Company typically: (1) will unconditionally agree to make payments sufficient to pay the principal of and interest on the bonds as they become due; (2) will agree, at its own expense, to maintain the project, to pay all taxes and assessments with respect to the project, and to maintain adequate insurance; (3) has the right, at its own expense, to make certain additions, modifications or improvements to the project; (4) may assign its interests under the lease agreement or sublease the project while remaining responsible for payments under the lease agreement; (5) will covenant to maintain its corporate existence during the term of the bond issue; and (6) will agree to indemnify the municipality for any liability the municipality might incur as a result of its participation in the transaction.

Property Tax Abatement. Under Article X, Section 6 of the Missouri Constitution and Section 137.100 of the Revised Statutes of Missouri, all property of any political subdivision is exempt from taxation. In a typical transaction, the municipality holds fee title to the project and leases the project to the benefited company. Although the Missouri Supreme Court has held that the leasehold interest is taxable, it is taxable only to the extent that the economic value of the lease is less than the actual market value of the lease. See *Iron County v. State Tax Commission*, 437 S.W.2d 665 (Mo. 1968)(*en banc*) and *St. Louis County v. State Tax Commission*, 406 S.W.2d 644 (Mo. 1966)(*en banc*). If the rental payments under the lease agreement equal the actual debt service payments on the bonds, the leasehold interest should have no “bonus value” and the bond-financed property should be exempt from ad valorem property taxation so long as the bonds are outstanding.

If the municipality and the company determine that partial tax abatement is desirable, the company may agree to make “payments in lieu of taxes.” The amount of payments in lieu of taxes is negotiable. The payments in lieu of taxes are payable by December 31 of each year, and are distributed to the municipality and to each political subdivision within the boundaries of the project in the same manner and in the same proportion as property taxes would otherwise be distributed under Missouri law.

III. DESCRIPTION OF THE PARTIES

Kraft Heinz Foods Company. The Company has been a part of the Springfield community for almost 75 years. It began producing processed cheese in 1939 on the second floor of a building on West Mill Street before moving to its current location in 1954. It has expanded its physical plant and production lines several times and currently operates a 780,000 square feet production and distribution plant in Springfield with 33 production lines. The plant makes several hundred million pounds of products annually, including such popular foods as Kraft Macaroni and Cheese, Velveeta, and Cheez Whiz. The Springfield facility employs approximately 975 full-time people. Annual turnover is less than 4% and the average years of service is 14 years. The average wage for employees is above the Greene County average wage. The Company is active in the community, donating to nonprofit organizations focused on fighting hunger and promoting healthy lifestyles, among others.

Springfield, Missouri. The City is a constitutional home rule charter city and municipal corporation organized and existing under the laws of the State of Missouri. The City is authorized and empowered pursuant to the provisions of the Act to purchase, construct, extend and improve certain projects (as defined in the Act) and to issue industrial development revenue bonds for the purpose of providing funds to pay the costs of such projects and to lease or otherwise dispose of such projects to

private persons or corporations for manufacturing, commercial, warehousing and industrial development purposes upon such terms and conditions as the City deems advisable.

IV. REQUIREMENTS OF THE ACT

Description of the Project. The Company requests City Council authorization of up to \$18,980,000 in Industrial Development Revenue Bonds as an incentive to purchase new manufacturing equipment and expand product lines at the Springfield plant (the "Project"). The Project is competitive with other Company locations and the incentive is necessary in order for the Project to locate in Springfield. The 2012 bonds were drawn down in amounts of \$9,541,400 in 2012 and \$9,438,600 in 2013. The Company is requesting that the City approve personal property tax exemption of 50% for 10 years beginning in the year following each annual investment in personal property. This is consistent with the City's adopted policy. This Project positions the facility to meet the growing consumer demand for existing and new products. While it is not anticipated that the Project will lead to immediate job creation, it will help retain the existing workforce in Springfield and help protect the long-term viability of the facility.

Estimate of the Costs of the Project. The Project Equipment cost \$18,980,000, which was invested \$9,541,400 in 2012 and \$9,438,600 in 2013.

Source of Funds to be Expended for the Project. The sources of funds to be expended for the Project will be the proceeds of the 2012 Bonds in a principal amount of not to exceed \$18,980,000, issued by the City and purchased by the Company (the "Bondholder") and, if needed, other available funds of the Company. The 2012 Bonds will be payable solely from the revenues derived by the City from the lease or other disposition of the Project (as further described below). The 2012 Bonds will not be an indebtedness or general obligation, debt or liability of the City or the State of Missouri.

Statement of the Terms Upon Which the Project is to be Leased or Otherwise Disposed of by the City. The Company has or will transfer the Project Equipment to the City pursuant to a bill of sale, subject to any permitted encumbrances. The City has or will lease the Project Equipment to the Company for lease payments equal to the principal and interest payments on the 2012 Bonds. Under the terms of the lease agreement with the City, the Company will have the option to purchase the Project Equipment at any time and will have the obligation to purchase the Project Equipment at the termination of the lease. The lease between the City and the Company will terminate in 2023, unless terminated sooner pursuant to the terms of the lease.

Affected School District, Community College District, County and City. Springfield R-12 School District is the school district affected by the Project. Greene County, Missouri is the county affected by the Project. Ozarks Technical College is the community college district affected by the Project. Springfield is the city affected by the Project. The Cost-Benefit Analysis attached hereto identifies all other taxing districts affected by the Project.

Current Assessed Valuation. The most recent equalized assessed valuation of the Project Equipment is \$0 (because no existing Project Equipment is included in the Project). The estimated total equalized assessed valuation for the Project Equipment after completion of the Project (2014) is \$5,040,153, after application of depreciation. These valuations were calculated based upon the Company's investment of \$18,980,000 in the Project Equipment, multiplied by the applicable assessment rate of 33.33% for the Project Equipment.

Payments in Lieu of Taxes. If this Amended Plan is approved by the City Council, the City intends to extend tax abatement to the Company of 50% for 10 years beginning in the year following each

annual investment in personal property. The Company will make fixed annual payments in lieu of taxes in the amounts set forth in **Exhibit 4**.¹ The annual payments in lieu of taxes will be fixed as set forth in **Exhibit 4** irrespective of (1) any annual appraisal or assessment which may be rendered by the County Assessor's Office with respect to the Project or (2) the actual amount or timing of investments in the Project. The amounts of the fixed payments in lieu of taxes set forth in **Exhibit 4** have been calculated based on 50% of the property taxes that would otherwise be due on the Project Equipment.

Cost-Benefit Analysis and Discussion of Exhibits. In compliance with Section 100.050.2(3) of the Revised Statutes of Missouri, this Amended Plan has been prepared to show the costs and benefits to the City and to other taxing jurisdictions affected by the tax abatements and exemptions of the Project. The following is a summary of the exhibits attached to this Amended Plan that show the direct tax impact the Project is expected to have on each taxing jurisdiction. This Amended Plan does not attempt to quantify the overall economic impact of the Project.

Project Assumptions. **Exhibit 1** presents a list of the assumptions related to the determination of assessed valuations and the tax formulas.

Summary of Cost-Benefit Analysis. **Exhibit 2** presents a summary for each affected taxing district of (1) the total estimated tax revenues that would be generated if the Project did not receive tax abatement, (2) the total estimated value of the payments in lieu of taxes ("PILOT Amounts") to be made by the Company for the proposed abatement period and (3) the total estimated value of the abatement to the Company.

Personal Property Tax Revenues. **Exhibit 3** provides the projected tax revenues that would be generated from the Project Equipment without tax abatement. **Exhibit 4** provides the projected value of PILOT Amounts to be paid by the Company with respect to the Project Equipment. **Exhibit 5** provides the projected value of the personal property tax abatement to the Company.

V. ASSUMPTIONS AND BASIS OF PLAN

In preparing this Amended Plan, key assumptions have been made to estimate the fiscal impact of the abatement and exemptions proposed for the Project. See ATTACHMENT A for a summary of these assumptions.

Information necessary to complete this Amended Plan, has been furnished by representatives of the City, representatives of the Company and its counsel, the Bondholder and other persons deemed appropriate and such information has not been independently verified for accuracy, completeness or fairness.

* * *

¹ Payments in lieu of taxes were paid or will be paid for years 2013, 2014, and 2015 pursuant to the Original Plan and the actual amounts paid do not match the amounts shown in the attached Cost Benefit Analysis for those years. The payments in lieu of taxes for years 2013, 2014, and 2015 were calculated in the Original Plan based on Project costs of \$26,000,000 and in this Amended Plan based on adjusted Project costs of \$18,980,000. The payments in lieu of taxes for years 2013, 2014, and 2015 will not be reduced from the amounts shown in the Original Plan and the Company will not receive any credits or refunds with respect to the difference between the payments in lieu of tax amounts stated in the Original Plan and in this Amended Plan for those years.

ATTACHMENT A

SUMMARY OF KEY ASSUMPTIONS

1. The cost of acquiring and equipping the Project Equipment is \$18,980,000, which was invested \$9,541,400 in 2012 and \$9,438,600 in 2013.
2. The acquiring and equipping of the Project Equipment occurred partially in 2012 which became taxable in 2013 and partially in 2013 which became taxable in 2014.
3. The Project will be owned by the City and leased to the Company with an option to purchase. As long as the Project is owned by the City, it will be exempt from ad valorem personal property taxes.
4. The Project will be excluded from the calculation of ad valorem property taxes for a period of ten years beginning in the year following each annual investment in the Project.
5. During the entire term of the Bonds through 2023, the Company will make payments in lieu of taxes in accordance with that portion of Section IV above in the Plan entitled "Payments in Lieu of Taxes."
6. Commercial property taxes are calculated using the following formula:
$$(\text{Assessed Value} * \text{Tax Rate})/100$$
7. The assessed value of the Project Equipment is calculated using the following formula:
$$(\text{Cost} * \text{Depreciation Factor}) * \text{Assessment Ratio of 33.33\%}$$
8. For the Project Equipment, a depreciation factor is applied at the end of each year which depends on the recovery period of such Project Equipment. The Project Equipment has a seven-year recovery period. The depreciation factors used for such Project Equipment are as follows:

<u>Year</u>	<u>Recovery Period (Years)</u>
0	7
0	100.00%
1	89.29
2	70.16
3	55.13
4	42.88
5	30.63
6	18.38
7	10.00
8	10.00
9	10.00
10	10.00

9. The tax rates used in this Plan reflect the rates in effect for the tax year 2015. The tax rates were held constant through the 2023 tax year.

* * *

City of Springfield, Missouri
(Kraft Foods)

COST BENEFIT ANALYSIS
PLAN FOR INDUSTRIAL DEVELOPMENT PROJECT



Table of Contents

I	Project Assumptions	1
II	Summary of Cost Benefit Analysis (Personal Property)	2
III	Projected Tax Revenues Without Abatement on Project Equipment	3
IV	Projected PILOT Amounts on Project Equipment	4
V	Projected Tax Abatement on Project Equipment	5

**Exhibit 1
Project Assumptions**

- ◆ Initial year taxes assessed 2012
- ◆ Appraised value of personal property acquired in 2012 \$ 9,541,400
- ◆ Appraised value of personal property acquired in 2013 \$ 9,438,600
- ◆ Annual growth rate of appraised value of personal property 0.0%
- ◆ Assessed value as a percentage of appraised value (personal) 33.33%
- ◆ Terms of abatement:
 - Personal property
 - Years 1 to 10 50%
- ◆ Personal property is depreciated using the following 7 year recovery period schedule:

Year	Recovery Period in Years					
	3	5	7	10	15	20
0	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
1	75.00%	85.00%	89.29%	92.50%	95.00%	96.25%
2	37.50%	59.50%	70.16%	78.62%	85.50%	89.03%
3	12.50%	41.65%	55.13%	66.83%	76.95%	82.35%
4	5.00%	24.99%	42.88%	56.81%	69.25%	76.18%
5	5.00%	10.00%	30.63%	48.07%	62.32%	70.46%
6	5.00%	10.00%	18.38%	39.33%	56.09%	65.18%
7	5.00%	10.00%	10.00%	30.59%	50.19%	60.29%
8	5.00%	10.00%	10.00%	21.85%	44.29%	55.77%
9	5.00%	10.00%	10.00%	15.00%	38.38%	51.31%
10	5.00%	10.00%	10.00%	15.00%	32.48%	46.85%
11	5.00%	10.00%	10.00%	15.00%	26.57%	42.38%
12	5.00%	10.00%	10.00%	15.00%	20.67%	37.92%
13	5.00%	10.00%	10.00%	15.00%	15.00%	33.46%
14	5.00%	10.00%	10.00%	15.00%	15.00%	29.00%
15	5.00%	10.00%	10.00%	15.00%	15.00%	24.54%
16	5.00%	10.00%	10.00%	15.00%	15.00%	20.08%
17	5.00%	10.00%	10.00%	15.00%	15.00%	20.00%

Exhibit 2
Summary of Cost Benefit Analysis
(Personal Property)

Tax Distribution	Tax Rate	Tax Revenue for Personal Property Without Abatement	Revenue Generated from PILOT Payments	Value of Abatement
City of Springfield	0.6094	\$ 133,567	\$ 66,784	\$ 66,784
Springfield-Green County Library	0.2443	53,545	26,773	26,773
Ozarks Technical College	0.1494	32,745	16,373	16,373
Green County General	0.1160	25,425	12,712	12,712
Green County Road & Bridge	0.1160	25,425	12,712	12,712
State of Missouri	0.0300	6,575	3,288	3,288
Sheltered Workshop	0.0468	10,258	5,129	5,129
Senior Services	0.0494	10,827	5,414	5,414
Springfield R-12	4.0693	891,901	445,951	445,951
	5.4306	\$ 1,190,269	\$ 595,134	\$ 595,134

Exhibit 3
Projected Tax Revenues Without Abatement on Project Equipment

Estimated Assessed Value of Personal Property	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	Total
	\$ 2,839,555	\$ 5,040,153	\$ 3,960,369	\$ 3,097,974	\$ 2,323,035	\$ 1,548,096	\$ 896,229	\$ 632,603	\$ 632,603	\$ 632,603	\$ 314,589	
Tax Rate per \$100												
City of Springfield	0.6094	30,715	24,134	18,879	14,157	9,434	5,462	3,855	3,855	3,855	1,917	\$ 133,567
Springfield-Green County Library	0.2443	12,313	9,675	7,568	5,675	3,782	2,189	1,545	1,545	1,545	769	53,545
Ozarks Technical College	0.1494	4,242	5,917	4,628	3,471	2,313	1,339	945	945	945	470	32,745
Green County General	0.1160	3,294	4,594	3,594	2,695	1,796	1,040	734	734	734	365	25,425
Green County Road & Bridge	0.1160	3,294	4,594	3,594	2,695	1,796	1,040	734	734	734	365	25,425
State of Missouri	0.0300	852	1,188	929	697	464	269	190	190	190	94	6,575
Sheltered Workshop	0.0468	1,329	1,853	1,450	1,087	725	419	296	296	296	147	10,258
Senior Services	0.0494	1,403	1,956	1,530	1,148	765	443	313	313	313	155	10,827
Springfield R-12	4.0693	115,550	161,159	126,066	94,531	62,997	36,470	25,743	25,743	25,743	12,802	891,901
	5.4306	\$ 154,205	\$ 215,072	\$ 168,239	\$ 126,155	\$ 84,071	\$ 48,671	\$ 34,354	\$ 34,354	\$ 34,354	\$ 17,084	\$ 1,190,269

	Personal Property Assessed Value											
	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	
7-Year Property	9,541,400	2,231,192	1,753,216	1,363,648	974,080	584,511	318,015	318,015	318,015	318,015	314,589	314,589
	9,438,600	2,808,961	2,207,153	1,734,327	1,348,956	963,585	578,214	314,589	314,589	314,589	314,589	314,589
	18,980,000	2,839,555	3,960,369	3,097,974	2,323,035	1,548,096	896,229	632,603	632,603	632,603	314,589	314,589

**Exhibit 4
Projected PILOT Amounts on Project Equipment**

Estimated Assessed Value of Personal Property (Acquired in 2012) PILOT Payment	50%	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	Total
\$ 2,839,555	\$ 2,231,192	\$ 1,753,216	\$ 1,363,648	\$ 974,080	\$ 584,511	\$ 318,015	\$ 318,015	\$ 318,015	\$ 318,015	\$ 318,015	\$ 318,015	\$ 66,784
	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	\$ 26,773
Estimated Assessed Value of Personal Property (Acquired in 2013) PILOT Payment		\$ 2,808,961	\$ 2,207,153	\$ 1,734,327	\$ 1,348,956	\$ 963,585	\$ 578,214	\$ 314,589	\$ 314,589	\$ 314,589	\$ 314,589	\$ 314,589
	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	\$ 16,373
												\$ 12,712
												\$ 12,712
												\$ 12,712
												\$ 3,288
												\$ 5,129
												\$ 78
												\$ 6,401
												\$ 445,951
												\$ 595,134
												\$ 8,542

Taxing Jurisdiction	\$100	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	Total
City of Springfield	0.6094	\$ 8,652	\$ 15,357	\$ 12,067	\$ 9,440	\$ 7,078	\$ 4,717	\$ 2,731	\$ 1,928	\$ 1,928	\$ 1,928	\$ 959	\$ 66,784
Springfield-Green County Library	0.2443	3,469	6,157	4,838	3,784	2,838	1,891	1,095	773	773	773	384	26,773
Ozarks Technical College	0.1494	2,121	3,765	2,958	2,314	1,735	1,156	669	473	473	473	235	16,373
Green County General	0.1160	1,647	2,923	2,297	1,797	1,347	898	520	367	367	367	182	12,712
Green County Road & Bridge	0.1160	1,647	2,923	2,297	1,797	1,347	898	520	367	367	367	182	12,712
State of Missouri	0.0300	426	756	594	465	348	232	134	95	95	95	47	3,288
Sheltered Workshop	0.0468	664	1,179	927	725	544	362	210	148	148	148	74	5,129
Senior Services	0.0494	701	1,245	978	765	574	382	221	156	156	156	78	5,414
Springfield R-12	4.0693	57,775	102,549	80,580	63,033	47,266	31,498	18,235	12,871	12,871	12,871	6,401	445,951
	5.4306	\$ 77,102	\$ 136,855	\$ 107,536	\$ 84,119	\$ 63,077	\$ 42,035	\$ 24,335	\$ 17,177	\$ 17,177	\$ 17,177	\$ 8,542	\$ 595,134

**Exhibit 5
Projected Tax Abatement on Project Equipment**

Estimated Assessed Value of Personal Property (Acquired in 2012) Abatement Percentage	50%	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	Total
\$ 2,839,555	\$ 2,231,192	\$ 1,753,216	\$ 1,363,648	\$ 974,080	\$ 584,511	\$ 318,015	\$ 318,015	\$ 318,015	\$ 318,015	\$ 318,015	\$ 314,589	\$ 66,784
	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	\$ 26,773
Estimated Assessed Value of Personal Property (Acquired in 2013) Abatement Percentage		\$ 2,808,961	\$ 2,207,153	\$ 1,734,327	\$ 1,348,956	\$ 963,585	\$ 578,214	\$ 314,589	\$ 314,589	\$ 314,589	\$ 314,589	\$ 5,129
	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	\$ 445,951
Taxing Jurisdiction												
	\$100											
City of Springfield	0.6094	\$ 8,652	\$ 15,357	\$ 12,067	\$ 9,440	\$ 7,078	\$ 4,717	\$ 1,928	\$ 1,928	\$ 1,928	\$ 1,928	\$ 959
Springfield-Green County Library	0.2443	3,469	6,157	4,838	3,784	2,838	1,891	1,095	773	773	773	384
Ozarks Technical College	0.1494	2,121	3,765	2,958	2,314	1,735	1,156	669	473	473	473	235
Green County General	0.1160	1,647	2,923	2,297	1,797	1,347	898	520	367	367	367	182
Green County Road & Bridge	0.1160	1,647	2,923	2,297	1,797	1,347	898	520	367	367	367	182
State of Missouri	0.0300	426	756	594	465	348	232	134	95	95	95	47
Sheltered Workshop	0.0468	664	1,179	927	725	544	362	210	148	148	148	74
Senior Services	0.0494	701	1,245	978	765	574	382	221	156	156	156	78
Springfield R-12	4.0693	57,775	102,549	80,580	63,033	47,266	31,498	18,235	12,871	12,871	12,871	6,401
		\$ 77,102	\$ 136,855	\$ 107,536	\$ 84,119	\$ 63,077	\$ 42,035	\$ 24,335	\$ 17,177	\$ 17,177	\$ 17,177	\$ 8,542
												\$ 595,134

One-rdg. _____
P. Hrngs. _____
Pgs. 4 _____
Filed: 08-16-16 _____

Sponsored by: McClure

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016- 201

GENERAL ORDINANCE NO. _____

AN ORDINANCE

1 AMENDING Springfield City Code Chapter 74, Nuisance and Housing Code, to provide
2 for nuisance-abatement notice to occupants of properties that are not
3 owner-occupied.
4 _____
5

6 WHEREAS, the current Springfield City Code Chapter 74 - Nuisance and
7 Housing Code requires nuisance-abatement notices to be served on property owners;
8 and,
9

10 WHEREAS, state law requiring municipal ordinances to serve nuisance-
11 abatement notice on occupants of properties that are not owner-occupied will become
12 effective August 28, 2016.
13

14 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
15 SPRINGFIELD, MISSOURI, that:

16 NOTE: Language to be added is underlined and language to be deleted is ~~stricken~~.
17

18 Section 1 – Springfield City Code Chapter 74 - Nuisance and Housing Code is
19 hereby amended as follows:
20

21 Chapter 74 - NUISANCE AND HOUSING CODE
22

23 ARTICLE II. - ENFORCEMENT
24

25 Sec. 74-33. - Notice requirements.
26

27
28 (a) When the city manager determines that a violation of ~~sec. 74-382~~ this
29 Chapter 74 exists, except where otherwise indicated, the city manager will
30 deliver an “Abatement Notice” to:

31 (1) the person causing, maintaining, or permitting the violation on public
32 property; or,

- 33 (2) the property owner, who is always responsible for removing or abating the
34 violation, if it is on private property; and,
35 (3) occupants of private property that is not owner-occupied.
36 (b) For public-property violations, the city manager may deliver an "Abatement
37 Notice" by:
38 (1) personal delivery service; or,
39 (2) postage prepaid United States certified mail, return receipt requested, and
40 regular first class mail; or,
41 (3) FedEx, UPS, or similar carrier; and,
42 (4) posting the notice in a conspicuous location on the property where the
43 violation exists, unless there has been personal delivery service pursuant
44 to subpart (1) above.
45 (c) For private-property violations, the city manager may deliver an "Abatement
46 Notice":
47 (1) to owners by:
48 i. personal service; or,
49 ii. postage prepaid United States certified mail, return receipt requested,
50 and regular first class mail; or,
51 iii. FedEx, UPS, or similar carrier; and,
52 iv. posting the notice in a conspicuous location on the property where the
53 violation exists, unless there has been personal service pursuant to
54 subpart (i) above;
55 (2) to non-owner occupants by:
56 i. personal service; or,
57 ii. postage prepaid United States regular first class mail.

58 Section 2 – Savings Clause. Nothing in this ordinance shall be construed to
59 affect any suit or proceeding now pending in any court or any rights acquired or liability
60 incurred nor any cause or causes of action occurred or existing, under any act or
61 ordinance repealed hereby. Nor shall any right or remedy of any character be lost,
62 impaired, or affected by this ordinance.

63
64 Section 3 – Severability Clause. If any section, subsection, sentence, clause, or
65 phrase of this ordinance is for any reason held to be invalid, such decision shall not
66 affect the validity of the remaining portions of this ordinance. The Council hereby
67 declares that it would have adopted the ordinance and each section, subsection,
68 sentence, clause, or phrase thereof, irrespective of the fact that any one or more
69 sections, subsections, sentences, clauses, or phrases be declared invalid.

70
71 Section 4 – This ordinance shall be in full force and effect from and after
72 passage.

73
74 Passed at meeting: _____

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Mayor

Attest: _____, Acting City Clerk

Filed as Ordinance: _____

Approved as to form: *Dwight McDonald*, Assistant City Attorney

Approved for Council action: *Greg Bennett*, City Manager

EXPLANATION TO COUNCIL BILL NO: 2016-201

FILED: 08-16-16

ORIGINATING DEPARTMENT: Building Development Services

PURPOSE: To amend Springfield City Code Chapter 74 - Nuisance and Housing Code, to provide for nuisance-abatement notice to occupants of properties that are not owner-occupied.

BACKGROUND: The current Springfield City Code Chapter 74 provides for nuisance-abatement notice to property owners. Effective August 28, 2016, state law will require notice to occupants of properties that are not owner-occupied.

REMARKS: The ordinance changes will harmonize city code with state law.

Recommended by:



Chris Straw, Director
Building Development Services

Approved by:



Greg Burris
City Manager

One-rdg. _____
P. Hrngs. _____
Pgs. 12
Filed: 08-16-16

Sponsored by: Stephens

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016- 202

SPECIAL ORDINANCE NO. _____

AN ORDINANCE

1 APPROVING the plans and specifications for the College Street Route 66 Phase 2
2 project, Plan No. 2015PW0074TE; and the College and Broadway West
3 Extension project, Plan No. 2016PW0005WTE; accepting the bid of
4 Hunter Chase & Associates, Inc., in the amount of \$1,145,608.00 for
5 these projects; and authorizing the City Manager, or his designee, to
6 enter into a contract with such bidder.
7
8

9 WHEREAS, Hunter Chase & Associates, Inc., is the lowest responsive and
10 responsible bidder for the College Street Route 66 Phase 2 Project, Plan No.
11 2015PW0074TE; and the College and Broadway West Extension Project, Plan No.
12 2016PW0005WTE; and
13

14 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
15 SPRINGFIELD, MISSOURI, as follows, that:
16

17 Section 1 – The City Council hereby approves the plans and specifications of the
18 College Street Route 66 Phase 2 project, Plan No. 2015PW0074TE; and the College
19 and Broadway West Extension project, Plan No. 2016PW0005WTE.
20

21 Section 2 – City Council accepts the bid of Hunter Chase & Associates, Inc., for
22 that project in the amount of \$1,145,608.00, except as said sum may be lawfully
23 increased or decreased by the actual quantities of work units involved.
24

25 Section 3 – The cost for this project have been budgeted by Department of
26 Public Works for Fiscal Year 2016-2017 and therefore no budget adjustment is required.
27

28 Section 4 – This ordinance shall be in full force and effect from and after
29 passage.
30

31 Passed at meeting: _____
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Mayor

Attest: _____, Acting City Clerk

Filed as Ordinance: _____

Approved as to form: Phonny Lewsade, Assistant City Attorney

Approved for Council action: Greg Burt, City Manager

EXPLANATION TO COUNCIL BILL NO: 2016-202

FILED: 08-16-16

ORIGINATING DEPARTMENT: Public Works

PURPOSE: Approving the plans and specifications for the College Street Route 66 Phase 2 project, Plan No. 2015PW0074TE; and the College and Broadway West Extension project, Plan No. 2016PW0005WTE; accepting the bid of Hunter Chase & Associates, Inc., for these projects, and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

BACKGROUND INFORMATION: This project continues improvements along the College Street Route 66 corridor. The project will include streetscape improvements along College Street from New Avenue through Broadway Avenue as shown on Exhibit A, project location map. This project will include construction of a plaza area at Broadway Avenue and College Street, ADA compliant sidewalks, new storm sewer, new roadway improvements, lighting and landscaping enhancements, gas and water renewals, and a conversion to underground electric utilities. The two plan sets were bid as one project and will be constructed at the same time.

Bids were solicited for this project by advertising in the *Daily Events* from July 9, 2016 through July 13, 2016. Bids were opened for the project on August 2, 2016 at 10:30 a.m., with the following bids received:

<u>Contractor</u>	<u>Bid Amount</u>
Hunter Chase & Associates	\$1,145,608.00
Ewing Signal	\$1,215,976.55
Engineer's Estimate	\$1,010,545.00

The bid for the project was 13% over the Engineer's Estimate. Public Works believes that rebidding the project would not result in a lower cost.

The low bid, if accepted, will be partially funded by a federal Transportation Alternatives Program Grant in the amount of \$240,000 that is already approved and budgeted. Additionally, utility improvements included in this project are estimated at \$262,437 and will be reimbursed by City Utilities (CU). The grant funding and CU reimbursement will reduce the net City contract cost to \$643,171 and it will be funded by the 1/4-Cent Capital Improvements Sales Tax Cost Share Program that is already budgeted.

Supports the following Field Guide 2030 goal(s): Chapter 12, Transportation; Major Goal 2, Operations and Maintenance; Objective 2a, Keep streets and sidewalks and trails in good condition with an emphasis on arterial streets; Objective 2f, Accessibility should be improved on existing systems in conjunction with maintenance projects; and Major Goal 5, Quality of Life and Livability; Objective 5d, Consider traffic calming, decibel limits, and enhancing public space aesthetics in Pedestrian Districts as tools to increase quality of

life, safety, and access.

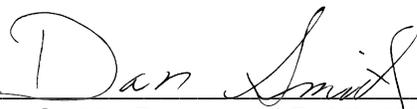
REMARKS: Public Works recommends acceptance of the bid of Hunter Chase & Associates, Inc. as the lowest responsible bid and passage of this ordinance.

Submitted by:



Kirk Juranas, Assistant Director of Public Works

Recommended by:



Dan Smith, Director of Public Works

Approved by:



Greg Burris, City Manager



ROUTING ORDER	(1) ORIGINATING DEPARTMENT	(2) CONTRACTOR	(3) FINANCE DEPARTMENT
	(4) LAW DEPARTMENT	(5) CITY MANAGER'S OFFICE	(6) CITY CLERK'S OFFICE
EFFECTIVE DATE	TERMINATION DATE	CONTRACT NUMBER:	
CITY		CONTRACTOR	
CITY OF SPRINGFIELD 840 BOONVILLE, P.O. BOX 8368 SPRINGFIELD, MO 65802 PHONE: (417) 864- 1946 FAX: (417) 864-1907 ATTN: ANDREW FLIPPIN, P.E. DEPT.: PUBLIC WORKS		NAME: HUNTER CHASE & ASSOCIATES ADDRESS: 1200 E. WOODHURST, J-200 SPRINGFIELD, MO 65804 PHONE: 417-882-8203 FAX: 417-882-7877 ATTN: MARY BETH HARTMAN	

AGREEMENT

THIS AGREEMENT, made and entered into this ____ day of _____, 20____, by the parties identified above.

WITNESSETH: That whereas, the Contractor has become the lowest responsible bidder for furnishing the supervision, labor, tools, equipment, materials and supplies and for constructing the following City improvements:

College Street Phase 2 - Plan No. 2015PW0074TE
and
College Street and Broadway Intersection - Plan No. 2016PW0005WTE

The City and Contractor agree to the following:

1. Manner and Time for Completion. The Contractor will furnish all supervision, labor, tools, equipment, materials and supplies necessary to perform, and to perform said work at Contractor's own expense in accordance with the contract documents and any applicable City ordinances and state and federal laws within 180 calendar days from the date Contractor is ordered to proceed, which order shall be issued by the Director of Public Works within 30 days after the date of this contract.

2. Prevailing Wages. All labor utilized in the construction of the aforementioned improvements shall be paid a wage of no less than the "prevailing hourly rate of wages" for work of a similar character in this locality, as established and amended at any time by the Department of Labor and Industrial Relations of the State of Missouri or by the U.S. Secretary of Labor in accordance with the Federal Davis-Bacon Act (Title 40 U.S.C. Chapter 31, subchapter IV), whichever is higher. Contractor shall pay wages not less than once a week. At any time the contractor is found to not have paid prevailing wages, the contractor shall forfeit as a penalty to the city one hundred dollars for each underpaid worker employed, for each calendar day, or portion thereof such worker is paid less than the said stipulated rates for any work done under this contract.

3. Insurance Requirements. Without limiting any of the other obligations or liabilities of the Contractor, the Contractor shall secure and maintain at its own cost and expense, throughout the duration of this Contract and until the work is completed and accepted by the City of Springfield, City Utilities of Springfield, and the Board of Utilities, insurance of such types and in such amounts as may be necessary to protect it and the interests of the City of Springfield, City Utilities of Springfield, and the Board of Utilities, against all hazards or risks of loss as hereunder specified or which may arise out of the performance of the Contract Documents. The form and limits of such insurance, together with the underwriter thereof in each case, are subject to approval by the City of Springfield, City Utilities of Springfield, and the Board of Utilities. Regardless of such approval, it shall be the responsibility of the contractor to maintain adequate insurance coverage at all times during the term of the Contract. Failure of the Contractor to

maintain coverage shall not relieve it of any contractual responsibility or obligation or liability in general or under the Contract Documents.

The certificates of insurance, including evidence of the required endorsements hereunder or the policies, shall be filed with the City within ten (10) days after the date of the receipt of Notice of Award of the Contract to the Contractor and prior to the start of work. All insurance policies shall require that the insurance company in question provide thirty (30) days written notice prior to modification or cancellation of such insurance. Such notices shall be mailed, certified mail, return receipt requested, to:

City of Springfield - Public Works, P.O. Box 8368, Springfield, MO 65801-8368; and

City Utilities of Springfield, P.O. Box 551, Springfield, MO 65801

Such policies shall name the City as an additional insured, with limits of liability not less than the sovereign immunity limits for Missouri public entities calculated by the Missouri Department of Insurance as of January 1 each calendar year and published annually in the Missouri Register pursuant to Section 537.610, RSMo. (See, <http://insurance.mo.gov/industry/sovimunity.php>)

As of January 1, 2015, the minimum coverage for the insurance referred to herein shall be as set out below:

- a. **Workers' Compensation....**Statutory coverage per RSMo 287.010 et seq
Employer's Liability..... \$1,000,000.00

- b. **Commercial General Liability Insurance**, including coverage for Premises, Operations, Products and Completed Operations, Contractual Liability, Broad Form Property Damage, Independent Contractors, Explosion, Collapse, and Underground Property Damage and endorsed for blasting if blasting required. Such coverage shall apply to bodily injury and property damage on an "Occurrence Form Basis" with limits of at least Two Million Seven Hundred Thirty-Four Thousand Five Hundred Sixty-Seven and no/100 Dollars (\$2,734,567.00) for all claims arising out of a single accident or occurrence and at least Four Hundred Ten Thousand One Hundred Eighty-Five and no/100 Dollars (\$410,185.00) with respect to injuries and/or death of any one person in a single occurrence and an amount not less than at least \$1,000,000 for all claims to property arising out of a single occurrence and at least \$100,000 to any one owner with respect to damages to property. Contractor agrees that the proceeds of such insurance policy shall first be used to pay any award, damages, costs, and/or attorneys' fees incurred by or assessed against City, its employees, officers and agents, before payment of any award, damages, costs or attorneys fees of Contractor, its employees, officers or agents. Contractor agrees to cause its insurer to name City as an additional insured on such insurance policy, including the City as an additional insured for coverage under its products-completed operations hazard, and said policy shall be primary and noncontributory. Aggregate Limit must apply on a Per Project basis, and the endorsement must accompany the certificate of insurance. A Waiver of Subrogation endorsement must be provided by contractor in favor of the City.

- c. **Automobile Liability Insurance** covering bodily injury and property damage for owned, non-owned and hired vehicles, with limits of at least Two Million Seven Hundred Thirty-Four Thousand Five Hundred Sixty-Seven and no/100 Dollars (\$2,734,567.00) for all claims arising out of a single accident or occurrence and at least Four Hundred Ten Thousand One Hundred Eighty-Five and no/100 Dollars (\$410,185.00) with respect to injuries and/or death of any one person in a single accident or occurrence.

- d. **Subcontracts.** In case any or all of this work is sublet, the Contractor shall require the subcontractor to procure and maintain all insurance required in subparagraphs (a), (b) and (c) hereof and in like amounts. Contractor shall require any and all subcontractors with whom it enters into a contract to perform work on this project to protect the City of Springfield, City Utilities of Springfield, Missouri, and the Board of Utilities through insurance against applicable hazards or risks and shall, upon request of the City, provide evidence of such insurance.

- e. **Notice.** The Contractor and/or subcontractor shall furnish the City prior to beginning the work, the policy as specified in subparagraph (d), and satisfactory proof of carriage of all the insurance required by this contract, with the provision that policies shall not be canceled, modified or non-renewed without thirty (30) days written notice to the City of Springfield.

- f. **Legislative or Judicial Changes.** In the event the scope or extent of the City's tort liability as a governmental entity as described in Section 537.600 through 537.650 RSMo is broadened or increased during the term of this agreement by legislative or

judicial action, the City may require Contractor, upon 10 days written notice, to execute a contract addendum whereby the Contractor agrees to provide, at a price not exceeding Contractor's actual increased premium cost, additional liability insurance coverage as the City may require to protect the City from increased tort liability exposure as the result of such legislative or judicial action. Any such additional insurance coverage shall be evidenced by an appropriate certificate of insurance and shall take effect within the time set forth in the addendum.

4. Performance, Labor, and Materials Payment Bond: The Contractor shall furnish a Performance Bond and a Labor and Materials Payment Bond with surety approved by the City and on the forms approved by the City, each bond shall be in the amount of \$1,145,608.00 (full amount of contract) conditioned upon the full and faithful performance of all major terms and conditions of this contract and payment of all labor and material suppliers. It is further mutually agreed between the parties hereto that if at any time after the execution of this agreement and the surety bond(s) hereto attached for its faithful performance and payment of labor and material suppliers, the City shall deem the surety or sureties upon such bond(s) to be unsatisfactory, or if, for any reason, such bond(s) ceases to be adequate to cover the performance of the work, the Contractor shall, at its expense, within five (5) days after the receipt of notice from the City to do so, furnish an additional bond or bonds, in such form and amount, and with such surety or sureties as shall be satisfactory to the City. In such event no further payment to the Contractor shall be deemed to be due under this contract until such new or additional security for the faithful performance of the work and the payment of labor and material suppliers shall be furnished in a manner and form satisfactory to the City. The corporate surety on any performance or payment bond must be licensed by the State of Missouri and if the required bond exceeds \$25,000.00 must be listed in United States Treasury Circular 570.

5. Contractor's responsibility for subcontractors. The Contractor shall be as fully responsible to the City for the acts and omissions of its subcontractors, and of persons either directly or indirectly employed by them, as Contractor is for the acts and omissions of persons it directly employs. Contractor shall cause appropriate provisions to be inserted in all subcontracts relating to this work, to bind all subcontractors to Contractor by all the terms herein set forth, and insofar as applicable to the work of subcontractors and to give Contractor the same power regarding termination of any subcontract as the City may exercise over Contractor under any provisions of this contract. Nothing contained in this contract shall create any contractual relation between the subcontractor and the City or between any subcontractors.

6. General Independent Contractor Clause. This agreement does not create an employee/employer relationship between the parties. It is the parties' intention that the Contractor will be an independent contractor and not the City's employee for all purposes, including, but not limited to, the application of the Fair Labor Standards Act minimum wage and overtime payments, Federal Insurance Contribution Act, the Social Security Act, the Federal Unemployment Tax Act, the provisions of the Internal Revenue Code, Missouri Revenue and Taxation laws, Missouri Workers' Compensation and Unemployment Insurance laws. The Contractor will retain sole and absolute discretion in the judgment of the manner and means of carrying out the Contractor's activities and responsibilities hereunder. The Contractor agrees that it is a separate and independent enterprise from the public employer, that it has a full opportunity to find other business, that it has made its own investment in its business, and that it will utilize a high level of skill necessary to perform the work. This agreement shall not be construed as creating any joint employment relationship between the Contractor and the City, and the City will not be liable for any obligation incurred by the Contractor, including but not limited to unpaid minimum wages and/or overtime premiums.

7. Liquidated Damages. Time of completion of work by the Contractor is of the essence. Should Contractor, or in the case of default, the surety, fail to substantially complete the work within the time specified in the contract, or within such extra time as may be allowed, Contractor (or surety) shall be liable to the City in the amount of **\$1,100** per day for each and every calendar day that the contract remains uncompleted after the time allowed for substantial completion, as liquidated damages, and not as a penalty, it being stipulated that actual damages to the City and the public arising from Contractor's failure to timely complete the work would be difficult, if not impossible, to ascertain. The amount assessed as liquidated damages may be withheld from any moneys otherwise due to Contractor from the City. The project is not considered complete until final acceptance by the City. After substantial completion, liquidated damages for failure to complete the remaining work shall be in the amount specified in the General Conditions, unless an amount is provided in the Job Special Provision, in which case, the Job Special Provision amount will apply.

8. Termination for Cause. The City reserves the right to terminate this contract by giving at least five (5) days prior written notice to the Contractor, without prejudice to any other rights or remedies of the City should the Contractor be adjudged a bankrupt, or if Contractor should make a general assignment for the benefit of its creditors, or if a receiver should be appointed for Contractor or for any of its property, or if Contractor should persistently or repeatedly refuse or fail to supply enough properly skilled workmen or proper material, or if Contractor should refuse or fail to make prompt payment to any person supplying labor or

materials for the work under the contract, or persistently disregard instructions of the City or fail to observe or perform any provisions of the contract.

9. City's Right to Proceed. In the event this contract is terminated pursuant to Paragraph 8, then the City may take over the work and prosecute the same to completion, by contract or otherwise, and Contractor and its sureties shall be liable to the City for any costs over the amount of this contract thereby occasioned by the City. In any such case, the City may take possession of, and utilize in completing the work, such materials, appliances and structures as may be on the work site and are necessary for completion of the work. The foregoing provisions are in addition to, and not in limitation of, the rights of the City under any other provisions of the contract, city ordinances, and state and federal laws.

10. Termination for Convenience of City. The City shall have the right at any time by written notice to Contractor to terminate and cancel this contract, without cause, for the convenience of the City, and Contractor shall immediately stop work. In such event City shall not be liable to Contractor except for payment for actual work performed prior to such notice in an amount proportionate to the completed contract price and for the actual costs of preparations made by Contractor for the performance of the cancelled portions of the contract, including a reasonable allowance of profit applicable to the actual work performed and such preparations. Anticipatory profits and consequential damages shall not be recoverable by Contractor.

11. Guards and Lights. The Contractor agrees that during the performance of said work, adequate barricades, guards and warning signs, lights or devices consistent with the requirements contained in the Manual on Uniform Traffic Control Devices shall be provided by Contractor during construction.

12. Liability and Indemnity.

a. In no event shall the City be liable to the Contractor for special, indirect, or consequential damages, except those caused by the City's gross negligence or willful or wanton misconduct arising out of or in any way connected with a breach of this contract. The maximum liability of the City shall be limited to the amount of money to be paid or received by the City under this contract.

b. The Contractor shall defend, indemnify and save harmless the City, its elected or appointed officials, agents and employees from and against any and all liability, suits, damages, costs (including attorney fees), losses, outlays and expenses from claims in any manner caused by, or allegedly caused by, or arising out of, or connected with, this contract, or the work or any subcontract thereunder (the Contractor hereby assuming full responsibility for relations with subcontractors), including, but not limited to, claims for personal injuries, death, property damage, or for damages from the award of this contract to Contractor, notwithstanding any possible negligence, whether sole or concurrent, on the part of the City, its officials, agents and employees.

c. The Contractor shall indemnify and hold the City harmless from all wages or overtime compensation due any employees in rendering services pursuant to this agreement or any subcontract, including payment of reasonable attorneys' fees and costs in the defense of any claim made under the Fair Labor Standards Act, the Missouri Prevailing Wage Law or any other federal or state law.

d. The indemnification obligations of Contractor hereunder shall not be limited by any limitations as to the amount or type of damages, compensation or benefits payable by or for the Contractor, under any federal or state law, to any person asserting the claim against City, its elected or appointed officials, agents and employees, for which indemnification is sought.

e. The indemnification obligations herein shall not negate, abridge or reduce in any way any additional indemnification rights of the City, its elected or appointed officials, agents and employees, which are otherwise available under statute, or in law or equity.

f. Contractor affirms that it has had the opportunity to recover the costs of the liability insurance required in this agreement in its contract price. Contractor's obligation under this agreement to defend, indemnify, and hold harmless any person from that person's own negligence or wrongdoing is limited to the coverage and limits of the applicable insurance required of the Contractor under this agreement.

g. The Contractor shall indemnify and hold the City harmless for any penalties, fines, fees or costs, including costs of defense, which are charged or assessed by any Federal, state or local agency including, but not limited to, Environmental Protection Agency or Department of Natural Resources.

13. Payment for Labor and Materials. The Contractor agrees and binds itself to pay for all labor done, and for all the materials used in the construction of the work to be completed pursuant to this contract.

14. Payment. The City will pay the Contractor in accordance with the rate set forth in the contract documents on file in the Public Works Department and by this reference made a part hereof, which shall constitute full and complete compensation for the Contractor's work provided hereunder. It is expressly understood that in no event will the total compensation and reimbursement to be paid to the Contractor under the terms of this contract exceed the sum of **One Million One Hundred Forty Five Thousand Six Hundred Eight Dollars and No Cents (\$1,145,608.00)** unless specifically and mutually agreed to in writing by both the City and the Contractor. No partial payment to the Contractor shall operate as approval of acceptance of work done or materials furnished hereunder. Such compensation will be paid in progress payments, as established by the City, subject to receipt of a requisition for payment and a statement of work provided by the Contractor and agreement by both the City and the Contractor that the Contractor has fully performed the work to be paid for in such progress payments in conformance with the contract.

15. Contract Documents. The contract documents shall consist of the following:

- a. This Contract
- b. All Change Orders
- c. Bid Plans and Specifications
- d. City of Springfield Standard General Conditions and Technical Specifications for Public Works Construction (07-01-13 Revised Edition)
- e. Special Conditions & Provisions
- f. Required Federal Contract Provisions
- g. Proposal
- h. Statement of Bidder's Qualifications
- i. Acknowledgment
- j. Performance Bond and Payment and Material Bond
- k. Instructions to Bidders
- l. Anti-collusion Affidavit
- m. Notice to Proceed
- n. Notice to Contractors

This contract, together with the other documents enumerated in this paragraph, forms the contract between the parties. These documents are as fully a part of the contract as if attached hereto or repeated herein.

16. Subsurface Conditions. Contractor agrees that information contained in the published reports and public actions of the Missouri Division of Geology and Land Survey shall be conclusive and binding upon the Contractor as to what subsurface conditions at the job site are reasonably anticipated or reasonably foreseeable.

17. Conflict of Interest. In accepting this contract, Contractor certifies that no member or officer of its firm or corporation is an officer or employee of the City of Springfield, Missouri, or any of its boards or agencies, and further that no officer or employee of the City has any financial interest, direct or indirect, in this contract. All applicable federal regulations and provisions of RSMo Section 105.450 et seq. shall not be violated.

18. Assignment. The Contractor shall not assign any interest in this contract, and shall not transfer any interest in the same (whether by assignment or novation), without prior written consent of the City thereto, provided, however, that claims for money due or to become due to the Contractor from the City under this Contract may be assigned to a bank, trust company, or other financial institution without such approval. Notice of such assignment or transfer shall be furnished in writing promptly to the City and the bond surety. Any such assignment is expressly subject to all rights and remedies of the City under this agreement, including the right to change or delete activities from the Contract or to terminate the same as provided herein, and no such assignment shall require the City to give any notice to any such assignee of any actions which the City may take under this agreement.

19. Nondiscrimination. The Contractor agrees in the performance of this contract not to discriminate on the ground or because of race, creed, color, national origin or ancestry, sex, religion, handicap, age, status as a protected veteran or status as a qualified individual with a disability, or political opinion or affiliation, against any employee of Contractor or applicant for employment and shall include a similar provision in all subcontracts let or awarded hereunder. The parties hereby incorporate the requirements of 41 C.F.R. §§ 60-1.4(a)(7), 29 C.F.R. Part 471, Appendix A to Subpart A, 41 C.F.R. § 60-300.5(a) and 41 C.F.R. § 60-741.5(a), if applicable.

a. This contractor and subcontractor shall abide by the requirements of 41 C.F.R. § 60-300.5(a). This regulation prohibits discriminations against qualified protected veterans, and requires affirmative action by covered prime contractors and subcontractors to employ and advance in employment qualified protected veterans.

b. This contractor and subcontractor shall abide by the requirements of 41 C.F.R. § 60-741.5(a). This regulation prohibits discrimination against qualified individuals on the basis of disability, and requires affirmative action by covered prime contractors and subcontractors to employ and advance in employment qualified individuals with disabilities.

20. Nonresident/Foreign Contractors. The Contractor shall procure and maintain during the life of this contract:

a. If the Contractor is a foreign corporation, a certificate of authority to transact business in the State of Missouri from the Secretary of State, unless exempt pursuant to the provisions of Section 351.570 RSMo.

b. A certificate from the Missouri Director of Revenue evidencing compliance with the transient employer financial assurance law, unless exempt pursuant to the provisions of Section 285.230 RSMo.

21. Notices. All notices required or permitted hereinunder and required to be in writing may be given by FAX or by first class mail addressed to City and Contractor at the addresses shown above. The date of delivery of any notice given by mail shall be the date falling on the second full day after the day of its mailing. The date of delivery of notice by FAX transmission shall be deemed to be the date transmission occurs, except where the transmission is not completed by 5:00 p.m. on a regular business day at the terminal of the receiving party, in which case the date of delivery shall be deemed to fall on the next regular business day for the receiving party.

22. Occupational License: The Contractor shall obtain and maintain an occupational license with the City of Springfield, Missouri, if required by city code and any required state or federal license. The cost for this occupational license shall be borne by the Contractor. No contract will be executed by the City until this occupational license has been obtained and that the Contractor is current on any City taxes is verified.

23. Safety Training. Pursuant to Missouri Revised Statute Section 292.675, Contractors and subcontractors who sign a contract to work on public works projects must provide a 10-hour OSHA construction safety program, or similar program approved by the Department of Labor and Industrial Relations, to be completed by their on-site employees within sixty (60) days of beginning work on the construction project. The Contractor shall provide an acceptable notarized affidavit stating that Contractor has verified the completion of a 10-hour construction safety program with respect to the employees working in connection with the contracted services. Contractors and subcontractors in violation of this provision will forfeit to the public body \$2,500 plus \$100 a day for each employee who is employed without training. Public bodies and contractors may withhold assess penalties from the payment due to those contractors and subcontractors. The penalties shall not begin to accrue until the time periods in the statute have elapsed (60 days after notice to proceed and 20 days to produce documentation for employee found in violation).

24. Affidavit for Contracts Over \$5,000.00. That pursuant to Missouri Revised Statute Sections 285.525 through 285.550, if this contract exceeds the amount of \$5,000.00 and Contractor is associated with a business entity, Contractor shall provide an acceptable notarized affidavit stating that the associated business entity is enrolled in and participates in a federal work authorization program with respect to the employees working in connection with the contracted services, and that said business entity does not knowingly employ any person who is an unauthorized alien in connection with the contracted services. Additionally, Contractor must provide documentation for said business entity evidencing current enrollment in a federal work authorization program.

25. Compliance with Laws. Contractor agrees to comply with all applicable federal, state and local laws or rules and regulations applicable to the provision of services and products hereunder. Contractor affirmatively states that payment of all local, state, and federal taxes and assessments owed by Contractor is current.

26. Entire Agreement. This agreement contains the entire agreement of the parties. No modification, amendment, or waiver of any of the provisions of this agreement shall be effective unless in writing specifically referring hereto, and signed by both parties.

27. Jurisdiction. This agreement and every question arising hereunder shall be construed or determined according to the laws of the State of Missouri. Should any part of this agreement be adjudicated, venue shall be proper only in the Circuit Court of Greene County, Missouri.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the day and year herein stated.

CONTRACTOR:

By: _____

Printed Name: _____

Title: _____

RECOMMENDED BY:

Dan Smith, Director of Public Works

CITY OF SPRINGFIELD, MISSOURI

CERTIFICATE OF DIRECTOR OF FINANCE

I certify that the expenditure contemplated by this document is within the purpose of the appropriation to which it is to be charged and that there is an unencumbered balance of appropriated and available funds to pay therefor.

By: _____
Collin Quigley, Assistant City Manager

David Holtmann, Interim Director of Finance

APPROVED AS TO FORM

Amanda Callaway, Assistant City Attorney

One-rdg. X
P. Hrngs. _____
Pgs. 12
Filed: 08-30-16

Sponsored by: Stephens

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016-209

SPECIAL ORDINANCE NO. _____

AN ORDINANCE

1 AUTHORIZING the City Manager, or his designee, to apply for and accept a grant
2 from the Missouri Foundation for Health; to support activities aimed at
3 assessing community mental health as well as an action plan to help
4 the Springfield community take the next steps in addressing the
5 myriad challenges that citizens with mental health concerns present;
6 and amending the budget of the Springfield-Greene County Health
7 Department for Fiscal Year 2016-2017 in an amount not to exceed
8 \$1,000,000, to appropriate grant funds.
9 _____

10
11 WHEREAS, pursuant to General Ordinance No. 6072, City Council authorized
12 the City Manager to apply for grants as they become known and available provided the
13 notice of application and deadline for submission of the grant are no longer than 60
14 days apart; and
15

16 WHEREAS, the Springfield-Greene County Health Department (SGCHD) had the
17 opportunity, through the Missouri Foundation for Health (MFH), to apply for grant
18 funding with a total grant of one million dollars for mental health assessment and
19 community action steps; and
20

21 WHEREAS, an amendment to the budget provided for the SGCHD for Fiscal
22 Year 2016-2017 has been approved and recommended by the City Manager and the
23 Director of Health.
24

25 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
26 SPRINGFIELD, MISSOURI, as follows, that:
27

28 Section 1 – The City Manager, or his designee, is hereby authorized to accept
29 grant funding in an amount not to exceed \$1,000,000 from MFH for the receipt and use
30 by the SGCHD, and to do all things necessary to carry out the grant, including the
31 execution of contracts, provided the form of the contract is approved by the City
32 Manager’s and the City Attorney’s respective offices.
33

EXPLANATION TO COUNCIL BILL NO: 2016- 209

FILED: 08-30-16

ORIGINATING DEPARTMENT: Springfield-Greene County Health Department.

PURPOSE: To apply for a grant from the Missouri Foundation for Health in an amount not to exceed \$1,000,000; to support activities aimed at assessing community mental health as well as an action plan to help the City address the challenges related to mental health issues.

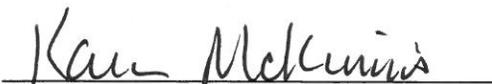
BACKGROUND INFORMATION: A 2016 community health assessment published by the Ozarks Health Commission, identified three community health priorities. These priorities will be addressed jointly by CoxHealth, Mercy and the Springfield-Greene County Health Department, under their joint Community Health Improvement Plans. This process has been adopted and endorsed by the Healthy Living Alliance (HLA), which is comprised of leaders in the healthcare, government, not-for-profit and business sectors.

One of the identified priorities focuses on mental health. There is a consensus that while mental health is inextricably linked to physical health, we lack understanding as it relates our communities' system capacities, how services are currently delivered and the communities' strengths and weaknesses. Funding from a successful grant application would be utilized to endow a community mental health assessment, an action plan to help our community take the next steps in addressing the myriad of challenges citizens with mental health concerns face with respect to our criminal justice system, our social services delivery system and our business community.

Supports the following Field Guide 2030 goal(s): Chapter 10, Public Health; Major Goal 6, Public health promotion and protection, disease prevention and emergency preparedness: prevent and control disease and illness across the lifespan, and protect the public from infectious, environmental, and bioterrorist hazards; Objective 6c, Promote and encourage preventive health care, including lifelong healthy behaviors and recovery.

REMARKS: Funding for this grant is dependent on the number of grant applications received. There is currently \$1 million available which will be split between 3 to 5 applicants. The Springfield-Greene County Health Department will serve as the fiduciary agent for the grant while working collaboratively with HLA to develop the criteria for the research RFP, select the consultant(s) and develop any ensuing action plans.

Submitted by:



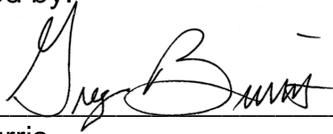
Karen McKinnis, Public Health Resource Manager

Recommended by:



Clay Goddard
Assistant Director of Health

Approved by:



Greg Burris
City Manager



Missouri Foundation
for Health

a catalyst for change



Community Convening Grants

This Request for Applications (RFA) invites organizations in the **MFH region**¹ to apply for planning grants to assist communities in identifying and addressing health issues in their areas.

Background and Goals of the Community Convening Grants

In 2015, Missouri Foundation for Health (MFH) Health Policy area added a new agenda item focusing on grassroots community engagement around health equity. Community Convening Grants is a new funding program driven by this agenda. This program hopes to stimulate health-focused discussions in a limited number of communities with the goal of mobilizing the necessary stakeholders, skills, and

REQUEST FOR APPLICATIONS	
Open Date	July 25, 2016
Close Date	September 12, 2016, 4:00 p.m. CT
Anticipated Award Date	December 1, 2016

resources to form coalitions that will address health issues from a local policy perspective with broad community participation. This funding opportunity will provide the resources to guarantee the conversations are both productive and comprehensive.

Many community groups have activities focused on the well-being of the populace within their area, but no single organization alone has the ability to solve society's most challenging problems. Most organizations face difficulties engaging the entire range of constituents and stakeholders in their communities due to limited resources and distribution of funding. These constraints make it difficult to identify a common vision of needed change to achieve health equity for all residents of a given community. The goal of this funding opportunity is to provide support that facilitates deeply engaged, community-level planning to examine persistent health-related issues and create or improve equitable health policies to be shared with all levels of decision-makers.

Health equity is the opportunity for all people to make the choices that allow them to live a long, healthy life, regardless of their income, education, race, color, religion, national origin, sexual orientation, gender identity or expression, age, or disability status.

¹ For this round of Community Convening Grants, MFH is excluding applicants from St. Louis City and St. Louis County.



This RFA invites communities to respond through a convening organization (defined in the Requirements section below) to apply for a planning grant related to community engagement and health equity. Between three and five communities will be chosen through a competitive proposal process to identify and plan potential interventions for pressing health-related issues in their community through coalition-building, community dialog, and advocating local health policy change.

What is Local Policy Change?

Federal, state, and local laws, ordinances, and rules impact conditions that influence the health of people and the communities in which they live. Addressing the conditions that negatively affect a community's overall health requires the development of policies at all three levels of government. This Community Convening RFA focuses on policy change at the local level.

Examples of local policy change influencing the overall health of a community include but are not limited to:

- Zoning ordinances determine what businesses can be located near residential areas; they also can influence modes of transportation. For instance, in planning for mass transit lines (subway, light rail, and bus routes), accessibility to businesses, and residential areas is strongly considered.
- Public housing standards ensure that safety and public health issues (e.g., lead paint exposure) are addressed.
- The minimum wage law guarantees that people can earn an adequate salary for the work that they perform.
- Clean indoor air laws ensure that employees are not unduly exposed to secondhand tobacco smoke in their places of work.

Changes in laws can improve community health in two ways: 1) by reducing or eliminating unhealthy conditions and/or 2) by promoting activities that support individual and community health efforts to improve the health of a large number of people.

Requirements of the Community Convening Grants Program

Communities are made up of a diverse array of stakeholders including policymakers, faith communities, business and education leaders, social service organizations, and health systems. Communities are also comprised of individuals and families; any community engagement process should include those who are directly impacted by local policies and decisions. Additionally, those who are most at risk under our current health system are disproportionately low income and members of racial, ethnic, and cultural minorities. The work that is supported through MFH must be representative of the community and include those who are the most vulnerable and at risk. In order to ensure these essential components of community engagement are integrated into funded projects, applicants must include the following elements in their proposals.



Required elements for community-funded planning project:

1. Convening organization to respond to this RFA
2. Community engagement and inclusion
3. Focus on coalition building and stakeholder commitment
4. Selection of a facilitator
5. Coordination with MFH's Community Engagement Technical Assistance (CETA) provider

Following are detailed descriptions of the above required elements. *You will be asked to reference these requirements in your application narrative (see Application Requirements section below).*

1. Convening organization

The convening organization will be the organization that is the official applicant to this MFH funding opportunity. It is expected that this organization will have initial buy-in and support from other organizations and sectors within the community (shown through letters of support). Key responsibilities of the convening organization are to:

- Engage partnering organizations and other stakeholders by making it as easy as possible for them to be actively involved and ensuring the necessary incentives are in place to make this worth the partners' time and effort
- Ensure the provision of administrative support, coordination, and infrastructure for the planning, formation, or continued strengthening of the coalition (positions providing this support should be delineated with specific job descriptions and may be staffed from within the organization or subcontracted)
- Ensure that the coalition stays focused and proceeds with action planning by supporting the selection and compensation of a facilitator (see Requirement 4 below)
- Assist in an annual cross-community convening of all MFH-funded planning projects in this program

It is important to note that the convener **must**:

- A. Be unbiased toward specific partners or strategies
- B. Equitably distribute grant resources within the coalition based on roles needed to accomplish the work
- C. Be willing to navigate the many challenges that come with such a role
- D. Be aware of the potential for multiple leadership roles outside the convening organization

2. Community engagement and inclusion

Community engagement is a collaborative process through which communities work together to solve recognized problems. However, community organizations and coalitions tend to limit their outreach and partners to agencies they are comfortable or familiar with. The Community Convening Grants program



emphasizes inclusion of non-traditional partners to deepen a coalition's reach and further improve community health.

Additionally, projects should connect with and include residents of the community who are not only impacted by partnership planning, but can represent the interests of those affected by health policy issues. Any such representation in current collaborations or community discussions should be noted in the application (see Requirement 3 below).

Important note: The full range of partnerships discussed above does not need to be in place at the time of application to this grant. Funded communities will receive technical assistance to facilitate the deeper community engagement and alignment of non-traditional partners (refer to section on Community Engagement Technical Assistance, Requirement 5 below).

3. Focus on coalition building and stakeholder commitment

As community coalitions develop and plan their projects around local health equity and policy issues, the continued investment, participation, and cohesiveness of the partners must be continually fostered and nourished. To demonstrate how the partnership will maintain this focus, applicants must:

- A. Provide a listing of current and potential partners
- B. Describe outreach and communication efforts that did or will occur around this funding opportunity
- C. Provide a reasonable number of letters of support from current and potential collaborators representing as many sectors as possible

4. Selecting a facilitator

An important aspect of the coalition-building process is the designation of a community facilitator (refer to Requirement 5 below). This role is essential to keep the collaborative efforts of community coalitions moving forward in an efficient and equitable manner. The facilitator will work with the technical assistance team to monitor the accountability of partners relative to their levels of contributions—compensated or in-kind.

Based on the roles, responsibilities, and desired skills listed below, applicants must outline in their proposals how they will select a facilitator; that person does not necessarily need to be from the convening organization. He or she must have at least 0.5 FTE designated within the budget. Note: The facilitator does not need to be named or selected before the application is submitted.

Role and responsibilities of the facilitator:

- Work with partner organizations and other relevant stakeholders to focus on coalition objectives and maintain equity in the partnership
- Ensure unbiased interactions toward specific partners or strategies
- Ensure the partnership uses data to inform action planning and monitor equity in the coalition



- Update planning process documents when new data becomes available to inform decisions about what is working or what needs to change
- Assist in the tracking, assessment, and reporting of the coalition-building process and identification of community health issues

Desired facilitator skills:

- A. Effective communication—verbal and written
- B. Evaluation, assessment, and/or database tracking
- C. Familiarity with community health needs assessments or other health indicator reporting
- D. Meeting and workgroup or workshop facilitation
- E. Consensus building, negotiation, and dispute resolution

5. Coordination with MFH’s Community Engagement Technical Assistance (CETA) provider

Coordination of a comprehensive community coalition takes time, and none of the participating organizations has any to spare. The expectation that collaboration can occur without a supporting infrastructure is one of the most frequent reasons why partnerships fail. The CETA component is a unique feature of the Community Convening Grants program and is comprised of a contracted team separate from the participating organizations that will help plan, manage, and support the selected projects. This will occur through ongoing co-facilitation, technology and communications support, data collection and reporting, and handling the myriad logistical and administrative details needed for the overall program to function smoothly. This includes a once-a-year convening of representatives from the chosen projects to build cross-community learning and idea sharing and report on the progress of the community efforts.

Please refer to the list of services provided by the CETA team. Select areas in which you think your coalition may need help with in the future or in meeting any of the required elements of funding.

Budget and Awards

The MFH Health Policy area has set aside \$1,000,000 for grants under the Community Convening Grants program. MFH anticipates making three to five awards under this funding program.

Projects must meet general [MFH funding guidelines](#) regarding eligible and excluded activities.

Eligibility Requirements

The applicant and the majority of the population served must be located in the [MFH region](#). Applicants must meet the general [MFH funding guidelines](#) available on the MFH website.



How to Apply

Applications will be accepted beginning July 25, 2016, and must be received by **Monday, September 12, 2016, at 4:00 p.m. Central Time**. Please plan accordingly and submit your application well before the deadline as MFH cannot accept late applications.

To start a new application, [click here](#).

To return to an application in progress, [click here](#).

For more information on the online application process, [click here](#).

Application Requirements

Applications that do not contain all of the required documentation will not be reviewed unless the applicant has contacted and obtained approval from Missouri Foundation for Health prior to submission to explain why certain documentation is unavailable. Incomplete applications will not be advanced to consideration for funding.

- Online application acknowledgement.** Complete and submit the [one-page acknowledgement form](#). Please note: A handwritten or electronic signature is required.
- Application narrative.** Following the outline below, submit a narrative up to 12 double-spaced pages with 11-point Arial font and one-inch margins. Proposals that do not follow these guidelines will not be considered for funding.

Please refer to the Requirements of the Community Convening Grants Program section above and to the extent possible, address each Requirement in this corresponding narrative outline:

- 1. Community and convening organization description:** Define your community and your role as the convening organization within it. Provide information about initial discussions or current collaborative efforts around health care in your community. Please describe your organization's ability to engage community stakeholders and describe skillsets within the organization to staff the project management, coordination, and administration of coalition planning efforts.

List some areas of concern regarding health care issues that have been discussed in your community. If there is data to back it up, please reference it or include as an attachment (although a full analysis does not have to be included).

- 2. Community engagement and inclusion:** Building on the community description and referring to the Requirements section, discuss any previous engagement or inclusion activities and proposed outreach within the community. If there is minimal activity to report or if there is uncertainty about outreach, it is fully acceptable to state that efforts around community engagement can be enhanced and facilitated by the CETA provider. If previous community engagement efforts have been unsuccessful please describe perceived barriers and/or challenges to these efforts. Explain how technical assistance could help overcome these issues.



3. Focus on coalition building and stakeholder commitment:

- A. Discuss any interactions with current and potential partners (a list may be submitted as an attachment so as not to count against the page limit).
- B. Describe outreach and communication efforts that did or will occur around this funding opportunity.
- C. Provide a reasonable number of letters of support from current and potential collaborators representing as many sectors as possible (these may be submitted as an attachment so as not to count against the page limit).

4. Selecting a facilitator: Based on the roles, responsibilities, and desired skills listed in the Requirements section, applicants must outline in their proposals how they will select a facilitator. Note: The facilitator does not need to be named or selected before the application is submitted.

5. Coordination with MFH's Community Engagement Technical Assistance (CETA) provider: As a virtual member of a community's coalition, the technical assistance team will contribute and facilitate as needs are identified. Please review the list of services and products the CETA can offer and select those that may be applied in your planning and coalition building, [click here](#). This in no way obligates the community to use selected services, rather, it helps gauge what resources may be necessary should the application be funded.

- Budget spreadsheet and narrative.** Submit the [budget spreadsheet and narrative](#) in MFH format that details each line item requested from the Foundation.
- Annual audit report.** Provide the most recent full audit report prepared by a CPA. If the most recent audit report is 15 months old or older, provide the most recent IRS Form 990 or 990-EZ tax return. If the Form 990 submitted with the IRS is 15 months old or older, please submit the most recently filed Form 990 and the request for extension filed with the IRS for the most recent year due. Form 990-N postcard is not acceptable.
- Annual budget.** Provide the current fiscal year's approved expense budget. The budget must show detailed annual expense by type of expense.
- Current income statement, unaudited.** The income statement must have been issued fewer than 75 days prior to the date the application is submitted.
- Current balance sheet, unaudited.** The balance sheet must have been issued fewer than 75 days prior to the date application is submitted

Selection Criteria

Applications meeting the minimum qualifications will be reviewed by a team of MFH staff and external evaluators. Applications will be reviewed on the following sections:

- Community and convening organization description
- Community engagement and inclusion



- Focus on coalition building and stakeholder commitment
- Selecting a facilitator
- Coordination with MFH's Community Engagement Technical Assistance (CETA) provider

Right to Reject

MFH reserves the right to:

- Reject any or all applications submitted
- Request additional information from any or all respondents
- Conduct discussions with respondents to ensure full understanding of and responsiveness to the solicitation requirements
- Negotiate modifications to a respondent's application prior to final award for the purpose of obtaining best and final offers
- Approve subcontractors proposed or used in carrying out the work

Inquiries

If you have questions about the goals or content of this RFA please contact Sarah Morrow, Health Policy Officer, at (314) 345-5536 or smorrow@mffh.org.

Questions related to the budget may be directed to Donna Shoff, Grants Manager, at (314) 345-5557 or dshoff@mffh.org.

For more information on the online application process, [click here](#). If there are additional questions, please contact Jenny Minelli, Program Assistant, at (314) 345-5531 or jminelli@mffh.org.

About Missouri Foundation for Health

Missouri Foundation for Health is a resource for the region, working with communities and nonprofits to generate and accelerate positive changes in health. As a catalyst for change, the Foundation improves the health of Missourians through partnership, experience, knowledge, and funding. To learn more please visit mffh.org.

About MFH's Health Policy Work

To fulfill its mission, MFH must address fundamental problems in the health care system from a public policy perspective. The guiding principle of the Health Policy portfolio is to lead health policy efforts to attain a future in which all Missouri residents have equal access to high quality, affordable, and cost-effective preventive and curative health care. The long-term goal of Health Policy is to attain quality, affordable health care for all Missourians through positive health system change.

Through the Health Policy portfolio, the Foundation supports a variety of work, related to research and education, advocacy capacity building, and policy outreach activities. Projects must align with the Health Policy agenda that is set by the MFH Board of Directors and includes health justice, building the field of advocates with a focus on grassroots efforts, and cross-cutting programmatic/policy issues related to the work of MFH.

One-rdg. _____
P. Hrngs. _____
Pgs. 39 _____
Filed: 08-30-16 _____

Sponsored by: Burnett

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016- 210

SPECIAL ORDINANCE NO. _____

AN ORDINANCE

1 AUTHORIZING the City Manager, or his designee, to enter into an amended
2 Contract of Obligation with the Missouri Department of Natural
3 Resources whereby the City agrees to financially secure the future
4 closure and post-closure care of all currently active and previously
5 completed portions of the City's Sanitary Landfill by adding
6 \$178,304 to its existing Contract of Obligation to account for
7 inflation.
8
9 _____

10 BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD,
11 MISSOURI, as follows:

12
13 Section 1 – The City Manager, or his designee, is hereby authorized to enter
14 into an amended Contract of Obligation with the Missouri Department of Natural
15 Resources (MDNR), by executing an amended agreement substantially similar in form
16 and content to "Exhibit A" attached hereto.

17
18 Section 2 – This ordinance shall be in full force and effect from and after
19 passage.

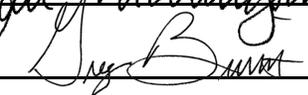
20
21 Passed at meeting: _____

22
23 _____
24 Mayor

25
26 Attest: _____, City Clerk

27
28
29 Filed as Ordinance: _____

30 Approved as to form: , Assistant City Attorney

31
32 Approved for Council action: , City Manager
33

EXPLANATION TO COUNCIL BILL NO: 2016-210

FILED: 08-30-16

ORIGINATING DEPARTMENT: Environmental Services

PURPOSE: To authorize the City Manager, or his designee, on behalf of the City, to enter into an amended Contract of Obligation, "Exhibit A" with the Missouri Department of Natural Resources (MDNR), whereby the City agrees to financially secure the future closure and post-closure care of all currently active and previously completed portions of the City's Sanitary Landfill.

BACKGROUND INFORMATION: In accordance with applicable state and federal solid waste regulations, the City is required to submit and maintain a Financial Assurance Instrument (FAI) acceptable to the MDNR, to secure the future closure and post-closure care of all currently active and previously closed solid waste disposal areas within the City's permitted Sanitary Landfill. The FAI must also be amended periodically to account for the effects of inflation on previously calculated and approved engineering cost estimates for that purpose. State regulations also permit a city or county to submit and amend a Contract of Obligation for this purpose.

On September 28, 2015, the City Council adopted Special Ordinance No. 26634 authorizing the City Manager to enter into an amended Contract of Obligation in the amount of \$12,319,601 to secure the future closure and post-closure care of all currently approved disposal areas of the Sanitary Landfill. The City's Contract of Obligation is secured by a pledge of future city sales tax reserves, if necessary, for this purpose.

For the current year, the Solid Waste Management Division (SWMD) proposes to amend the existing Contract of Obligation by adding \$178,304 to account for the effects of inflation to the end of the second quarter 2016, and for additional minor changes to the City's previously approved engineering cost estimates and FAI/CO.

REMARKS: As presented in the attached letter report, "Exhibit B" from SCS ENGINEERS dated August 4, 2016, the net effect of this proposed amendment will be to increase the City's current liability for landfill closure and post-closure care by \$178,304 to \$12,497,905. These cost estimates have been reviewed and accepted by the staff of the SWMD and the Finance Department. This amended and executed Contract of Obligation is due to be submitted to MDNR by September 28, 2016.

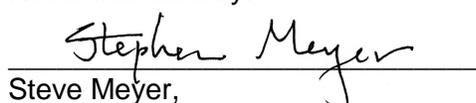
This ordinance supports the following Field Guide 2030 goal(s): Chapter 8, Natural Environment; Major Goal 9, Reduce solid waste and improve recycling within our community.

Submitted by:



Errin Kemper,
Asst. Director of Environmental Services

Recommended by:



Steve Meyer,
Director of Environmental Services

Approved by:



Greg Burris,
City Manager

Exhibit A

CONTRACT OF OBLIGATION

THIS AGREEMENT is made and entered into by and between the City of Springfield, Missouri, hereinafter referred to as City, and the Department of Natural Resources, hereinafter referred to as MoDNR.

WHEREAS, the City has submitted a permit application for the construction, operation and maintenance of a solid waste disposal area to MoDNR pursuant to the requirements of sections 260.200 to 260.345, RSMo, the Missouri Solid Waste Management Law and the rules promulgated thereunder (“Law”); and

WHEREAS, pursuant to the Missouri Solid Waste Management Rules, 10 CSR 80-2.030(4)(D) 7., a municipality or county may execute a “Contract of Obligation” (“CO”) to satisfy the requirements for a Financial Assurance Instrument (“FAI”) in applying for a permit to operate a solid waste disposal area.

NOW THEREFORE, in consideration of the issuance of Permit No. 107703 by MoDNR to the City for the operation of a solid waste disposal area and in consideration of the mutual covenants contained herein, MoDNR and the City hereby agree as follows:

1. The City is hereby bound unto MoDNR in the sum of \$12,497,905 and hereby authorizes the Director of MoDNR, or designee, to collect said sum from any funds being disbursed or to be disbursed by the state of Missouri to the City, upon failure of the City to close and/or provide post-closure care for the solid waste disposal area in accordance with the requirements of the Law, and the approved closure and or post-closure plans.
2. Should MoDNR find that the City has failed to properly close and/or provide post closure care for the solid waste disposal area, MoDNR shall notify the City of such finding and pursuant to 260.235, RSMo, shall afford the opportunity for administrative and judicial review of such findings.
3. The City hereby authorizes the Director of the Department of Revenue and the State Treasurer to withhold from any funds being disbursed or to be disbursed by the state of Missouri to the City, the sum of \$12,497,905 upon receiving notice from the Director of MoDNR of the City’s failure to properly close and/or provide post closure care for the solid waste disposal area.
4. This contract shall terminate upon written notice from MoDNR that the City is released from the requirements for a Financial Assurance Instrument for closure and/or post-closure care, as required by the Law.
5. If the City desires to terminate this contract prior to completing proper closure and/or post-closure for the solid waste disposal area it must:
 - (a) Send a notice of termination in writing, addressed and delivered to the MoDNR, 120 days before the termination will occur; and

- (b) Post with the MoDNR an acceptable alternative Financial Assurance Instrument, as provided for by the Law or by any rules adopted pursuant to the Law within 90 days after the notice of termination is received by MoDNR; and
- (c) Receive a written acknowledgment from MoDNR of receipt by MoDNR of an acceptable alternative Financial Assurance Instrument. If the City does not provide an acceptable alternative Financial Assurance Instrument within the time limit specified above, this contract shall remain in effect until terminated as specified in 4 of this contract.

6. The City has by ordinance, attached hereto as Attachment A, and which by this reference is incorporated herein, and expressly made a part of this agreement authorized the signatory hereof to execute this Contract of Obligation and bind the City to the terms thereof.

7. The effective date of this contract is the date this contract is signed by the Director of the Missouri Department of Natural Resources.

IN WITNESS WHEREOF the parties hereto have set their hands and seals.

CITY OF SPRINGFIELD, MISSOURI

MISSOURI DEPARTMENT OF
NATURAL RESOURCES

BY: _____
City Manager or his/her designee

BY: _____
Director

DATE: _____

DATE: _____

CERTIFICATE OF DIRECTOR OF FINANCE

I certify that the expenditure contemplated by this document is within the purpose of the appropriation to which it is to be charged and that there is an unencumbered balance of appropriated and available funds to pay therefor.

Director of Finance or Acting Director

APPROVED AS TO FORM

City Attorney or Assistant City Attorney

August 4, 2016
File No. 27213331.21

Mr. Erick Roberts
City of Springfield
Solid Waste Division
P.O. Box 8368
Springfield, Missouri 65801

Re: City of Springfield Sanitary Landfill
2016 Closure and Post-Closure Cost Estimate Calculation Update Summary

Dear Mr. Roberts:

This letter provides the revised closure and post-closure cost estimates updated for use in funding the City's financial assurance instrument (FAI) for the Springfield Landfill as required by the Missouri Solid Waste Regulations. In this letter you will find revised Closure and Post-Closure Cost Worksheets for the entire landfill and each individual constructed landfill unit and other supporting documentation for the revised costs. The costs were updated to adjust for inflation since the previous update dated August 11, 2015.

To adjust for inflation, the most recently published Implicit Price Deflator (IPD) for the Gross Domestic Product as determined by the U.S. Department of Commerce was used as required by the Missouri Solid Waste Regulations. The most recently published IPD is for the second quarter of 2016 (IPD = 111.237). The IPD for the first quarter 2004 base year for the inflation calculations was 88.108. A copy of the IPD table is included as an attachment to this letter. The revised cost estimates are as follows.

Closure & Post-Closure Cost Estimate – Entire Constructed Landfill

Closure Cost Estimate (Noble Hill/Cell 1, North Ravine, Compound Area, South Ravine Phase 1, Cell 2 Phase 1)	\$ 8,229,286
Post-Closure Cost Estimate	<u>\$ 4,268,619</u>
Total Closure/Post-Closure Cost Estimate (2nd Quarter 2016)	\$12,497,905

Closure & Post-Closure Cost Estimate – Noble Hill / Cell 1

Closure Cost Estimate	\$ 5,913,405
Post-Closure Cost Estimate	<u>\$ 3,610,303</u>
Total Closure/Post-Closure Cost Estimate (2nd Quarter 2016)	\$ 9,523,708

Closure & Post-Closure Cost Estimate – North Ravine Cell

Closure Cost Estimate	\$ 483,768
Post-Closure Cost Estimate	<u>\$ 145,304</u>
Total Closure/Post-Closure Cost Estimate (2nd Quarter 2016)	\$ 629,072

Closure & Post-Closure Cost Estimate – Compound Area Cell

Closure Cost Estimate	\$ 434,404
Post-Closure Cost Estimate	<u>\$ 130,477</u>
Total Closure/Post-Closure Cost Estimate (2nd Quarter 2016)	\$ 564,881

Closure & Post-Closure Cost Estimate – South Ravine Phase 1

Closure Cost Estimate	\$ 679,103
Post-Closure Cost Estimate	<u>\$ 180,889</u>
Total Closure/Post-Closure Cost Estimate (2nd Quarter 2016)	\$ 859,992

Closure & Post-Closure Cost Estimate – Cell 2 Phase 1

Closure Cost Estimate	\$ 718,606
Post-Closure Cost Estimate	<u>\$ 201,646</u>
Total Closure/Post-Closure Cost Estimate (2nd Quarter 2016)	\$ 920,252

Based on the above information, the City's FAI should be adjusted to reflect the revised closure and post-closure cost estimate total. The August 2015 approved cost estimate was \$12,319,601; therefore, the new FAI total must be increased by \$178,304 to \$12,497,905. Copies of the MDNR closure and post-closure cost estimate worksheets for the entire landfill and each individual unit are attached along with a spreadsheet summary of the inflation calculations.

A table depicting the incremental closure and post-closure cost estimates and the remaining waste volume for each constructed landfill cell is also attached to this letter. The remaining waste volume for each cell as of July 8, 2016 is based on volumetric calculations prepared by SCS Engineers. These volumetric calculations were performed utilizing quarterly survey data obtained from the active constructed landfill areas and the facility permit drawings.

SCS Engineers appreciates the opportunity to continue providing solid waste engineering services for the City. Should you have any questions or would like more information, please do not hesitate to call us at (913) 681-0030.

Sincerely,



Nathan Hamm, P.E.
Vice President
SCS ENGINEERS



Doug Doerr, P.E.
Senior Vice President
SCS ENGINEERS

nah/dld

cc: Doug Durrington

Attachments – CPC Summary Table and Inflation Calculations
CPC Cost Estimate Worksheets
Implicit Price Deflator Table
Soil Usage Estimate Calculations

Incremental Closure and Post-Closure Cost Estimate Summary Table



Incremental Closure/Post-Closure Cost Estimate Summary
August 2016 Update
City of Springfield Sanitary Landfill

Phase	Landfill Development Area (ac)	Remaining Waste Volume (CY)	Waste Capacity (tons)	Closure Cost	Post-Closure Cost	Total Closure and Post-Closure Costs
Noble Hill/Cell 1	119.8	34,427	20,656	\$5,913,405	\$3,610,303	\$9,523,708
North Ravine	4.9	34,428	20,657	\$483,768	\$145,304	\$629,072
Compound Area	4.4	136,758	82,055	\$434,404	\$130,477	\$564,881
South Ravine Phase 1	6.1	0	0	\$679,103	\$180,889	\$859,992
Cell 2 Phase 1	6.8	974,100	584,460	\$718,606	\$201,646	\$920,252
South Ravine Phase 2	7.0					
South Ravine Phase 3	8.0					
Cell 2 Phase 2	14.0					
Totals	171.0	1,179,713	707,828	\$8,229,286	\$4,268,619	\$12,497,905

Notes:

1. Landfill development area reflects area of bottom liner constructed or to be constructed. South Ravine northern boundary based on October 2000 MDNR approved permit drawings.
2. Remaining waste volume for Noble Hill/Cell 1, North Ravine, Compound Cell, South Ravine Phase 1, and Cell 2 Phase 1 based on 2nd quarter 2016 volume calculations by SCS Engineers (through July 8, 2016).
3. Remaining waste capacity in tons based on 1,200 lb/cy waste density.
4. Closure and post-closure costs are based on the MDNR worksheets MO 780-1882 (4-04).
5. Inseparable post-closure costs allocated to phases based on percentage of total constructed area.
6. Costs are in 2nd quarter 2016 dollars.

**Closure and Post-Closure Cost Estimates
City of Springfield Sanitary Landfill
August 2016**

1st quarter 2004 Implicit Price Deflator (IPD)	88.108
2nd quarter 2016 IPD	111.237
Inflation Factor (2016 IPD/2004 IPD)	1.2625

Entire Landfill	
2016 Closure Cost (in 2004\$)	\$6,518,209
2016 Post Closure Cost (in 2004\$)	\$3,381,064
2016 Total Closure/Post-Closure Costs (in 2004\$)	<u>\$9,899,273</u>
2016 Closure Cost (in 2nd qtr 2016\$)	\$8,229,286
2016 Post Closure Cost (in 2nd qtr 2016\$)	\$4,268,619
2016 Total Closure/Post-Closure Costs (in 2nd qtr 2016\$)	\$12,497,905

Noble Hill / Cell 1	
2016 Closure Cost (in 2004\$)	\$4,683,858
2016 Post Closure Cost (in 2004\$)	\$2,859,629
2016 Total Closure/Post-Closure Costs (in 2004\$)	<u>\$7,543,487</u>
2016 Closure Cost (in 2nd qtr 2016\$)	\$5,913,405
2016 Post Closure Cost (in 2nd qtr 2016\$)	\$3,610,303
2016 Total Closure/Post-Closure Costs (in 2nd qtr 2016\$)	\$9,523,708

North Ravine Cell	
2016 Closure Cost (in 2004\$)	\$383,180
2016 Post Closure Cost (in 2004\$)	\$115,092
2016 Total Closure/Post-Closure Costs (in 2004\$)	<u>\$498,272</u>
2016 Closure Cost (in 2nd qtr 2016\$)	\$483,768
2016 Post Closure Cost (in 2nd qtr 2016\$)	\$145,304
2016 Total Closure/Post-Closure Costs (in 2nd qtr 2016\$)	\$629,072

Compound Area Cell	
2016 Closure Cost (in 2004\$)	\$344,080
2016 Post Closure Cost (in 2004\$)	\$103,348
2016 Total Closure/Post-Closure Costs (in 2004\$)	<u>\$447,428</u>
2016 Closure Cost (in 2nd qtr 2016\$)	\$434,404
2016 Post Closure Cost (in 2nd qtr 2016\$)	\$130,477
2016 Total Closure/Post-Closure Costs (in 2nd qtr 2016\$)	\$564,881

South Ravine Phase I	
2016 Closure Cost (in 2004\$)	\$537,901
2016 Post Closure Cost (in 2004\$)	\$143,277
2016 Total Closure/Post-Closure Costs (in 2004\$)	<u>\$681,178</u>
2016 Closure Cost (in 2nd qtr 2016\$)	\$679,103
2016 Post Closure Cost (in 2nd qtr 2016\$)	\$180,889
2016 Total Closure/Post-Closure Costs (in 2nd qtr 2016\$)	\$859,992

Cell 2 Phase I	
2016 Closure Cost (in 2004\$)	\$569,190
2016 Post Closure Cost (in 2004\$)	\$159,719
2016 Total Closure/Post-Closure Costs (in 2004\$)	<u>\$728,909</u>
2016 Closure Cost (in 2nd qtr 2016\$)	\$718,606
2016 Post Closure Cost (in 2nd qtr 2016\$)	\$201,646
2016 Total Closure/Post-Closure Costs (in 2nd qtr 2016\$)	\$920,252

Closure and Post-Closure Cost Estimate Worksheets



Entire Landfill Closure and Post-Closure Cost Worksheets





MISSOURI DEPARTMENT OF NATURAL RESOURCES
 SOLID WASTE MANAGEMENT PROGRAM
CLOSURE AND POST-CLOSURE COST WORKSHEET

This worksheet is only required for those facilities that accept waste after Jan. 1, 2004. Others may use the worksheet if they choose.

DATE	NAME OF FACILITY	PERMIT NUMBER
------	------------------	---------------

Total permitted acreage (including undeveloped areas)		Total acreage with waste in place (including officially closed areas)		Total acreage with official closure approval	
SUBTITLE D	NON-SUBTITLE D	SUBTITLE D	NON-SUBTITLE D	SUBTITLE D	NON-SUBTITLE D

1. HOW MANY ACRES IS THIS FINANCIAL ASSURANCE INSTRUMENT (FAI) INTENDED FOR?
 _____ acres for closure _____ acres for post-closure

2. DESCRIPTION OF AREA (CELL NUMBER, ETC.)

3. WHAT IS THE APPROVED FINAL COVER SYSTEM DESIGN?
 Subtitle D: one foot of compacted clay overlain with a geomembrane, a drainage layer and two feet of vegetative soil.
 Standard soil cover: two feet of compacted clay overlain with one foot of vegetative soil.
 (If your facility has both subtitle D and non-subtitle D areas, separate worksheets are advisable for these areas to avoid confusion.)

4. HAS AN EASEMENT BEEN GRANTED TO THE MISSOURI DEPARTMENT OF NATURAL RESOURCES FOR ACCESS TO AND USE OF THE BORROW MATERIAL FOR CAP CONSTRUCTION?
 YES NO

5. WHAT IS THE AVERAGE ROUND-TRIP DISTANCE FROM THE LANDFILL (OR PHASE) TO THE BORROW AREA? ROUND TRIP DISTANCE SHOULD BE TO THE NEAREST 1/2 MILE IF LESS THAN FIVE MILES. IF MORE THAN FIVE MILES, ROUND TRIP DISTANCE SHOULD BE TO THE NEAREST MILE. IF THE DEPARTMENT DOES NOT HAVE AN EASEMENT TO THE BORROW AREA, THE ROUND TRIP HAUL DISTANCE IS ASSUMED TO BE 10 MILES.
 _____ miles

6. WHAT IS THE APPROXIMATE VOLUME OF SOIL REMAINING IN THE BORROW AREA?
 _____ clay (cubic yards) _____ vegetative soil (cubic yards)

7. WHAT IS THE APPROVED GAS CONTROL SYSTEM DESIGN?
 Active extraction system Passive venting system No gas control system

If you have an active extraction system, check the appropriate box
 a. Required to control gas migration c. Required by other agency (city, county, etc.)
 b. Required under NSPS d. Specified only by design engineer

If you check box "d", is any part of the active gas system constructed at this time?
 Yes No If yes, please provide a general description of the portion(s) of the system that have been installed.

Note: Owners of Subtitle D facilities must provide a closure financial assurance instrument for either an active extraction system or a passive venting system. You must provide a closure FAI for an active system only when you are: 1) Required to install the system by MoDNR to control off-site gas migration, or 2) Required to install the system under the Federal New Source Performance Standards (NSPS), or 3) Required to install the system by another regulatory agency (city, county, etc.)

If you own a Subtitle D facility and meet any of the conditions, complete Form A. If you own a Subtitle D facility and do not meet any of these conditions, you are only required to provide a closure FAI for a passive venting system. Complete Form B. If you own a non-Subtitle D facility (with a soil cap), you are not required to provide a closure FAI for a gas control system at all unless you also meet at least one of the above conditions. If you have installed any portion of an active gas control system, you must provide post-closure maintenance funds for the portion of the system that has been constructed. Do this by checking the appropriate box on the post-closure cost worksheet and adding that amount to the total.

8. HOW MANY GROUNDWATER MONITORING WELLS DO YOU HAVE?

_____ wells

9. LIST THE PRIMARY AND SECONDARY WASTEWATER TREATMENT PLANTS USED FOR LEACHATE DISPOSAL, AND THE COST OF DISPOSAL.

_____ (Primary plant) \$ _____ per gallon _____ (Secondary plant) \$ _____ per gallon

Check if the facility discharges directly to a wastewater treatment plant.

10. WHAT IS THE ESTIMATED POST-CLOSURE LEACHATE GENERATION RATE AND HOW WAS IT DERIVED?

_____ (gal/acre/day) HELP model Other (explain)

CLOSURE COSTS

FINAL COVER SYSTEM

Subtitle D (composite cover) _____ acres x \$ $\frac{\text{_____}}{\text{(FROM TABLE 1)}}$ per acre = \$ _____

Non-Subtitle D (soil cover) _____ acres x \$ $\frac{\text{_____}}{\text{(FROM TABLE 1)}}$ per acre = \$ _____

GAS CONTROL SYSTEM

Active extraction system (Complete Form A and write the amount in the right column). \$ _____

Passive gas venting system (Complete Form B and write the amount in the right column). \$ _____

Note: Owners are not required to provide an FAI for an **active** gas system unless required to install the system for one of the reasons listed under section 7 of this worksheet. However, owners of Subtitle D landfills are required to provide an FAI for a **passive** gas system if they do not provide one for an active system.

OTHER CRITICAL DESIGN FEATURES

Include total cost for construction of other critical design features. Attach separate sheet(s) for cost calculations. \$ _____

TOTAL CLOSURE COST (sum of all lines) \$ _____

POST-CLOSURE COSTS

INSEPARABLE ANNUAL COSTS

Annual landfill inspection and reporting		\$	1,000
Gas monitoring and reporting		\$	4,450
Annual groundwater sampling and analysis cost	_____ wells x \$2,000 =	\$	_____
Annual groundwater monitoring system maintenance and statistics cost.		\$	13,700
<input type="checkbox"/> Leachate system maintenance (Check if applicable and write this amount in space provided)	\$3,100	\$	_____
<input type="checkbox"/> Leachate testing (Check if applicable and write this amount in space provided)	\$2,250	\$	_____
<input type="checkbox"/> Active gas extraction system maintenance and utilities (Check if applicable and write this amount in space provided)	\$17,600	\$	_____
<input type="checkbox"/> Passive gas system maintenance (Check if applicable and write this amount in space provided)	\$1,600	\$	_____

SEPARABLE ANNUAL COSTS

Cap repair and maintenance	_____ acres x _____ <small>(FROM TABLE 1)</small>	=	\$ _____
<input type="checkbox"/> Leachate treatment (check if applicable)	_____ acres x _____ <small>(GAL/ACRE/YEAR)</small>	x _____ <small>(COST PER GAL)</small>	= \$ _____
<input type="checkbox"/> Leachate hauling (check if applicable)	_____ acres x _____ <small>(GAL/ACRE/YEAR)</small>	x \$0.05 =	\$ _____

ANNUAL COSTS FOR OTHER CRITICAL DESIGN FEATURES

Include total annual cost for maintenance of other critical design features. Attach separate sheet(s) for cost calculations. \$ _____

TOTAL ANNUAL POST-CLOSURE COST

Sum of all annual post-closure costs \$ _____

TOTAL POST-CLOSURE COST

Annual post-closure costs x 30 years \$ _____



MISSOURI DEPARTMENT OF NATURAL RESOURCES
SOLID WASTE MANAGEMENT PROGRAM
FORM B – PASSIVE GAS SYSTEM WORKSHEET

Complete this form only if you own a Subtitle D facility and did not check boxes 7a, 7b, or 7c of the Closure and Post-Closure Cost Worksheet. If you are permitted to install an active system, but checked box 7d (voluntary active system), the number and depths of vents should be the same as the number and depths of wells in the active system.

GAS VENT INSTALLATION

1. DRILLING, CASING, SCREEN

_____ # vents x _____ ft x \$79 / ft = \$ _____
(AVG. DEPTH)

2. VENT SEALS

_____ # vents x \$346 each = \$ _____

3. TOTAL VENT SYSTEM INSTALLATION COST

(sum lines 1 and 2) \$ _____

PROFESSIONAL SERVICES

4. DESIGN ENGINEER

Total from line 3 x 6% = \$ _____

5. FIELD SERVICES

Total from line 3 x 3.7% = \$ _____

6. FINAL REPORT

\$ 1,200

7. TOTAL PROFESSIONAL SERVICES

(sum of lines 4, 5 and 6) \$ _____

TOTAL GAS VENT SYSTEM COST

(sum of lines 3 and 7) \$ _____

Individual Landfill Unit Closure Cost Worksheets



CLOSURE COSTS

Noble Hill / Cell 1

Final Cover System

<input type="checkbox"/>	Subtitle D (composite) cover	<u>0</u>	acres x	\$ <u>78,200</u> (from Table 1)	per acre =	<u>\$0</u>
<input checked="" type="checkbox"/>	Non-Subtitle D (soil) cover	<u>106.9</u>	acres x	\$ <u>\$43,590</u> (from Table 2)	per acre =	<u>\$4,659,771</u>

Gas Control System

Note: Owners are not required to provide an FAI for an **active** gas system unless you are required to install the system for one of the reasons listed on page two of this worksheet. However, all owners of Subtitle D landfills are required to provide an FAI for a passive gas system if they do not provide one for an active system.

<input checked="" type="checkbox"/>	Active gas extraction system (Complete Form A and write the amount in the blank at right)	<u>\$0</u> Installed
<input type="checkbox"/>	Passive gas venting system (Complete Form B and write the amount in the blank at right)	<u> </u>

Other Critical Design Features

Include total cost for construction of other critical design features (attach separate sheet(s) for cost calculations)	Storm water structures	<u>\$24,087</u> (in 2004\$)
---	------------------------	-----------------------------

TOTAL CLOSURE COST (sum of all lines) \$4,683,858

Complete this form only if you own a Subtitle D facility and did not check boxes 7a, 7b, and 7c on page 2 of this worksheet.
 If you are permitted to install an active system, but checked box 7d (voluntary active system), the number and depths of vents should be the same as the number and depths of wells in the active system.

GAS VENT INSTALLATION

1	Drilling, casing, screen	<u>7</u> # vents x	<u>94</u> avg. depth x	\$79	=	<u>\$51,982</u>	
2	Vent seals	<u>7</u> # vents x		\$346	=	<u>\$2,422</u>	
3	TOTAL INSTALLATION COST (sum 1 and 2)						<u>\$54,404</u>

PROFESSIONAL SERVICES

4	Design Engineer	<u>\$54,404</u> Total Installation costs x		6%	=	<u>\$3,264</u>	
5	Field services	<u>\$54,404</u> Total Installation costs x		3.7%	=	<u>\$2,013</u>	
6	Final report			\$		1,200.00	
7	TOTAL PROFESSIONAL SERVICES (sum 4, 5, and 6)						<u>\$6,477</u>

TOTAL PASSIVE GAS SYSTEM COST (sum 3 and 7) \$60,881

Complete this form only if you own a Subtitle D facility and did not check boxes 7a, 7b, and 7c on page 2 of this worksheet.

If you are permitted to install an active system, but checked box 7d (voluntary active system), the number and depths of vents should be the same as the number and depths of wells in the active system.

GAS VENT INSTALLATION

1	Drilling, casing, screen	<u>5</u> # vents x <u>82</u> avg. depth x	\$79	=	<u>\$32,390</u>
2	Vent seals	<u>5</u> # vents x	\$346	=	<u>\$1,730</u>
3	TOTAL INSTALLATION COST (sum 1 and 2)				<u>\$34,120</u>

PROFESSIONAL SERVICES

4	Design Engineer	<u>\$34,120</u> Total Installation costs x	6%	=	<u>\$2,047</u>
5	Field services	<u>\$34,120</u> Total Installation costs x	3.7%	=	<u>\$1,262</u>
6	Final report		\$	-	**Included in South Ravine P I
7	TOTAL PROFESSIONAL SERVICES (sum 4, 5, and 6)				<u>\$3,310</u>

TOTAL PASSIVE GAS SYSTEM COST (sum 3 and 7)

\$37,430

Individual Landfill Unit Post-Closure Cost Worksheets



INSEPARABLE COSTS

Inseparable Costs All Areas

Annual landfill inspection and reporting						\$1,000
Gas monitoring and reporting						\$4,450
Annual groundwater sampling and analysis cost	<u>14</u>	wells	x	\$ 2,000.00	=	<u>\$28,000</u>
Annual groundwater monitoring system maintenance and statistics costs						\$13,700
<input checked="" type="checkbox"/> Leachate system maintenance (Check if applicable and write this amount in space provided)				\$ 3,100.00		<u>\$3,100</u>
<input checked="" type="checkbox"/> Leachate testing (check if applicable) (Check if applicable and write this amount in space provided)				\$ 2,250.00		<u>\$2,250</u>
<input checked="" type="checkbox"/> Active gas extraction system maintenance and utilities (Check if applicable and write this amount in space provided)				\$ 17,600.00		<u>\$17,600</u>
<input checked="" type="checkbox"/> Passive gas system maintenance (check if applicable) (Check if applicable and write this amount in space provided)				\$ 1,600.00		<u>\$1,600</u>

SEPARABLE COSTS

Cap repair and maintenance	<u>0</u>	acres	x	\$ 278.00	=	<u>\$0</u>		
				(from Table 3)				
<input type="checkbox"/> Leachate treatment (check if applica	<u>0.0</u>	acres	x	<u>4.75</u>	x	<u>\$0.00140</u>	=	<u>\$0.00</u>
				gal / acre / year		cost per gal		
<input type="checkbox"/> Leachate hauling (check if applicabl	<u>0.0</u>	acres	x	<u>4.75</u>	x	<u>\$0.0000</u>	=	<u>\$0.00</u>
				gal / acre / year		cost per gal		
<input type="checkbox"/>							=	<u>\$0</u>

Other Critical Design Features

Include annual cost for maintenance of critical design features
(attach separate sheet(s) for cost calculations)

\$0

TOTAL ANNUAL POST-CLOSURE COST (2004 dollars) \$71,700

TOTAL POST-CLOSURE COSTS (Total annual cost X 30 years) (2004 dollars) \$2,151,000

SEPARABLE ANNUAL COSTS

Noble Hill / Cell 1

Cap repair and maintenance 119.8 acres x $\frac{\$ 278.00}{\text{(from Table 3)}}$ = \$33,304

Leachate treatment (check if applicable) acres x $\frac{4.75}{\text{gal / acre / year}}$ x $\frac{\$0.00140}{\text{cost per gal}}$ = \$0.00

Leachate hauling (check if applicable) 0.0 acres x $\frac{4.75}{\text{gal / acre / year}}$ x $\frac{\$0.0000}{\text{cost per gal}}$ = \$0.00

Leachate disposal cost for standard soil cover area (Noble Hill) (1,090,000 gallons/yr @ \$0.0014/gallon) \$1,526

Other Critical Design Features

Include annual cost for maintenance of critical design features \$0
 (attach separate sheet(s) for cost calculations)

TOTAL ANNUAL POST-CLOSURE COST (2004 dollars)

\$34,830

TOTAL POST-CLOSURE COSTS (Total annual cost X 30 years) (2004 dollars)

\$1,044,912

Implicit Price Deflator Table



Table 1.1.9. Implicit Price Deflators for Gross Domestic Product

[Index numbers, 2009=100] Seasonally adjusted

Last Revised on: July 29, 2016 - Next Release Date August 26, 2016

Line		2004	2004	2004	2004	2005	2005	2005	2005	2006	2006	2006	2006
		I	II	III	IV	I	II	III	IV	I	II	III	IV
1	Gross domestic product	88.108	88.875	89.422	90.049	90.883	91.543	92.399	93.100	93.832	94.587	95.247	95.580
2	Personal consumption expenditures	88.791	89.415	89.935	90.645	91.114	91.720	92.726	93.452	93.885	94.609	95.286	95.122
3	Goods	94.314	94.844	94.917	96.022	95.851	96.210	97.808	97.909	97.845	98.607	99.181	97.485
4	Durable goods	109.212	109.111	108.279	108.429	108.211	108.076	107.315	107.082	106.657	106.190	105.743	105.096
5	Nondurable goods	86.948	87.770	88.273	89.834	89.681	90.278	93.051	93.313	93.424	94.793	95.876	93.665
6	Services	86.051	86.719	87.460	87.974	88.762	89.493	90.204	91.241	91.924	92.630	93.359	93.971
7	Gross private domestic investment	89.258	90.350	91.018	91.899	92.899	93.881	95.085	96.305	97.326	97.868	98.416	99.195
8	Fixed investment	89.155	90.114	90.980	91.841	92.844	93.833	95.036	96.249	97.206	97.864	98.405	99.225
9	Nonresidential	90.375	90.934	91.315	91.883	92.782	93.500	94.036	94.956	95.616	96.161	96.787	97.645
10	Structures	70.124	71.715	73.683	75.919	78.184	80.278	83.205	86.568	88.852	91.109	92.802	95.269
11	Equipment	98.238	98.577	98.300	98.326	98.811	98.943	98.449	98.373	98.245	98.027	98.325	98.667
12	Intellectual property products	95.149	95.109	95.109	95.070	95.437	95.899	96.062	96.534	97.084	97.402	97.612	97.909
13	Residential	88.901	90.675	92.507	93.963	95.181	96.723	99.281	101.136	102.776	103.730	104.106	104.845
14	Change in private inventories	---	---	---	---	---	---	---	---	---	---	---	---
15	Net exports of goods and services	---											
16	Exports	89.399	90.661	91.191	92.070	93.757	94.374	95.046	95.646	96.344	97.658	98.972	98.875
17	Goods	90.661	92.191	92.593	93.485	94.465	95.194	95.751	96.413	96.944	98.464	99.869	99.970
18	Services	86.659	87.307	88.137	88.994	92.310	92.673	93.627	94.081	95.186	96.005	97.104	96.540
19	Imports	86.439	87.570	88.819	90.889	91.451	92.471	94.686	96.483	96.673	97.710	98.726	97.525
20	Goods	86.448	87.945	89.010	91.203	91.859	93.158	95.532	97.639	97.677	98.734	99.829	98.398
21	Services	87.652	86.908	89.126	90.577	90.661	90.219	91.637	91.813	92.810	93.759	94.373	94.336
22	Government consumption expenditures and gross investment	82.432	83.403	84.440	85.506	86.786	87.611	88.757	89.776	90.842	91.849	92.508	93.128
23	Federal	86.997	87.538	87.988	88.404	90.620	91.098	91.846	92.219	93.996	94.423	94.555	94.814
24	National defense	86.578	87.143	87.611	88.129	90.543	91.032	91.799	92.198	94.181	94.612	94.735	94.996
25	Nondefense	87.736	88.232	88.650	88.882	90.745	91.203	91.915	92.238	93.650	94.071	94.218	94.473
26	State and local	79.770	80.980	82.349	83.785	84.526	85.550	86.925	88.318	88.969	90.316	91.282	92.116
Addendum:													
27	Gross national product	88.083	88.850	89.398	90.026	90.861	91.520	92.378	93.080	93.810	94.565	95.224	95.557

Table 1.1.9. Implicit Price Deflators for Gross Domestic Product

[Index numbers, 2009=100] Seasonally adjusted

Last Revised on: July 29, 2016 - Next Release Date August 26, 2016

Line		2007	2007	2007	2007	2008	2008	2008	2008	2009	2009	2009	2009	2010	2010
		I	II	III	IV	I	II	III	IV	I	II	III	IV	I	II
1	Gross domestic product	96.654	97.194	97.531	97.956	98.516	98.995	99.673	99.815	100.062	99.895	99.873	100.169	100.522	100.968
2	Personal consumption expenditures	96.008	96.771	97.319	98.296	99.139	100.177	101.197	99.746	99.182	99.626	100.253	100.936	101.279	101.393
3	Goods	98.175	99.253	99.474	100.698	101.718	102.927	104.662	100.064	98.374	99.416	100.684	101.503	101.783	101.143
4	Durable goods	104.573	104.102	103.414	102.994	102.657	101.863	101.581	100.831	100.338	100.219	99.550	99.915	99.525	98.921
5	Nondurable goods	94.967	96.827	97.505	99.560	101.248	103.442	106.159	99.717	97.467	99.041	101.224	102.261	102.863	102.209
6	Services	94.957	95.560	96.274	97.125	97.878	98.831	99.501	99.579	99.561	99.727	100.048	100.664	101.035	101.515
7	Gross private domestic investment	99.836	99.896	100.004	100.207	100.379	100.835	101.335	102.423	101.779	100.293	98.987	98.896	98.839	98.857
8	Fixed investment	99.842	99.997	100.023	100.093	100.318	100.552	101.259	101.965	101.364	100.142	99.198	99.235	98.977	99.022
9	Nonresidential	98.290	98.610	98.648	98.736	99.175	99.606	100.741	101.981	101.423	100.215	99.209	99.075	98.721	98.947
10	Structures	96.470	96.947	97.827	99.061	100.225	101.113	102.878	104.874	103.580	100.419	97.666	97.518	97.980	98.554
11	Equipment	98.959	99.100	98.521	97.842	97.724	97.746	98.896	100.765	100.777	100.439	99.883	98.910	97.860	97.809
12	Intellectual property products	98.641	99.107	99.362	99.599	100.225	100.840	101.318	100.927	100.314	99.739	99.564	100.381	100.293	100.635
13	Residential	105.368	105.071	105.090	105.161	104.726	104.279	103.355	101.919	101.121	99.829	99.147	99.879	100.033	99.331
14	Change in private inventories	---	---	---	---	---	---	---	---	---	---	---	---	---	---
15	Net exports of goods and services	---	---	---	---	---	---	---	---	---	---	---	---	---	---
16	Exports	99.546	100.583	101.319	102.839	104.412	107.287	108.916	102.389	98.968	98.920	100.194	101.746	102.638	103.773
17	Goods	100.540	101.731	102.340	104.010	105.669	109.298	110.842	102.596	98.487	99.036	100.312	101.932	102.979	104.348
18	Services	97.451	98.140	99.169	100.359	101.742	102.862	104.664	101.987	99.954	98.685	99.943	101.357	101.940	102.578
19	Imports	97.891	99.522	101.305	105.419	108.881	114.506	117.626	105.094	96.310	97.836	101.265	104.339	105.904	105.387
20	Goods	98.847	100.567	102.373	107.032	111.032	117.209	120.698	106.077	95.622	97.569	101.507	104.966	106.928	106.311
21	Services	94.284	95.486	97.184	98.671	99.597	102.664	104.107	100.896	99.083	98.895	100.271	101.726	101.552	101.455
22	Government consumption expenditures and gross investment	94.897	95.715	96.458	97.465	99.046	100.282	101.317	100.455	99.830	99.693	99.984	100.488	101.667	102.423
23	Federal	96.566	97.161	97.461	98.055	99.602	100.422	100.936	100.158	100.179	99.652	99.811	100.361	101.715	102.446
24	National defense	96.733	97.339	97.707	98.466	100.003	101.036	101.590	100.574	100.361	99.616	99.742	100.296	101.670	102.261
25	Nondefense	96.254	96.829	97.004	97.294	98.857	99.287	99.727	99.400	99.849	99.719	99.941	100.484	101.804	102.785
26	State and local	93.896	94.844	95.849	97.104	98.706	100.198	101.560	100.644	99.608	99.721	100.098	100.572	101.634	102.406
Addendum:															
27	Gross national product	96.631	97.172	97.510	97.939	98.502	98.989	99.674	99.805	100.056	99.893	99.876	100.174	100.640	101.078

Bureau of Economic Analysis
Table 1.1.9. Implicit Price Deflators for Gross Domestic Product
[Index numbers, 2009=100] Seasonally adjusted
Last Revised on: July 29, 2016 - Next Release Date August 26, 2016

Line		2010	2010	2011	2011	2011	2011	2012	2012	2012	2012	2013	2013	2013	2013
		III	IV	I	II	III	IV	I	II	III	IV	I	II	III	IV
1	Gross domestic product	101.429	101.949	102.399	103.145	103.768	103.917	104.466	104.943	105.508	105.935	106.349	106.570	107.084	107.636
2	Personal consumption expenditures	101.693	102.233	102.999	104.041	104.593	104.954	105.561	105.884	106.231	106.803	107.183	107.227	107.623	108.086
3	Goods	101.304	102.305	103.792	105.582	106.094	106.177	106.732	106.516	106.581	106.973	106.829	105.824	105.914	105.904
4	Durable goods	98.293	97.817	97.680	98.071	97.843	97.320	97.112	96.685	96.131	95.757	95.470	94.883	94.267	93.766
5	Nondurable goods	102.755	104.485	106.782	109.270	110.154	110.551	111.511	111.412	111.813	112.624	112.559	111.324	111.815	112.087
6	Services	101.884	102.198	102.607	103.278	103.851	104.351	104.984	105.578	106.066	106.729	107.377	107.966	108.519	109.230
7	Gross private domestic investment	99.033	99.553	99.884	100.213	100.641	100.903	101.284	101.833	101.930	102.402	102.931	103.257	103.540	103.959
8	Fixed investment	99.138	99.569	99.941	100.442	100.704	100.962	101.482	101.905	102.309	102.535	102.872	103.380	103.902	104.498
9	Nonresidential	99.092	99.492	99.897	100.428	100.744	101.052	101.723	102.153	102.462	102.516	102.568	102.876	103.185	103.448
10	Structures	99.107	99.712	100.044	101.260	102.304	103.499	104.806	106.013	106.409	106.299	106.622	107.660	108.385	109.679
11	Equipment	98.046	98.290	98.478	98.823	98.931	99.165	99.573	99.656	99.937	100.268	100.161	100.087	100.207	99.745
12	Intellectual property products	100.379	100.850	101.583	101.943	102.085	101.913	102.561	102.993	103.286	103.018	103.120	103.530	103.839	104.525
13	Residential	99.325	99.899	100.115	100.474	100.479	100.501	100.319	100.711	101.571	102.581	104.158	105.514	106.918	108.902
14	Change in private inventories	---	---	---	---	---	---	---	---	---	---	---	---	---	---
15	Net exports of goods and services	---													
16	Exports	104.024	106.456	109.183	111.511	112.156	110.950	111.684	111.986	111.920	112.287	112.610	111.788	111.972	111.899
17	Goods	104.719	107.895	111.142	113.815	114.401	112.807	113.437	113.531	113.480	113.658	113.842	112.568	112.602	112.132
18	Services	102.576	103.399	104.995	106.569	107.334	106.963	107.920	108.677	108.579	109.363	109.995	110.141	110.649	111.442
19	Imports	104.743	107.149	111.480	114.891	114.814	114.543	115.757	115.046	113.371	114.516	114.809	113.593	113.075	113.080
20	Goods	105.519	108.181	113.286	117.199	117.172	117.028	118.348	117.418	115.316	116.595	116.873	115.393	114.695	114.433
21	Services	101.478	102.754	103.591	104.741	104.457	103.617	104.331	104.601	104.841	105.382	105.750	105.732	106.033	107.254
22	Government consumption expenditures and gross investment	102.937	103.670	104.702	105.811	106.249	106.116	107.014	107.129	107.438	107.941	108.336	108.625	109.129	110.111
23	Federal	102.848	103.424	104.585	105.526	105.893	105.690	106.258	106.492	106.639	106.661	106.787	107.031	107.456	109.100
24	National defense	102.473	103.037	104.438	105.441	105.760	105.444	106.234	106.444	106.582	106.608	106.641	106.760	107.098	108.205
25	Nondefense	103.524	104.121	104.853	105.684	106.132	106.133	106.309	106.583	106.746	106.765	107.054	107.510	108.080	110.618
26	State and local	102.999	103.843	104.783	106.009	106.497	106.414	107.544	107.576	107.997	108.835	109.412	109.727	110.283	110.830
Addendum:															
27	Gross national product	101.538	102.059	102.519	103.270	103.892	104.043	104.593	105.069	105.629	106.057	106.473	106.696	107.209	107.760

Table 1.1.9. Implicit Price Deflators for Gross Domestic Product

[Index numbers, 2009=100] Seasonally adjusted

Last Revised on: July 29, 2016 - Next Release Date August 26, 2016

Line		2014	2014	2014	2014	2015	2015	2015	2015	2016	2016
		I	II	III	IV	I	II	III	IV	I	II
1	Gross domestic product	108.117	108.709	109.165	109.300	109.310	109.919	110.253	110.504	110.630	111.237
2	Personal consumption expenditures	108.618	109.130	109.421	109.419	108.976	109.470	109.782	109.890	109.967	110.496
3	Goods	106.052	106.117	105.852	104.910	102.731	103.045	102.807	102.144	101.110	101.325
4	Durable goods	93.213	92.769	92.220	91.510	90.988	90.837	90.236	89.818	89.624	89.111
5	Nondurable goods	112.639	113.002	112.908	111.839	108.683	109.276	109.264	108.459	106.916	107.579
6	Services	109.963	110.709	111.296	111.791	112.270	112.859	113.465	113.987	114.660	115.358
7	Gross private domestic investment	104.819	105.303	105.889	106.312	106.427	106.352	106.589	106.786	106.873	107.339
8	Fixed investment	105.312	105.691	106.316	106.769	106.912	106.846	107.184	107.300	107.467	108.008
9	Nonresidential	103.915	104.298	104.613	104.849	105.012	104.932	105.141	105.117	105.173	105.456
10	Structures	110.934	111.861	112.744	113.292	112.622	111.905	112.165	112.108	111.678	112.497
11	Equipment	100.032	100.398	100.599	100.881	101.255	101.265	101.286	101.301	101.367	101.386
12	Intellectual property products	104.726	104.743	104.835	104.779	105.199	105.414	105.885	105.821	106.163	106.510
13	Residential	111.183	111.543	113.484	114.844	114.895	114.878	115.709	116.355	116.936	118.420
14	Change in private inventories	---	---	---	---	---	---	---	---	---	---
15	Net exports of goods and services	---									
16	Exports	112.777	112.767	112.493	110.535	107.886	107.635	106.541	105.031	103.661	104.662
17	Goods	113.108	112.785	112.091	109.313	105.848	105.371	103.808	101.725	99.070	100.469
18	Services	112.107	112.759	113.389	113.209	112.286	112.500	112.395	112.086	113.411	113.568
19	Imports	114.534	114.084	113.481	111.446	106.840	105.528	104.309	102.255	100.678	101.205
20	Goods	116.097	115.475	114.690	112.307	106.928	105.297	103.944	101.525	99.614	100.219
21	Services	107.755	108.095	108.332	107.888	106.875	107.064	106.469	106.115	106.090	106.260
22	Government consumption expenditures and gross investment	110.597	111.114	111.666	111.670	111.083	111.680	111.815	111.833	111.711	112.390
23	Federal	108.893	109.321	109.725	109.788	109.845	110.093	110.097	109.882	110.286	110.808
24	National defense	108.314	108.620	108.941	108.927	108.853	109.063	109.010	108.766	109.015	109.504
25	Nondefense	109.884	110.507	111.044	111.228	111.489	111.799	111.889	111.719	112.358	112.930
26	State and local	111.771	112.346	112.996	112.962	111.966	112.783	113.000	113.165	112.712	113.490
Addendum:											
27	Gross national product	108.241	108.830	109.283	109.414	109.405	110.011	110.344	110.593	110.714	---

Soil Usage Estimate Calculations



CLIENT City of Springfield, MO

SUBJECT Soil Usage Estimate

Prepared by NH Date 8/3/16

PROJECT 2016 FAI Update

Reviewed by DD Date 8/3/16

Purpose: Estimate the volume of borrow soil remaining for future cell construction and closure projects.

Assumptions and Information:

Previous borrow source volume estimate from August 2015 FAI submittal = 1,383,000 cubic yards

Assume a 5:1 waste to soil daily cover.

Airspace consumed information obtained from quarterly volume calculations for the active landfill:

3rd Quarter 2015 = 85,400 CY (Beginning July 2, 2015)

4th Quarter 2015 = 76,200 CY

1st Quarter 2016 = 114,900 CY

2nd Quarter 2016 = 67,200 CY (Through July 8, 2016)

TOTAL = 343,700 CY

Calculations:

Soil Consumed for Daily Cover = 343,700 CY (1/6) = 57,283 CY

Remaining Borrow Source Soil = 1,383,000 CY – 57,283 CY = 1,325,717 CY ≈ 1,326,000 CY

One-rdg. _____
P. Hrngs. _____
Pgs. 37
Filed: 08-30-16

Sponsored by: McClure, Hosmer,
Fulnecky, and Schilling

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016- 211

GENERAL ORDINANCE NO. _____

AN ORDINANCE

1 AMENDING the Springfield City Code by repealing language contained in Chapter 118
2 Vehicles for Hire, and adding new regulations for Transportation Network
3 Companies and Drivers. (The Finance and Administration Committee
4 recommends approval.)
5 _____

6 WHEREAS, the transportation industry is adapting with the addition of new
7 technology; and
8

9 WHEREAS, transportation network companies are using digital networks and
10 software applications to connect drivers with passengers; and
11

12 WHEREAS, these regulations amend existing city code to prepare for this new
13 type of transportation for hire.
14

15 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
16 SPRINGFIELD, MISSOURI, as follows, that:
17

18 Section 1 - The Springfield City Code, Chapter 118 Vehicles For Hire, is hereby
19 amended as follows:
20

21 Note: Underlined language has been added and ~~stricken~~ language has been deleted.
22

23 ARTICLE II. - TAXICABS, COURTESY CARS AND AIRPORT LIMOUSINES
24 DIVISION 1. - GENERALLY
25

26 Sec. 118-31. - Definitions.

27 The following words, terms and phrases, when used in this article, shall
28 have the meanings ascribed to them in this section, except where the context
29 clearly indicates a different meaning:
30

31 *Airport limousine* means a public vehicle operating with a legal agreement
32 with a mass transit facility and using the mass transit facility as its departure or
33 destination point, and which is not licensed by the U.S. Department of

34 Transportation or applicable state agency if such license would exempt the
35 vehicle from local regulation.

36
37 *Airport limousine fixed route.* An airport limousine shall be deemed to
38 operate over a designated fixed route where the destination and/or
39 commencement of each trip is from the same location.

40
41 *Color scheme* means the designation of the dome light color and any paint
42 and/or lettering to be placed on the doors of the taxicab or airport limousine, and
43 the insignia or logo of the taxicab or airport limousine company, and may consist
44 of a description of the paint of the entire taxicab or airport limousine.

45
46 *Courtesy car* means any vehicle operated to or from a motel or hotel
47 which is designed to carry patrons of the motel and hotel to or from fixed
48 locations in the city, or any vehicle used by an establishment arranging
49 sightseeing or other similar tours for the purpose of transporting patrons of such
50 establishment without charge.

51
52 *Cruising* means the continuous or repeated operation of any taxicab along
53 any street or alley for the purpose of obtaining or picking up passengers.

54
55 *Director* means the Director of Finance, or his or her designee.

56
57 *Driver* means the person who is driving or who is in actual physical control
58 of a taxicab, transportation network vehicle, courtesy car, or airport limousine,
59 whether as owner or agent, servant or employee of an owner.

60
61 *Driver's permit* means authorization by the city to a particular individual to
62 operate taxicabs, transportation network vehicles, or airport limousines within the
63 city upon meeting the criteria set forth in this article.

64
65 *Immoral purpose* includes any of those acts prohibited by RSMo 567.010
66 et seq., as amended.

67
68 *Interest in taxicab, transportation network vehicle, or airport limousine*
69 *company.* A person shall be deemed to have an interest in a taxicab or airport
70 limousine company when he is a sole proprietor, partner or limited partner of the
71 firm or business holding a taxicab or airport limousine license under this article or
72 which is required to obtain a license under this article; has in his control, either
73 through direct ownership or through the ownership of a spouse or minor child, ten
74 percent or more of the outstanding stock of such taxicab or airport limousine

75 company; or has a security interest in over 50 percent of the tangible assets of
76 the firm or business.

77
78 *Licensee* means the holder of the taxicab or airport limousine company
79 license.

80
81 *Owner* and operator mean any person who derives, or has the right to
82 derive, income directly or indirectly from the operation of one or more taxicabs,
83 transportation network vehicles, courtesy cars, or airport limousines.

84
85 *Permittee* means the holder of a transportation network company permit.

86
87 *Rate zone* means the area of the city to which a certain trip rate of an
88 airport limousine applies.

89
90 *Specialty passenger service* means the use of specialty passenger
91 vehicles for the transportation of passengers at special events or activities or for
92 the transportation of passengers in areas established by the city manager or his
93 designee as special activity areas.

94
95 *Specialty passenger vehicles* means buses, motorized trolleys or similar
96 motor vehicles equipped to transport five or more passengers in three or more
97 rows of seats and the design of which exhibits unique or unusual characteristics
98 that add to the ambiance of a special event or special activity area in which
99 specialty passenger service is being allowed.

100
101 *Taxicab* means all motor vehicles operated as public carriers of
102 passengers for hire over other than fixed routes, but shall not include
103 transportation network vehicles.

104
105 *Taxicab company* means a person who owns controls or operates at least
106 one taxicab which transports passengers for hire.

107
108 *Taxicab owner* and owner mean any person who has any interest in the
109 title of a taxicab which is recognized under state law.

110
111 *Taximeter* means a mechanical instrument or device by which the charge
112 for hire of a taxicab, at a predetermined rate, is mechanically calculated and
113 registered, either for distance traveled or for waiting time, or both, and upon
114 which such charge shall be indicated by means of figures which are electrically

115 lighted each time the taximeter's flag is thrown from the non-earning to the
116 earning position.

117
118 Transportation network company driver means an individual who operates
119 a motor vehicle that is:

- 120 (1) owned, leased, or otherwise authorized for use by the individual;
121 (2) not a taxicab, courtesy car, or airport limousine; and
122 (3) used to provide transportation network company services.

123
124 Transportation network company means an entity for which a permit has
125 been issued pursuant to this chapter and operating in Springfield, Missouri, that
126 uses a digital network or software application service to connect passengers to
127 transportation network company services provided by transportation network
128 company drivers. A transportation network company is not deemed to own,
129 control, operate or manage the vehicles used by transportation network company
130 drivers, and is not a taxicab association.

131
132 Transportation network company services means transportation of a
133 passenger between points chosen by the passenger and prearranged with a
134 transportation network company driver through the use of a transportation
135 network company digital network or software application. Transportation network
136 company services shall begin when a transportation network company driver
137 accepts a request for transportation received through the transportation network
138 company's digital network or software application service, continue while the
139 transportation network company driver transports the passenger in the
140 transportation network vehicle, and end when the passenger exits the
141 transportation network vehicle. Transportation network company service is not a
142 taxicab or street hail service.

143
144 Transportation network vehicle means any vehicle used to provide a
145 transportation network service including any time when a driver is logged onto
146 the transportation network company's Internet-enabled application or digital
147 platform showing that the driver is available to pick up passengers, when a
148 passenger is in the vehicle, when the provider's dispatch records show that the
149 vehicle is dispatched, or when the driver has accepted a dispatch and is en route
150 to provide transportation network services to a passenger.

151
152 Transporting passengers for hire. A person transports passengers for hire
153 if he provides transportation for passengers and derives therefrom, directly or
154 indirectly, any financial benefit.

156 *Vehicle permit* means authorization by the city to the owner of the taxicab,
157 transportation network vehicle, or airport limousine to operate a particular vehicle
158 as a taxicab, transportation network vehicle, or airport limousine within the
159 corporate limits of the city.

160
161 *Waiting time* means the time when a taxicab is not in motion, from the time
162 of acceptance of a passenger to the time of discharge, but not including any time
163 the taxicab is not in motion due to mechanical breakdown, traffic conditions or
164 any cause other than the request, act or fault of a passenger.

165
166 (G.O. No. 5391, § 1, 7-6-2004)

167
168 **Cross reference**— Definitions generally, § 1-2.

169
170 Sec. 118-32. - Penalty.

171
172 Any person who violates the provisions of this article shall be subject to a
173 fine and penalty under section 1-7 for each trip he makes while not in
174 compliance, except that failure to have requisite permits and/or licenses shall
175 constitute a separate violation for each day the person fails to comply with the
176 provisions of this article.

177
178 Sec. 118-33. - Injunctive relief.

179
180 In addition to the penalties set forth in this article, the city attorney is
181 hereby authorized to file and obtain injunctions on behalf of the city against
182 persons who are violating provisions of this article. If the city seeks injunctive
183 relief from the circuit court for violations of this article, penalty provisions set forth
184 in this article shall not apply to any person violating this article.

185
186 Sec. 118-34. - Intent of article; findings.

187
188 The city council hereby finds and declares that it is the intent of this article
189 to provide for a unified transportation system based upon considerations of public
190 health, safety and welfare and a determination of public convenience and
191 necessity. The city council further finds and declares that the operation of motor
192 vehicles to carry passengers for hire in violation of the provisions of this article
193 affects the public health, safety and welfare and constitutes a public nuisance
194 because it involves the operation of a business on the streets of the city without
195 obtaining the necessary authority, permits, or licenses.

196
197 Sec. 118-35. - Applicability of article; exceptions.

- 199 (a) This article shall apply whenever a passenger to be transported for hire is picked up
200 within the city limits, regardless of his destination, but shall not be applicable if the
201 passenger is picked up outside the city limits and is discharged within the city limits.
202 (b) This article shall not apply to transportation provided as follows:
203 (1) By any persons operating a transportation system which is funded in whole or in
204 part by a federal, state or local governmental agency.
205 (2) By renting a vehicle for a minimum period of two hours to not more than one
206 person, provided that a vehicle which is so rented shall not otherwise be used
207 as a taxicab, courtesy car, transportation network vehicle, or airport limousine
208 within the provisions of this article.
209 (3) If the passenger is picked up outside the city limits and is discharged within the
210 city limits.
211 (4) By any person who possesses a permit issued by the Interstate Commerce
212 Commission or state public service commission to transport passengers for
213 hire, over which person the city has no authority.
214 (5) By any business regulated in whole by the federal or state government and to
215 which local regulations would not apply.
216

217 Sec. 118-36. - License, permit, or other authorization required for transport of
218 passengers for hire.
219

220 It shall be unlawful for any person to carry passengers for hire in a motor
221 vehicle or operate or maintain a business which carries passengers for hire in
222 motor vehicles within the city, unless the person is authorized to operate such a
223 motor vehicle for hire under this Code or federal or state law.
224

225 Sec. 118-37. - Proof of insurance and inspection of vehicles prerequisite to issuance of
226 license or permit.
227

228 (1) The director of ~~finance~~ shall have the authority to issue or renew a license or
229 permit to operate a taxicab, transportation network, or airport limousine company as
230 provided in this article, but no license or permit shall be issued or renewed until the
231 applicant has produced proof of insurance as required by this article and all vehicles to
232 be operated by or on behalf of ~~the~~ a taxicab or airport limousine company have been
233 inspected and approved by ~~the chief of police or his designee under this article, and~~
234 ~~specifically section 118-498.~~
235

236 Sec. 118-38. - License and permit requirements.
237

238 It shall be unlawful for any person to engage in the business of
239 transporting passengers for hire within the city except as follows:

- 240 (1) Any person operating a taxicab who has obtained a driver's permit to operate a
241 taxicab, who is operating a taxicab that has a valid vehicle permit, and either
242 holds a taxicab company license as required by section 118-36 or is employed
243 as an agent or employee of a licensed taxicab company or is operating his
244 vehicle under another's license as permitted by section 118-36.

- 245 (2) Any person operating an airport limousine who has obtained a permit to operate
- 246 an airport limousine and who has a valid current business license as required
- 247 by section 118-36.
- 248 (3) Any person operating a courtesy car whose operation is exempt from licensing
- 249 as provided by section 118-39.
- 250 (4) Any person operating a commercial trolley bike who either has a valid current
- 251 business license as required by section 106-611 or is employed as an agent or
- 252 employee of a licensed commercial trolley bike company.
- 253 (5) Any person operating a transportation network company vehicle who has
- 254 obtained a driver's permit to operate a transportation network company vehicle
- 255 pursuant to the provisions of this article.
- 256 (6) Any person operating a transportation network company who has obtained a
- 257 permit pursuant to the provisions of this article.

258
259 (G.O. No. 6209, § 4, 7-13-2015)

260
261 Sec. 118-39. - Exemption of courtesy cars from license requirement.

262 The operation of a courtesy car shall be exempt from the licensing

263 provisions of this article when operated in accordance with the following:

- 264 (1) The courtesy car shall be operated by a hotel, ~~or~~ motel, or adult or child
- 265 daycare facility as an adjunct of its business.
- 266 (2) The courtesy car shall carry no passengers other than employees of the hotel,
- 267 ~~or~~ motel, or adult or child daycare facility operating the courtesy car, except to
- 268 transport patrons of the hotel, ~~or~~ motel, or adult or child daycare facility ~~to and~~
- 269 ~~from an airport or bus station.~~
- 270 (3) The courtesy car shall serve only one hotel, ~~or~~ motel, or adult or child daycare
- 271 facility; provided, however, that two or more hotels, ~~or~~ motels, or adult or child
- 272 daycare facilities having the same ownership may be served by the same
- 273 courtesy car.
- 274 (4) No consideration shall be paid by the passenger or charged by the operator for
- 275 the services provided, except such services may be a service normally provided
- 276 to patrons of a motel or hotel. No additional charge may be made for providing
- 277 such service, either at the time the service is provided or on the customer's
- 278 ~~motel or hotel~~ bill.
- 279 (5) The vehicle shall be identified as a courtesy car with the name of each hotel, ~~or~~
- 280 motel, or adult or child daycare facility served by the courtesy car clearly shown
- 281 on the outside of the vehicle.
- 282 (6) The owner of the courtesy car shall comply with all laws of the state with
- 283 respect to vehicle safety, vehicle inspection and method of operation.
- 284 (7) The owner shall carry the minimum insurance requirements established under
- 285 this article for taxicabs, airport limousines and courtesy cars.

286
287 Sec. 118-40. - Application for license or permit.

288
289 Application for a taxicab, transportation network, or airport limousine

290 company license or permit under this article shall be made to the director of

- 291 finance. Such application shall be verified under oath and shall set forth the
 292 following:
- 293 (1) A full identification of the applicant and all persons having an interest in the
 294 license or permit if granted.
- 295 (2) The residence and business address and the citizenship of all members of any
 296 firm or partnership and of all officers, directors and stockholders of any
 297 corporation applying.
- 298 (3) Whether or not the applicant or any of the persons to be interested in the
 299 license or permit, if granted, has been convicted of the violation of any national,
 300 state or municipal law.
- 301 (4) Proof of financial responsibility, including but not limited to the following:
- 302 a. ~~Balance sheet and income statement prepared by a certified public~~
 303 ~~accountant or public accountant and which contains the same information~~
 304 ~~as the balance sheet and income statement required by section 118-48(2).~~
- 305 ba. Statement of any unpaid claims or unsatisfied judgments against the
 306 applicant, other persons interested in the license or permit, if granted, or
 307 any other person with whom the applicant has been either associated or
 308 employed, for damages resulting from the negligent operation of a vehicle.
- 309 eb. Statement of any unpaid claims or unsatisfied judgments ~~not covered in~~
 310 ~~subsection (4)a of this section~~ which have arisen in the past six years, and
 311 an explanation of each transaction giving rise to such unpaid claims or
 312 unsatisfied judgments.
- 313 ec. Submission of required proof of insurance, ~~bonds and security pursuant to~~
 314 ~~sections 118-46 and 118-47.~~
- 315 ~~(5) The past experience that the applicant has had in rendering taxicab, airport~~
 316 ~~limousine, courtesy car, or other public passengers-for-hire service in any~~
 317 ~~municipality, including but not limited to the names of supervisors, the names~~
 318 ~~and addresses of taxicab companies the applicant has operated for, dates of~~
 319 ~~service and municipalities.~~
- 320 ~~(65)~~ Whether or not any permit or license issued to the applicant or other person
 321 interested in the license or permit, if granted, has been revoked, and, if so, the
 322 circumstances of such revocation.
- 323 ~~(76)~~ The number of taxicabs, transportation network company vehicles, or airport
 324 limousines proposed to be operated.
- 325 ~~(87)~~ A complete description of the vehicles to be used in the proposed operation,
 326 including but not limited to vehicle make, model, VIN and color scheme, and a
 327 complete description of the proposed operation. This subsection shall not apply
 328 to transportation network companies.
- 329 ~~(98)~~ The color scheme, name and characteristic insignia to be used to designate the
 330 vehicles of the applicant as approved by the director ~~of finance~~. This subsection
 331 shall not apply to transportation network companies.
- 332 a. The color scheme may not duplicate that of an already licensed taxicab or
 333 airport limousine company, including the primary color to be placed on the
 334 doors, or be so close in design as to cause confusion among the public as
 335 to the identity of the taxicab or airport limousine company, and must be

336 consistently used on each and every vehicle operated under the taxicab or
337 airport limousine company license.
338 b. Any taxicab vehicle in service on January 31, 1996, shall not be required to
339 be changed to conform to the color scheme of the taxicab company, with
340 the exception of the dome light, to comply with this section. Any taxicab
341 vehicle placed in service after January 31, 1996, shall comply with this
342 section. If, at the time of the effective date of the ordinance from which this
343 article is derived, two taxicab companies are using the same or similar color
344 schemes, the taxicab company which first used the color scheme may
345 continue using the color scheme. All other taxicab companies shall
346 designate a different color scheme for future use; provided, however, no
347 two taxicab companies may designate a color that is a different shade of a
348 color designated by another company as its primary or main color. By way
349 of example, but not limitation, should one company designate yellow as its
350 primary, main or distinctive color, no other shade of yellow may be
351 permitted.

352 (9) An individual, together with the individuals name, address, e-mail address, and
353 telephone number, who is authorized to represent the company in the capacity
354 of a registered agent, and authorized to accept notices and tickets issued
355 pursuant to this Chapter.

356 (10) A schedule of proposed fares for the transportation network services.

357 (11) A statement signed by the applicant that they will obey all laws, rules,
358 regulations, policies, and procedures that govern companies regulated by this
359 chapter.

360 (12) A statement signed by the applicant that they will not allow drivers to utilize
361 their service until the drivers have met all requirements of this chapter and are
362 in good standing with the director.

363 (13) No transportation network company permittee shall disable, eliminate or
364 otherwise prevent access to the transportation network company's application
365 by the licensing official or designee of the licensee's official for purposes of
366 enforcing this chapter.

367 ~~(104)~~Such further information as the ~~chief of police or director of finance~~ may
368 require.

369

370 Sec. 118-41. - Granting or denial of license or permit.

371

372 Whenever any applicant for a taxicab, transportation network company, or
373 airport limousine company license or permit shall have complied with all the
374 conditions and regulations pertaining to the filing of his application, the director of
375 ~~finance~~ shall issue the license or permit unless the information contained in the
376 application demonstrates that it is not in the best interests of the public health
377 and safety of the residents of the city that a license or permit should be issued. If
378 an application for a license or permit is denied, the applicant shall have the right
379 to a hearing before a hearing officer designated by the city manager, in

380 accordance with the procedures set forth in section 118-43 for revocation of a
381 license or permit.

382
383 Sec. 118-42. - Transfer of license or permit.

384
385 No taxicab, transportation network, or airport limousine company license
386 or permit issued under this article or any interest in such license or permit shall
387 be transferred from one person to another. However, nothing in this section shall
388 prevent the cancellation, release or other termination of a security interest in the
389 tangible or intangible assets of the business entity holding the taxicab,
390 transportation network, or airport limousine company license or permit if such
391 cancellation, release or other termination of the security interest is executed by
392 and between the holder of the taxicab, transportation network, or airport
393 limousine company license or permit and the holder of the security interest or
394 approved assignee thereof.

395
396 Sec. 118-43. - Revocation of license or permit.

- 397
398 (a) The director ~~of finance~~ shall notify the licensee or permittee, and any person
399 holding a financial interest in the taxicab, transportation network, or airport
400 limousine company as shown on the records of the director ~~of finance~~ or the
401 application for a license or permit, of any violation of this article which he has
402 reason to believe exists, by certified mail, to the address listed by the taxicab,
403 transportation network vehicle, or airport limousine company on its license or permit
404 application. Within ten days of the notice of the violation, a request in writing may be
405 made to the director ~~of finance~~ by the person holding a taxicab, transportation
406 network, or airport limousine company license or permit, as shown by the records of
407 the finance department and on the application for a license or permit, for an
408 administrative hearing before a hearing officer designated by the city manager.
409 Such hearing shall be held under the rules of administrative procedure, and the
410 hearing officer shall take evidence and issue a ruling on whether or not the taxicab,
411 transportation network, or airport limousine company has violated any of the
412 following conditions. If such is found, the hearing officer may revoke the license or
413 permit to operate a taxicab, transportation network, or airport limousine company. If
414 no request in writing for a hearing is received within the ten-day period, the director
415 ~~of finance~~ shall have power to revoke any such taxicab, transportation network, or
416 airport limousine company license or permit for the following reasons:
417 (1) The violation of any provision of this article.
418 ~~(2) When it has been proved to the director of finance by a preponderance of the~~
419 ~~evidence before him that the holder of such taxicab or airport limousine~~
420 ~~company license has discontinued operation for a period of more than 30~~
421 ~~consecutive days.~~
422 (3) That such licensee or permittee has knowingly continued to employ a driver
423 who has violated provisions of this article or whose driving activity on behalf of

424 the taxicab, transportation network, or airport limousine company is not covered
425 by insurance as required under this article.

426 (43) Whenever it shall appear that a license or permit issued under this article has
427 been obtained by misrepresentation or fraud.

428 (54) That the licensee or permittee has knowingly continued to employ a driver who
429 has refused service to an individual without proper cause or that such person
430 encourages such practice to be the method of operation or has violated the
431 provisions of this article.

432 (6) ~~That the licensee failed to replace a canceled security or bond required by this~~
433 ~~article within 15 days, excluding Saturdays, Sundays or legal holidays, from the~~
434 ~~director of finance's receipt of notice of cancellation.~~

435 (75) That the licensee or permittee has refused or permitted others under its license
436 or permit to refuse to provide a receipt upon request to any passenger that
437 contains the amount charged for service, the number assigned to the taxicab or
438 airport limousine driver by the ~~chief of police~~ director, and the number of the
439 taxicab or airport limousine.

440 (86) That the licensee or permit has charged or permitted others under its license or
441 permit to charge fares in excess of those on file with the director ~~of finance~~ as
442 provided in section 118-127.

443 (97) That such licensee or permittee has permitted the use of the same number
444 assigned to a vehicle by the licensee or permittee pursuant to section 118-543
445 for more than one vehicle at the same time.

446 (b) When a taxicab, transportation network, or airport limousine company license or
447 permit has been revoked, no vehicle shall continue to operate under the name,
448 logo, insignia or color scheme of such taxicab, transportation network, or airport
449 limousine company.

450 (c) The taxicab, transportation network, or airport limousine company license or permit
451 of any person shall be forthwith revoked by the director ~~of finance~~ whenever he
452 shall have received a certificate from any court or clerk thereof showing that such
453 person has failed to satisfy, within 30 days, any final judgment upon which
454 execution has been lawfully issued against such a person for damages on account
455 of bodily injury, death or damage to property resulting from the ownership,
456 maintenance, use or operation of a taxicab, transportation network vehicle,
457 courtesy car or airport limousine; except that this provision shall not apply to any
458 person who has presented an acceptable plan to settle such judgment.

459
460 Sec. 118-44. - Ownership of vehicles.

461
462 No taxicab, transportation network company, or airport limousine owner
463 shall sell or lease, directly or indirectly, to a taxicab, transportation network, or
464 airport limousine driver, a taxicab, transportation network vehicle, or airport
465 limousine or sign for such taxicab, transportation network vehicle, or airport
466 limousine so as to obligate the taxicab, transportation network company, or
467 airport limousine owner on behalf of the taxicab, transportation network

468 company, or airport limousine driver for the payment of the vehicle to third
469 parties.

470
471 Sec. 118-45. - Eligibility for license or permit after revocation.

472
473 Whenever a taxicab, transportation network, or airport limousine company
474 license or permit issued under this article has been revoked by the director of
475 ~~finance~~ for any of the reasons set forth in section 118-43, excepting subsection
476 (2) or (6), no license or permit shall be issued to such person nor shall such
477 person be allowed an interest in a license or permit for a period of not less than
478 two years.

479
480 Sec. 118-46. - Vehicle insurance requirements.

- 481
482 (a) Before any license or permit is issued for the operation of a taxicab, transportation
483 network vehicle, or airport limousine, the taxicab, transportation network, or airport
484 limousine company shall file with the director of ~~finance~~ a policy of insurance issued
485 by an insurance company duly licensed to transact business in the state, covering
486 separately or in a schedule attached to such policy each vehicle licensed or
487 permitted to be operated under the direction and control of such company. Such
488 policy shall cover legal liability for bodily injuries or death of one person to the
489 extent of ~~\$100,000.00~~ \$25,000.00 and subject to such limits as to injury or death of
490 one person, of ~~\$250,000.00~~ \$50,000.00 on account of any one accident resulting in
491 injuries to or death of more than one person, and of ~~\$25,000.00~~ \$10,000.00 for
492 damage to property on account of any one accident.
- 493 (b) All such policies shall provide that they may not be canceled unless written notice
494 of proposed cancellation is delivered to the office of the director of ~~finance~~ at least
495 30 days prior to the date of the proposed cancellation. If the taxicab, transportation
496 network, or airport limousine company licensee, permittee, or other responsible
497 party shall fail within the period specified in such notice of cancellation to provide
498 proof of insurance as provided in subsection (a) of this section, then the license or
499 permit affected by such cancellation shall be revoked as of the day such insurance
500 ceases to be in force and effect, and thereafter it shall be unlawful for such owner or
501 other responsible party to operate taxicabs, transportation network vehicles, or
502 airport limousines in the city. If the taxicab, transportation network, or airport
503 limousine company or responsible third party shall file a policy of insurance as
504 required by this section within 30 days after the date of such revocation, then such
505 revocation shall be lifted.
- 506 (c) All taxicab, transportation network, or airport limousine companies shall annually file
507 with the director of ~~finance~~ a ~~monthly~~ list showing the year, make, model, VIN
508 number, record of owner, and company providing insurance coverage for each and
509 every taxicab, transportation network vehicle, or airport limousine in service under
510 its license or permit. No taxicab, transportation network vehicle, or airport limousine
511 shall be placed in service or permitted to operate under the taxicab, transportation

512 network vehicle, or airport limousine license or permit unless it is shown on such list
513 within 30 days of being placed in service.

514
515 ~~Sec. 118-47. - Proof of liquid assets or posting of security.~~

516
517 ~~Before any taxicab or airport limousine company license is issued for the~~
518 ~~operation of a taxicab or airport limousine, the applicant shall file with the director~~
519 ~~of finance proof of \$5,000.00 in liquid assets. The holder of the taxicab or airport~~
520 ~~limousine company license shall maintain the liquidity of these assets and not~~
521 ~~allow the value of the assets to fall below \$5,000.00. In lieu of this, the applicant~~
522 ~~may post security in the same denomination either by posting a bond by a~~
523 ~~corporate surety authorized to do business in the state or by posting an escrow~~
524 ~~agreement. The bond or the escrow shall state that it is for the benefit of all~~
525 ~~creditors of the applicant which are unsecured or which are not protected by the~~
526 ~~insurance required in section 118-46.~~

527
528 ~~Sec. 118-48.7. - Renewal of license or permit.~~

529
530 ~~The director of finance shall renew taxicab, transportation network, or~~
531 ~~airport limousine company licenses or permits annually as required by section~~
532 ~~118-36 to any applicant who can show the following:~~

- 533 (1) That all personal property taxes on vehicles operated as part of the business
534 have been paid.
- 535 ~~(2) That the applicant has filed a balance sheet and income statement prepared by~~
536 ~~a certified public accountant, which statement shall cover the 12-month period~~
537 ~~ending December 31 of the preceding calendar year and shall show that the~~
538 ~~business has not less than \$5,000.00 in liquid assets.~~
- 539 ~~(3) The names and addresses of the owner, partners, limited partners,~~
540 ~~stockholders, officers and creditors of the corporation.~~
- 541 ~~(4) The percent of stock ownership of every stockholder.~~
- 542 ~~(5) Adequate proof that all taxicabs or airport limousines operated by or for the~~
543 ~~benefit of the taxicab or airport limousine company have been inspected and~~
544 ~~approved by the chief of police director or his designee within 12 months prior~~
545 ~~to the date of submission of the application.~~
- 546 ~~(6) That the applicant has a current valid taxicab, transportation network, or airport~~
547 ~~limousine company license or permit.~~
- 548 ~~(7) That the applicant has filed with the director of finance a dress code with which~~
549 ~~the applicant shall require its drivers to comply, which code shall include~~
550 ~~minimum requirements of dress and personal cleanliness which shall include a~~
551 ~~collared shirt, slacks or skirt, and a badge to be worn on the front of the shirt~~
552 ~~which shows at least the number assigned by the chief of police director to the~~
553 ~~driver and the name of the taxicab or airport limousine company under whose~~
554 ~~license the driver is operating a taxicab or airport limousine.~~
- 555 ~~(8) That the applicant has tendered payment of all required fees.~~

556 (97) That the applicant has provided proof of insurance as required by section 118-
557 46.

558
559 Sec. 118-498. - Vehicle equipment and inspections.

- 560
561 (a) Required equipment. Every ~~vehicle~~ taxicab and airport limousine ~~governed by this~~
562 ~~article~~ shall have and maintain the following equipment:
- 563 (1) All appliances required by this Code and other ordinances of the city and the
564 laws of the state for motor vehicles.
 - 565 (2) Two doors affording direct entrance and exit to and from both the front and rear
566 seats; provided, however, minivans may have one side door, which may be on
567 the nondriver's side, as a means of direct entrance and exit from rear seats.
 - 568 (3) An adequate light in the passenger compartment, controlled by a switch control
569 in the passenger compartment.
 - 570 (4) A speedometer in good working order.
 - 571 (5) Cards containing the following:
 - 572 a. A card located in the passenger compartment, not less than four inches by
573 six inches in size, which shall have plainly printed thereon the name of the
574 taxicab or airport limousine company, its business address and telephone
575 number, and the current schedule of fares on file with the director ~~of finance~~
576 as provided in division 3 of this article to be charged for the conveyance of
577 passengers.
 - 578 b. A separate card provided by the director ~~of finance~~ to be located in the
579 passenger compartment, not less than four inches by six inches in size,
580 which shall have plainly printed thereon the address and telephone number
581 where the customer may register complaints and comments about the
582 taxicab or airport limousine service, and a list of the rights of customers
583 granted by this article.
 - 584 (6) The vehicle permit issued by the ~~chief of police~~ director.
 - 585 (7) A permanent device for affixing the daily log sheet.
 - 586 (8) A side-view mirror attached to both the left and right sides of the vehicle.
 - 587 (9) A card located in the passenger compartment on which there shall be the
588 statement that it is unlawful to refuse service to any member of the general
589 public when presently unoccupied except for the reason that such person is
590 intoxicated, is using profanity, is abusive, desires to use the service to commit
591 unlawful acts, presents an unreasonable risk of harm or injury to the driver, or
592 cannot pay. However, this provision shall not apply to courtesy cars.
 - 593 (10) A display of the number assigned to the taxicab or airport limousine by the
594 taxicab or airport limousine owner or taxicab or airport limousine company
595 under whose license or permit the vehicle is operated which has each number
596 no less than one inch in height and readily discernible by any person sitting in a
597 seat intended for use by a passenger.
 - 598 (11) For taxicabs, a taximeter as follows: A taxicab shall be equipped with a
599 taximeter of a size and design approved by the ~~chief of police~~ director and
600 which conforms to the following requirements:

- 601 a. Each taximeter must be driven direct from the taxicab transmission or
602 connected with the speedometer driving shaft to the taximeter head itself.
- 603 b. Each taximeter must register upon visual counters the following miles:
604 1. Total miles.
605 2. Miles paid.
606 3. Number of units.
607 4. Number of trips.
608 5. Number of extras.
- 609 c. Each taximeter must be furnished with a tamperproof switch and system of
610 electrical distribution so that when the taximeter flag is in the vacant or
611 nonearning position the "vacant" sign on top of the taxicab will be lighted,
612 and when the meter flag is thrown to an earning position the fare indicator
613 of the taximeter will be lighted.
- 614 d. There shall be an electrical light or sign located on the top of each taxicab,
615 of a size and design approved by the ~~chief of police~~ director and which is
616 connected to the taximeter in the means prescribed in this article, so that
617 such light or sign will be electrically lighted when the taxicab is vacant.
- 618 (b) Annual inspection. ~~Every vehicle governed by this article~~ Taxicabs and airport
619 limousines shall be inspected annually by the ~~chief of police~~ director or his designee
620 for all items of equipment required by the provisions of this section or other
621 provisions of this article.
- 622 (c) Additional inspections; reinspections; issuance of inspection sticker. All Every
623 ~~vehicle~~ taxicabs and airport limousines involved in a motor vehicle accident in which
624 over \$500.00 damage was done to such vehicle shall be required to be reinspected.
625 Also, the city shall have access to any maintenance records of ~~any vehicle~~ all
626 taxicabs and airport limousines upon request and may order a reinspection at any
627 time after the expiration of 30 days from the date of a previous inspection, provided
628 there is reason to believe that the vehicle's operation does not comply with the
629 provisions of this article or that the vehicle is dangerous or unsafe or is not being
630 properly maintained or used. If the vehicle cannot be approved upon a reinspection,
631 the ~~director of finance~~ shall first order such vehicle's operation to be discontinued
632 for a period of 15 days in which the owner of the vehicle may request a second
633 reinspection. If the owner of the vehicle does not request the second reinspection or
634 if the vehicle cannot be approved upon the second reinspection, the ~~director of~~
635 ~~finance~~ shall revoke the license or permit corresponding to such vehicle. An
636 inspection sticker shall be issued for each vehicle which passes the required
637 inspection and shall be affixed on the vehicle by the city in a visible location.
- 638 (d) Inspection sticker required. It shall be unlawful to operate a taxicab or airport
639 limousine on the city streets without a current valid inspection sticker affixed thereto.
640 The inspection sticker shall be valid for a period not to exceed one year from the
641 date it is issued and shall not be transferred to any other vehicle.

642
643 Sec. 118-~~5049~~. - Cleanliness and condition of vehicles.

644
645 Every vehicle governed by this article shall be kept in a clean and sanitary
646 condition and shall be swept and dusted at least once a day. Every vehicle shall

647 be kept in such condition of repair as may be reasonably necessary to provide for
648 the safety of the public and for continuous and satisfactory operation. For
649 transportation network companies, a vehicle that does not meet the requirements
650 of this Section shall, upon notice to the transportation network company, be
651 deactivated from the platform.

652 Sec. 118-540. - Refusal of service.

653
654
655 It shall be unlawful for a driver of a taxicab or airport limousine to refuse
656 service to a member of the general public except when such person is
657 intoxicated, uses profanity, is abusive, desires to use the service for an illegal
658 purpose, presents an unreasonable risk of harm or injury to the driver, or is
659 unable to pay the legal fare. However, a driver of a taxicab, courtesy car,
660 transportation network vehicle, or airport limousine shall not be required to
661 provide service to an individual under the age of 12 without an adult passenger
662 accompanying him or an individual who has as his destination point or departure
663 point a mass transit terminal facility with which the operator does not have an
664 operating agreement. A driver of a courtesy car shall not refuse service to any
665 patron of the establishment with which the courtesy car is operated in conjunction
666 unless such patron is intoxicated, uses profanity, is abusive, presents an
667 unreasonable risk of harm or injury to the driver, is violating any city ordinance, or
668 desires service for an illegal purpose.

669
670 Sec. 118-521. - Daily log of trips.

671
672 Every taxicab or airport limousine licensee shall provide at the beginning
673 of each driver's tour of duty a log sheet which is numbered in sequence. The
674 driver shall maintain such log sheet by departure time, departure location,
675 destination location, destination time and fare charged. The licensee shall collect
676 such log sheets at the end of every driver's tour of duty and maintain such
677 records for inspection by the ~~chief of police and the director of finance~~ for a
678 period of one year.

679
680 Sec. 118-532. - Records of vehicles.

681
682 Every taxicab or airport limousine licensee shall keep a record, in the
683 manner prescribed by the ~~director of finance~~, of all cars for which certificates are
684 on file with the ~~director of finance~~, showing the serial number, and, if operated,
685 the hours of operation, the name of the driver and the hours of work of each
686 driver, or, if the taxicab is not in operation, the reason therefor. Such records
687 shall be maintained for a period of one year and shall be available to the ~~chief of~~
688 ~~police and the director of finance~~ upon request.

689
690 Sec. 118-543. - Information to be displayed on vehicles.

691
692 (1) Every vehicle governed by this article, except transportation network vehicles,
693 shall have a serial number which shall be painted on the sides and back thereof in
694 figures of at least three inches in height. The name of the operating company shall be
695 painted thereon in a conspicuous manner. The rates on file with the director of finance
696 as required by this article shall be painted on both sides of all taxicabs in letters and
697 figures at least two inches in height. No legend except the name of the operating
698 company, vehicle number, rates and telephone number may be used on the sides of
699 any vehicle. The color scheme, name and characteristic insignia used to designate
700 vehicles shall not be changed except upon approval of the director of finance.
701 (2) Transportation network vehicles shall display a valid vehicle permit in a
702 manner prescribed by the director.

703
704
705 Sec. 118-554. - Removal of vehicle markings upon sale or disposition of vehicle.

706
707 No taxicab or airport limousine company or taxicab or airport limousine
708 owner shall sell or otherwise dispose of any taxicab or airport limousine without
709 first removing or obliterating the vehicle markings required by section 118-543,
710 unless such vehicle is to be used as a taxicab or airport limousine of the same
711 company. Upon sale or other disposition, the taxicab or airport limousine
712 company or owner shall notify the director of finance of such sale or disposition
713 and the reason for the sale or disposition on the list required under section 118-
714 46.

715
716 ~~Sec. 118-56. - Office and telephone required.~~

717
718 ~~No holder of a taxicab or airport limousine company license shall operate~~
719 ~~in the city without having an office and a telephone in a commercially zoned~~
720 ~~location for receiving and dispatching calls.~~

721
722 Sec. 118-575. - Reports of violations by drivers.

723
724 A licensee or permittee under this article shall report to the police
725 department of finance the violation by a driver of any of the operating company's
726 rules and any violation of any municipal, state or federal law committed by a
727 driver.

728
729 Sec. 118-586. - Use or possession of intoxicating beverages or controlled substances
730 by owner, driver or employees.

731

732 No taxicab, transportation network, or airport limousine owner, driver or
733 employee, while on duty, shall have in his possession intoxicating liquor or non-
734 intoxicating beer or controlled substances or drink or consume such items while
735 on duty. No driver shall knowingly purchase, carry or transport intoxicating liquor
736 or nonintoxicating beer or controlled substances. However, a passenger may
737 have in his possession unopened containers of intoxicating liquor or
738 nonintoxicating beer. No driver, owner or employee of any owner of a taxicab or
739 airport limousine company shall have in his possession at or near his office,
740 place of business or garage any intoxicating liquor or nonintoxicating beer or
741 controlled substances of any kind.

742 **Cross reference**— Alcoholic beverages, ch. 10.

743
744 Sec. 118-57.- Taxicabs and airport limousine shall not operate as transportation
745 network vehicles or provide transportation network services.

746
747 No taxicab or airport limousine shall operate as and no taxicab or airport
748 limousine owner shall allow a taxicab or airport limousine vehicle to operate as a
749 transportation network vehicle for the purpose of offering transportation network
750 services.

751
752
753 Sec. 118-598. - Use of vehicle for unlawful purpose.

754
755 No person shall use a vehicle governed by this article for any unlawful
756 purpose, nor shall any owner or driver knowingly permit such unlawful use. When
757 such unlawful use has occurred with the knowledge of the owner or driver of
758 such vehicle, and he shall be duly convicted thereof, the director of finance shall
759 revoke the permit to operate such vehicle and the ~~chief of police~~ director shall
760 also revoke the permit of such driver.

761
762 Sec. 118-~~6059~~. - Refusal to pay fare.

763
764 No person shall hire or permit himself to be carried as a passenger for hire
765 in any taxicab, transportation network vehicle, courtesy car or airport limousine in
766 the city and refuse to pay the fare for such trip.

767
768 Sec. 118-640. - Disposition of property found in vehicles.

769
770 A driver shall deliver all lost or misplaced property found in the vehicle to
771 the holder of the taxicab or airport limousine company license for such vehicle at
772 the end of the driver's tour of duty. The taxicab or airport limousine company
773 shall keep such property for 24 hours, or a shorter time if the rightful owner of

774 such property requests the release of such property. At the end of 24 hours, the
775 taxicab or airport limousine company shall deliver such property, or the name
776 and address of the owner of and description of such property, to the city police
777 department. Transportation network drivers shall deliver all lost or misplaced
778 property found in the vehicle to the city police department at the end of 24 hours
779 and if possible, provide the name and address of the owner of and a description
780 of such property to the city police department.

781
782 Sec. 118-621. - Manner of operation of taxicabs.

783
784 Taxicabs shall be operated in the following manner:

- 785
786 (1) Determination of fare. A taxicab must use a taximeter in determining the fare to
787 be charged. No other or different fare shall be charged to a passenger than is
788 recorded on the reading face of such taximeter for a trip, except that any
789 taxicab may charge a rate lower than that so recorded.
- 790 (2) Operation of taximeter. A driver of a taxicab equipped with a taximeter, while
791 carrying passengers or under employment, shall not display the taximeter flag
792 affixed to such taximeter in such a position as to denote that such vehicle is not
793 employed or in such a position as to denote that he is employed at a rate of fare
794 different from that to which he is entitled under the provisions of this article. It
795 shall be the duty of each such driver to call the attention of passengers to the
796 amount registered, and the taxicab flag shall not be changed to the "vacant"
797 position until after the fare is paid.
- 798 (3) Acceptance of additional passengers. No driver of a taxicab having a passenger
799 in his taxicab shall solicit or accept for carriage any other passenger without the
800 consent of the original passenger. If two or more passengers are transported to
801 different destinations, the taximeter shall be reset at the end of each trip, and if
802 they are transported to the same destination only the original fare shall be
803 charged.
- 804 (4) Taxicab routes. No owner or driver of a taxicab shall cause or permit such
805 taxicab to be operated along routes in a manner similar to that of mass
806 transportation vehicles operating along definite routes or between specific
807 termini, or along fixed routes. Any owner or driver who operates, causes to be
808 operated, or permits to be operated any taxicab persistently and repeatedly to
809 and from, around or in the vicinity of any theater, railroad station, hotel or any
810 other place of public gathering, or repeatedly along a street when there is
811 nearby a suitably located taxicab stand, shall be construed to be operating such
812 taxicab along a route.

813
814 Sec. 118-632. - Number of passengers in taxicabs and airport limousines.

815
816 There shall not be more passengers than that recommended by the
817 manufacturer of the vehicle, including the driver, carried in a taxicab or airport

818 limousine at one time. The front seat of a taxicab or airport limousine shall only
819 be occupied by the driver and one passenger.

820
821 Sec. 118-643. - Manner of operation of airport limousines and courtesy cars.

822
823 (a) Courtesy cars. Courtesy cars shall be operated in the following manner:

824 (1) Restrictions on patronage. Drivers shall not offer service nor shall the owner
825 permit the offering of service to any person other than a patron of a motel or
826 hotel, or a patron of a business arranging sightseeing tours or other similar
827 tours.

828 (2) Trip origins and destinations. Trip origins and destinations shall be fixed
829 locations, which locations shall have been registered with the director of ~~finance~~
830 ~~prior~~ to the carrying of passengers to such locations. Courtesy cars shall not be
831 operated so that a trip destination or departure is to or from a mass transit
832 terminal facility with which the operator does not have an operating agreement.

833 (3) Payment of charges. The trip rate may either be charged to all patrons of the
834 motel, hotel or other temporary residence business or a business arranging
835 sightseeing tours or other similar tours when a person becomes a patron, or the
836 trip rate may be charged to only those patrons who engage the courtesy car or
837 to the owner of any business or facility which is the trip destination's approved
838 fixed location.

839 (4) Maximum number of passengers. The maximum number of passengers in a
840 courtesy car at any given time shall be that number set by the ~~chief of police~~
841 director when the vehicle is inspected under section 118-498.

842 (b) Airport limousines. Airport limousines shall be operated in the following manner:

843 (1) Route. Airport limousines shall operate over fixed routes only, and such
844 limousines shall operate closed-door from the point where the passenger is
845 picked up to the point where the passenger is delivered. Airport limousines shall
846 not be operated so that a trip departure is from a mass transit terminal facility
847 with which the operator does not have an operating agreement.

848 (2) Rate of fare. The trip rate shall be charged each passenger in accordance with
849 the rate zone corresponding to the destination or commencement of the trip for
850 each passenger.

851 (3) Maximum number of passengers. There shall not be more than 12 persons,
852 inclusive of the driver, in an airport limousine at any given time.

853 (4) Operating agreement with airport. An airport limousine may not operate without
854 a valid operating agreement with the body, board or authority legally in charge
855 of the airport.

856 (5) Compliance with airport regulations. The owners, drivers and employees of an
857 airport limousine service shall operate the airport limousines in a manner which
858 will comply with all rules and regulations of the body, board or authority legally
859 in charge of the airport, if such rules and regulations, and all amendments
860 thereto, have been filed with the director of ~~finance~~ and ~~chief of police~~ prior to
861 their effective date.

862
863 Sec. 118-654. - Specialty passenger service.

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A specialty passenger service shall comply with all provisions of Chapter 118 applicable to taxicabs including driver's licensing requirements unless specifically excluded or modified by this section.

- (1) In addition to the information required in the application for a taxicab company license, an applicant operating a specialty passenger service shall submit a plan describing the vehicle(s) to be used and stating the types of events or activities at which the service will operate. If the service is to be operated in a special activity area, the plan shall set out in detail the area of and manner of operation of the service in the area. Any plan is to include the place of and length of stops and shall set forth the streets to be used and shall affirm that no structures, traffic control devices or utility wires shall be an obstruction to the operation of the service. The director of ~~finance~~ shall have available a form setting out additional information needed in the plan. Further information may be requested before a final decision is reached.
- (2) The plan must be approved by the City Manager or his designee. A special activity area may be established if deemed appropriate to implement the plan. The impact to the City Utility bus service shall be considered and direct competition with established service routes is to be avoided unless the events or special activity area cannot be adequately served during a special event or during times of need for additional passenger service. If the plan is found to be in the best interest of the city and if all requirements are met to assure the public health and safety, the plan may be approved. If during the term of the license, public health or safety issues arise, the city may require a modification of the plan to address those issues. A request to amend the plan may be filed by the licensee during the license period and the review of the proposed amendment shall proceed as above outlined.
- (3) Paragraphs (a) (2), (7) and (11) of Section 118-498 shall not apply to a specialty passenger service. Specialty passenger vehicles shall have at least two means of ingress and egress accessible by passengers.
- (4) Section 118-521 shall not apply to specialty passenger service. A specialty passenger service must have an approved plan on file with the city authorizing all passenger transportation that is undertaken by the service. It is unlawful to transport passengers in violation of the approved plan, in the absence of a plan, in violation of any applicable provision of Chapter 118 or other provisions of the city code, state statutes or federal rule, regulation or law.
- (5) The requirements of Section 118-543 shall apply to a specialty passenger service; however, the proposed plan of operation may include a request to modify the requirements including a change of color scheme or legend so long as such change reasonably relates to the events or special activity area being served.
- (6) Section 118-621 shall not apply to specialty passenger service. The operation of the specialty passenger service shall be in line with the approved plan and approved fee schedule.

908 (7) Section 118-63~~2~~ shall not apply to specialty passenger service. The occupancy
909 of a specialty passenger vehicle shall not exceed the manufacturers stated
910 capacity. The capacity shall be prominently displayed.

911
912 (G.O. No. 5391, § 2, 7-6-2004)

913
914 Section 118-65.-Manner of Operation of Transportation Network Companies

915
916 (1) A transportation network company shall not disclose a passenger's personally
917 identifiable information to a third party unless: the passenger consents, disclosure is
918 required by a legal obligation, or disclosure is required to protect or defend the terms of
919 use of the service or to investigate violations of those terms. In addition to the
920 foregoing, a transportation network company shall be permitted to share a passenger's
921 name and/or telephone number with the transportation network company driver
922 providing transportation network company services to such passenger in order to
923 facilitate correct identification of the passenger by the transportation network company
924 driver, or to facilitate communication between the passenger and the transportation
925 network driver.

926 (2) No transportation network driver shall solicit passengers for transportation in a
927 transportation network vehicle on any public way or at any public airport or operate a
928 transportation network vehicle so as to cruise in search of patronage. No such
929 transportation network vehicle shall be parked on any public way for a time longer than
930 is reasonably necessary to accept passengers in answer to a call for service, and no
931 passenger shall be accepted for any trip in such vehicle without previous engagement
932 for such trip at a fixed charge or donation through the business office or transportation
933 network service from which the vehicle is operated.

934 (3) Every transportation network vehicle operated on the streets of the city shall be
935 maintained in clean and serviceable condition and in adequate repair. Every vehicle
936 shall be substantially free from damage. All vehicles shall have no loose hanging metal,
937 body molding or chrome stripping. The complete exhaust system shall be intact and in
938 good working order. No vehicle shall operate with large dents or major body damage,
939 nor shall it operate with large areas of unpainted or rusted metal. All vehicles shall have
940 required fenders, bumpers, doors, door handles, lights and air conditioner, all of which
941 shall be in good working order. All vehicles shall be equipped with brakes capable of
942 stopping and holding the vehicle under all reasonable conditions, and shall have at least
943 one door in addition to the driver's door affording direct entrance and exit to and from
944 the passenger compartment. Failure to meet all above listed requirements shall cause
945 the vehicle to be found unfit or unsuited for public use, and such vehicle may be ordered
946 off the streets of the city.

947
948 Secs. 118-66—118-80. - Reserved.

949
950 DIVISION 2. - DRIVERS

951
952 Sec. 118-81. - Permit required; minimum age.

954 No person shall drive a taxicab, transportation network vehicle, or airport
955 limousine unless duly granted a permit as provided in this division and having
956 attained the age of 18 years.

957
958 Permittee as used in this Division means the holder of a driver's permit.

959
960 Sec. 118-82. - Application for permit.

- 961 (a) Every applicant for a permit as a driver of a taxicab, transportation network vehicle,
962 or airport limousine shall make application to the ~~chief of police~~ director on forms to
963 be supplied by the ~~chief of police~~ director. Driver permits, or the reasons for not
964 granting a permit, shall be supplied to an applicant within 15 days following the date
965 the application is received by the ~~chief of police~~ director. However, an interim permit
966 may be issued if, in a review of the application, paperwork reveals no irregularities
967 and the reviewing official has no reason to believe that the application will not be
968 approved.
- 969 (b) The applicant shall provide such information as the ~~chief of police~~ director may
970 require, including, but without limitation, the following:
- 971 (1) The applicant's name, age, residence, ~~race~~, nationality, place of birth,
972 citizenship, length of time resident in the city, ~~marital status~~, height, weight, and
973 color of eyes and hair. ~~The applicant shall include the addresses of all~~
974 ~~residences for the five years preceding the application.~~
- 975 (2) ~~Previous experience as a taxicab, airport limousine or other similarly classified~~
976 ~~vehicle driver by date, employer and locality; and, if there is previous~~
977 ~~experience, whether any license or permit was revoked or suspended and the~~
978 ~~date, locality and reason for such revocation or suspension.~~
- 979 (3) ~~Previous history of arrests and/or convictions for any felony, misdemeanor or~~
980 ~~ordinance violation, including traffic violations, giving the particulars of each,~~
981 ~~and prior terminations of employment or contracts as a taxicab, transportation~~
982 ~~network, or airport limousine driver.~~
- 983 (4) ~~The names and current telephone numbers and addresses of three persons~~
984 ~~who have known the applicant personally for at least 12 months preceding the~~
985 ~~date of the application.~~
- 986 (5) ~~The fingerprints of the applicant.~~
- 987 (6) ~~At least three recent photographs of the applicant, which shall be of such size~~
988 ~~as may be required by the chief of police.~~
- 989 (7) ~~Proof of legal age required to obtain any license required to operate a vehicle~~
990 ~~licensed pursuant to this article.~~
- 991 (8) ~~Demonstration of ability to speak and understand the English language and to~~
992 ~~read and recognize street signage.~~
- 993 (9) ~~Proof of a valid chauffeur's license issued to the applicant under the laws of the~~
994 ~~state of Missouri, or a valid license which would authorize the applicant to~~
995 ~~operate a taxicab, transportation network vehicle, or airport limousine under the~~
996 ~~laws of the state of Missouri, and submission to the chief of police of the~~
997 ~~certificate of registration furnished the applicant under RSMo 301.002 et seq.~~
998 ~~The number thereon shall be noted on the application for the permit.~~

- 999 (10) ~~Submission of a certificate of physical examination by a physician licensed to~~
1000 ~~practice in the state, which shall recite the following matters:~~
1001 ~~a. The applicant is free of defective vision or has corrected vision to at least~~
1002 ~~20-20 in both eyes.~~
1003 ~~b. The applicant is free of defective hearing, epilepsy, vertigo, heart trouble,~~
1004 ~~and any other infirmity, physical or mental, which would render applicant~~
1005 ~~unfit for safe operation of a public vehicle.~~
1006 ~~c. The applicant is free from communicable diseases.~~
1007 (11) ~~As a part of the physical examination, a certificate or other public record~~
1008 ~~showing that the applicant has been tested and passed drug and alcohol~~
1009 ~~screening at least equal to the screening requirements set by the United States~~
1010 ~~Department of Transportation for motor carrier drivers with respect to the~~
1011 ~~number and types of drugs or controlled substances tested, which certificate~~
1012 ~~must have been issued no more than five days prior to the date of application.~~
1013 (12) ~~Whether the applicant has completed a course in first aid and life saving~~
1014 ~~administered under the American Red Cross or a course similar in content to~~
1015 ~~the American Red Cross administered first aid and life saving course. Such~~
1016 ~~completion of a course shall not be a requirement for the issuance of a driver's~~
1017 ~~permit, but such completion, when evidenced, shall be noted on the driver's~~
1018 ~~permit.~~
1019 (c) ~~As a part of the application, the applicant shall sign a release of information form~~
1020 ~~which shall permit the director or the chief of police to release information contained~~
1021 ~~in the application to any law enforcement agency.~~
1022 (d) As an alternative to a background check conducted by the director, a background
1023 check for the driver may be conducted by a vendor approved by the director and
1024 shall be submitted by the transportation network, taxicab, or airport limousine
1025 company.
1026

1027 ~~Sec. 118-83. - Examination of applicant for permit.~~
1028

1029 ~~After complying with the provisions of section 118-82, every applicant shall~~
1030 ~~be examined by the chief of police or his duly authorized subordinate as to the~~
1031 ~~applicant's knowledge of the provisions of this article, knowledge of the city, and~~
1032 ~~knowledge of local traffic regulations. An applicant shall not take the examination~~
1033 ~~more than twice in any 14-day period. Should an applicant fail to pass the~~
1034 ~~examination four times in a 28-day period, he shall not be permitted to take the~~
1035 ~~examination for a period of three months. The applicant may also be required by~~
1036 ~~the chief of police to demonstrate the skill and ability with which the applicant~~
1037 ~~operates a motor vehicle.~~
1038

1039 ~~Sec. 118-843. - Issuance and display of permit.~~
1040

1041 ~~Before issuing a permit to drive a taxicab, transportation network vehicle,~~
1042 ~~or airport limousine, the chief of police director shall investigate the facts set out~~
1043 ~~in the application and shall not grant a permit to drive a taxicab, transportation~~

1044 network vehicle, or airport limousine to any person who has been convicted of a
1045 violation of the criminal laws of any state or the United States defined as a felony
1046 and who has served any part of such sentence within five years of the date of
1047 such application, or who, in the opinion of the ~~chief of police~~ director, is not
1048 physically fit or otherwise qualified to operate a taxicab, transportation network
1049 vehicle, courtesy car, or airport limousine in the city; except that the ~~chief of~~
1050 ~~police~~ director may issue a license to such person when the person has shown
1051 evidence of criminal rehabilitation in accordance with RSMo 314.200. Upon being
1052 satisfied that the applicant is qualified and upon proof of payment of the fees
1053 required by this article, the ~~chief of police~~ director shall issue a driver's permit to
1054 the applicant, which shall be valid for a period of three years; provided, however,
1055 nothing in this section shall be construed as requiring the issuance of a driver's
1056 permit to a person who is a resident of a halfway house or similar facility. The
1057 permit shall be prominently displayed in the taxicab, transportation network
1058 vehicle, or airport limousine at all times while the driver is operating the taxicab,
1059 transportation network vehicle, or airport limousine. The permit shall include a
1060 photograph of the driver and the number assigned to the driver by the ~~chief of~~
1061 ~~police~~ director.

1062
1063 Sec. 118-854. - Notice of denial of permit.

1064
1065 If a driver's permit is not granted by the ~~chief of police~~ director, the
1066 director ~~chief of police~~ shall furnish the applicant the reasons for such refusal.

1067
1068 Sec. 118-865. - Appeal of denial of permit.

1069
1070 Whenever the ~~chief of police~~ director shall have refused to authorize the
1071 issuance of a driver's permit, the applicant, within ten days after the date of the
1072 notice of such refusal, may file a request in writing to the ~~chief of police~~ director
1073 for an appeal before a hearing examiner designated by the city manager. The
1074 hearing examiner shall conduct a hearing at which he may either consider such
1075 appeal on the evidence produced before the ~~chief of police~~ director or permit the
1076 introduction of new evidence and new tests. In the event of an adverse decision,
1077 the applicant shall have a right of appeal from the date of the city hearing
1078 examiner's decision to circuit court pursuant to RSMo 536.010 et seq.

1079
1080 Sec. 118-876. - Reapplication for permit after denial.

1081
1082 When an applicant has been denied a driver's permit for reasons other
1083 than failing the examination pursuant to section 118-83, no new application shall
1084 be considered for a period of one year.

1085

1086 Sec. 118-887. - Identification card.

1087
1088 At the time of issuance of a driver's permit, the ~~chief of police~~ director shall
1089 also issue an identification card, upon which shall be affixed a one of the
1090 ~~photographs~~ and the number assigned to the driver and filed with the ~~chief of~~
1091 ~~police~~ director. The identification card shall be carried at all times by the driver
1092 when the permittee is driving a taxicab, transportation network vehicle, or airport
1093 limousine, and it shall be displayed on demand to any police officer.

1094
1095 Sec. 118-898. - Renewal of permit.

- 1096
1097 (a) Drivers' permits issued pursuant to this division may be renewed every three years
1098 by the ~~chief of police~~ director if the permittee makes application as provided for in
1099 section 118-82. ~~The permittee shall submit with the application for renewal a~~
1100 ~~certificate of physical examination as in the case of an original application, which~~
1101 ~~certificate, in order to be accepted, must have been issued within 30 days of the~~
1102 ~~date of application. The permittee shall also submit a certificate or other public~~
1103 ~~record of passing drug and alcohol screening as provided in section 118-82 (b)(11),~~
1104 ~~which certificate, in order to be accepted, must have been issued within five days~~
1105 ~~prior to the date of application. The chief of police~~ director may require submission
1106 of other facts as he deems necessary.
- 1107 (b) If a permittee does not make application for renewal of the driver's permit to the
1108 ~~chief of police~~ director prior to expiration of a current permit, the permittee shall be
1109 required to pay a delinquent application fee. If the permittee fails to renew the
1110 driver's permit within 30 days succeeding the expiration of a prior permit, the
1111 permittee shall be required to make an original application.

1112
1113 Sec. 118-9089. - Smoking while carrying passengers.

1114
1115 Drivers of taxicabs, transportation network vehicles, or airport limousines
1116 are prohibited from smoking while carrying passengers ~~who object to their~~
1117 ~~smoking~~.

1118
1119 Sec. 118-940. - Notification of change of address.

1120
1121 Every holder of a driver's permit shall have his residence address on file
1122 with the ~~chief of police~~ director and in case of change shall notify the director
1123 ~~chief of police~~ and any taxicab, transportation network, or airport limousine
1124 companies for whom the driver is operating a taxicab, transportation network
1125 vehicle, or airport limousine in writing within five days. Failure to notify the
1126 director ~~chief of police~~ of a change in address may result in revocation of the
1127 permit.

1128

1129 Sec. 118-921. - Drivers to remain in or near vehicle; dress and appearance of driver;
1130 wearing of badge.

1131
1132 The driver of any taxicab, transportation network vehicle, or airport
1133 limousine shall remain in or beside the vehicle at all times when such vehicle is
1134 standing upon the public streets, except that the driver may aid a passenger
1135 already engaged by the driver with luggage or from a building into the vehicle or
1136 out of the vehicle to a building or when conducting business in conjunction with
1137 his employment. The driver shall also maintain a neat and clean general
1138 appearance ~~and shall be dressed at all times while on duty in a collared shirt,~~
1139 ~~slacks or skirt,~~ and wear a badge on the front of the shirt which lists at least the
1140 number assigned to the driver by the ~~chief of police~~ director and the taxicab or
1141 airport limousine company under whose license he is operating the taxicab or
1142 airport limousine. At the discretion of the driver, the badge may list the first and/or
1143 last name of the driver.

1144
1145 Sec. 118-932. - Procedure for revocation of permit.

1146
1147 Whenever a driver's permit is subject to revocation, a driver's permit may
1148 only be revoked by the ~~chief of police~~ director after ten days' written notice by
1149 registered mail to the permittee and only after a hearing if the permittee makes a
1150 request of the ~~chief of police~~ director in writing within the ten-day period for a
1151 hearing before the hearing examiner of the city.

1152
1153 Sec. 118-943. - Altering or defacing permit, identification card, rate card or log sheet.

1154
1155 No permittee shall deface any permit, identification card, rate card or daily
1156 log sheet, or remove, tamper with or alter a rate card displayed in a taxicab,
1157 transportation network vehicle, or airport limousine. In case of any violation of
1158 this provision, the ~~chief of police~~ director shall revoke the driver's permit. Such
1159 revocation shall be in addition to any other penalty imposed.

1160
1161 Sec. 118-954. - Revocation of permit for conviction of certain offenses, driving with
1162 excessive blood alcohol level, or failure to pass drug test.

1163
1164 Conviction of driving while intoxicated or driving when blood contains
1165 alcohol of 0.08 percent or more by weight in a personal vehicle, or leaving the
1166 scene of any accident, or operating a taxicab, transportation network vehicle, or
1167 airport limousine when blood contains 0.05 percent or more by weight of alcohol,
1168 or failure to pass or submit to a drug test requested by the ~~director of finance or~~
1169 ~~by the chief of police~~ upon probable cause, shall operate as a revocation of any
1170 driver's permit issued under this division, and such driver shall not be eligible to

1171 receive a new permit for a period of one year from the date of such conviction,
1172 except in accordance with RSMo 314.200.

1173
1174 (G.O. No. 5391, § 3, 7-6-2004)

1175
1176 ~~Sec. 118-96. -- Violation marks:~~

1177
1178 ~~(a) For the purpose of regulating permittees under this division, the chief of police is~~
1179 ~~authorized to establish a system of violation marks for the violation of traffic~~
1180 ~~ordinances and ordinances pertaining to taxicabs, transportation network vehicles,~~
1181 ~~airport limousines and other public vehicles, in accordance with the following~~
1182 ~~classified schedule:~~

1183 ~~(1) Class I. Four violation marks shall be entered for each conviction of an offense~~
1184 ~~under any of the following sections:~~

106-19	One-way streets and alleys.
106-79	Obedience to police and fire department officials.
106-128	Immediate notice to police department.
106-129	Written reports required.
106-130	Reports when driver unable to report.
106-153	Obedience required.
106-157	Flashing signals.
106-181	Vehicles to keep to righthand side of street.
106-190	Passing other vehicles traveling in same direction.
106-191	Stopping for school bus.
106-203	Careless and imprudent driving.
106-231	Speed greater than reasonable and prudent.
106-232	Speed limit within central business districts and university district.
106-234	Speed limit outside central business district.

106-235	Speed limit on approach to certain intersections.
106-236	Speed limit in school zones.
106-281	Vehicles required to stop or yield right-of-way prior to entering through streets.
106-300	Stopping, standing or parking prohibited in specified places.
118-498	Vehicle inspection and equipment.
118-510	Refusal of service.
118-521	Daily log of trips.
118-543	Information to be displayed on vehicles.
118-587	Use or possession of intoxicating beverages or controlled substances by owner, driver or employees.
118-598	Use of vehicle for unlawful purpose.
118-621	Manner of operation.
118-88	Identification card.

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- ~~(2) Class II. One violation mark shall be entered for each conviction under any traffic ordinance or ordinance governing taxicabs, transportation network vehicles, airport limousines or other public vehicles not included in Class I.~~
 - ~~(3) Class III. In addition to violation marks entered on convictions as provided in Classes I and II, the chief of police may, after hearing, enter marks for minor violations of rules and regulations, not exceeding one mark in any single case.~~
 - ~~(b) When a permittee receives 12 violation marks in accordance with the schedule provided in this section during any 12-month period, it shall be mandatory upon the chief of police to suspend the permit of the driver for a period of 30 days. Upon completion of the suspension period, a permittee shall have his total of violation marks reduced by one-half.~~
 - ~~(c) Whenever a permittee has accumulated sufficient violation marks to require a second suspension within an 18-month period, the chief of police shall not suspend but shall revoke the driver's permit, and such driver shall not be eligible to receive a new permit for a period of one year from the date of such revocation.~~
- Sec. 118-975. - Revocation of permit for driving while permit is suspended.

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Whenever a permittee is convicted of driving a vehicle for which a driver's permit is required during a period for which the permit has been suspended, the ~~chief of police~~ director shall revoke the permit of such driver, and such driver shall not be eligible to receive a new permit for a period of one year from the date of such revocation.

Sec. 118-986. - Revocation of permit for other causes.

- (a) The ~~chief of police~~ director shall revoke the permit of any driver whenever the ~~chief of police~~ director finds any of the following causes to exist:
- (1) The permittee has obtained a permit by false statements in the application for such permit or upon misrepresentation.
 - (2) The permittee has become physically or mentally incapable of driving a vehicle.
 - (3) The permittee has been convicted of a felony.
 - (4) The permittee has been convicted of a misdemeanor or ordinance violation involving moral turpitude.
 - (5) The permittee has been assessed six points by the Department of Revenue on his driving record within a 12 month period of time.
- (b) In addition to the powers to revoke under subsection (a) of this section, the ~~chief of police~~ director shall have continuing jurisdiction as to permits granted under this division. In the event of misconduct or acts on the part of a permittee which would be sufficient to justify the refusal of a permit in the case of an original application, the ~~chief of police~~ director may revoke a license already granted.

Sec. 118-997. - Notice of hearing involving permit or suspension or revocation of permit.

The ~~chief of police~~ director shall notify the driver of any hearing involving the driver's permit, of any suspension, or of any revocation of a driver's permit by registered mail directed to the last residence address of the driver on file with the ~~chief of police~~ director. Notice of suspension or revocation shall require the driver to surrender the driver's permit and identification card.

Sec. 118-40098. - Eligibility for permit after three revocations.

Whenever a permittee has had the driver's permit revoked three times, the permittee shall not be entitled thereafter to make application for a new permit except with the approval of the city manager.

Sec. 118-40099. - Authority to establish additional regulations.

The ~~chief of police and director of finance~~ are hereby authorized and empowered to establish and adopt such procedures required to carry out the intent of this article.

1247
1248 Sec. 118-102~~100~~. - Replacement of lost or stolen permits.

1249
1250 A charge of \$10.00 shall be paid to the director of finance by the holder of
1251 a driver's permit for the replacement of the permit when misplaced, lost or stolen.

1252
1253 Sec. 118-101. - Drivers; additional regulations

1254
1255 No driver, licensed under this chapter, shall:

1256
1257 (a) Threaten, abuse, insult, provoke, interfere with, impede, or obstruct any other
1258 licensed driver, any passenger, prospective passenger or any other person in
1259 connection with operations under this chapter.

1260 (b) Have in his or her possession while operating a vehicle and performing
1261 services regulated by this chapter, any firearm or weapon, unless authorized under the
1262 laws of this state or federal law;

1263 (c) Provide any payment to any doorman, bellhop, taxicab starter, bartender, or
1264 any other person within the city, in return for the referral of passengers;

1265 (d) Solicit passengers in the city, or lay hands upon the person or baggage of any
1266 person without the express consent of that person, or obstruct the movement of any
1267 persons, or follow any persons for the purpose of soliciting business;

1268 (e) Deceive any person as to destination, route, or fare or drop the person at a
1269 location other than the location requested;

1270 (f) Fail to provide a receipt upon request;

1271 (g) Allow more passengers to occupy the vehicle than is provided for by its
1272 normal seating capacity, as indicated on the vehicle application. In no event shall more
1273 than two persons in addition to the driver be permitted to sit in the front seat of such
1274 vehicle.

1275
1276 Secs. 118-103~~2~~—118-120. - Reserved.

1277
1278 DIVISION 3. - FEES, CHARGES AND RATES

1279
1280 Sec. 118-121. - Payment of fees and charges by licensees and permittees.

1281
1282 (a) It shall be unlawful for a person to operate a taxicab, transportation network
1283 company, airport limousine, or courtesy car service prior to the payment of all fees
1284 and charges required by this article and by the various provisions of this Code.
1285 Failure to pay any annual fees, charges or taxes established by this article or the
1286 various provisions of this Code is grounds for revocation of any permit or license
1287 issued to such person, and revocation shall not be deemed the exclusive remedy
1288 available to the city.

1289 (b) It shall be unlawful for a person to drive a taxicab, transportation network vehicle,
1290 airport limousine or courtesy car prior to the payment of all fees and charges
1291 required by this article and by the various provisions of this Code, and this is

1292 grounds for revocation of any permit or license issued to such person, and
1293 revocation shall not be deemed the exclusive remedy available to the city.

1294
1295 Sec. 118-122. - Application fee for taxicab or airport limousine company license.
1296

1297 There is hereby established an application fee for a taxicab, transportation
1298 network, or airport limousine company license or permit. Such fee shall be such
1299 amount as established by ordinance from time to time. Such fee shall be paid
1300 prior to the acceptance of the application for a license or permit by the director of
1301 ~~finance~~. Failure to pay such fee shall be grounds for refusing to accept and
1302 process an application for a license or permit. The proceeds shall be used to
1303 defray the cost of processing the application for a taxicab, transportation network,
1304 or airport limousine company license or permit. The application fee shall not in
1305 any part be refunded to the applicant.

1306
1307 Sec. 118-123. - Application fee for driver's permit.
1308

1309 There is hereby established an application fee of such amount as
1310 established by ordinance from time to time for a driver's permit or renewal
1311 thereof. Such fee shall be paid to the director of ~~finance~~, who shall then issue a
1312 receipt to the applicant. The ~~chief of police~~ director shall not accept an
1313 application for a driver's permit without such a receipt. The application fee shall
1314 defray the cost of processing the application, the cost of any hearing, the cost of
1315 testing, and other administrative costs and shall include the initial annual driver's
1316 permit fee. If this application is withdrawn or if the permit is not issued to the
1317 applicant, the director of ~~finance~~ shall refund to the applicant an amount equal to
1318 one-half the cost of the driver's permit.

1319
1320 Sec. 118-124. - License fee for taxicab or airport limousine company.
1321

1322 The taxicab or airport limousine company's license fee is hereby
1323 established as that fee which is set out in subsection 70-84(132).
1324

1325 Sec. 118-125. - Delinquent application fee for driver's permit.
1326

1327 There is hereby established a delinquent application fee for making
1328 application for a renewal of a driver's permit. Such fee shall be such amount as
1329 established by ordinance from time to time and shall be assessed in accordance
1330 with the provisions of sections 118-487 and 118-89.
1331

1332 Sec. 118-126. - Vehicle inspection fee.
1333

1334 There is hereby established a vehicle inspection fee, which shall be
1335 assessed against the operator each time the vehicle is inspected or reinspected
1336 pursuant to this article. No approval of a vehicle shall be given until such
1337 inspection fee is paid to the director of ~~finance~~ or his authorized agent. Such fee
1338 shall be such amount as established by ordinance from time to time.

1339
1340 **Sec. 118-127. - Taxicab rates.**

- 1341
1342 (a) The maximum rates charged to passengers of any taxicab company shall be on file
1343 with the director of ~~finance~~. The rates shall be posted in each taxicab vehicle and
1344 visible to all passengers. Taxicab companies may only change the maximum rates
1345 to be charged to passengers by filing a notice with the director of ~~finance~~ 30 days in
1346 advance of any rate change. Failure to notify the director of ~~finance~~ of a change in
1347 rates 30 days in advance, or charging a passenger more than the rates on file, may
1348 result in a one-year suspension of the taxicab company license or the permit of the
1349 driver involved, or both. Notwithstanding the foregoing language, taxicab companies
1350 may change their rates only once every 180 days.
1351 (b) Notwithstanding the provisions of subsection (a), any taxicab company may charge
1352 a rate lower than those rates on file for the company with the director of ~~finance~~.
1353

1354 **Sec. 118-128. - Airport limousine rates.**

- 1355 (a) The maximum rates charged to passengers of any airport limousine company shall
1356 be on file with the director of ~~finance~~. The rates shall be posted in each airport
1357 limousine and visible to all passengers. Airport limousines may only change the
1358 maximum rates to be charged to passengers by filing a notice with the director of ~~of~~
1359 ~~finance~~ 30 days in advance of any rate change. Failure to notify the director of ~~of~~
1360 ~~finance~~ of a change in rates 30 days in advance, or charging a passenger more
1361 than the rates on file, may result in a one-year suspension of the airport limousine
1362 company license or the permit of the driver involved, or both. Notwithstanding the
1363 foregoing language, airport limousine companies may change their rates only once
1364 every 180 days.
1365 (b) Notwithstanding the provisions of subsection (a), any airport limousine company
1366 may charge a rate lower than those rates on file for the company with the director of ~~of~~
1367 ~~finance~~.
1368

1369 **Sec. 118-129. - Transportation network services rates**

- 1370
1371 **(a) Transportation network vehicles shall be for hire at a charge fixed by written**
1372 **agreement in advance which shall entitle the passenger contracting for**
1373 **transportation network services to the exclusive use of the vehicle for the individual**
1374 **or group during the agreed term of the hiring or for transportation to the specific**
1375 **destination, whichever the case may be. The transportation network company must**
1376 **provide a passenger with the rate in advance of the ride. Within 24 hours of the**
1377 **conclusion of the trip, a driver shall give the passenger a legible receipt showing:**
1378 **(1) The rate;**
1379 **(2) Total fare;**

- 1380 (3) How the fare was calculated;
- 1381 (4) The mileage;
- 1382 (5) The time;
- 1383 (6) The name and phone number of the company;
- 1384 (7) The name of the driver; and
- 1385 (8) The vehicle.

1386 The receipt may be submitted to the passenger electronically if the passenger is in
1387 agreement.

1388 (b) Fares established for transportation network and sightseeing vehicles shall be filed
1389 with the director at least two (2) days before they shall become effective. It shall be
1390 unlawful to charge any fare for transportation network services other than the fares
1391 filed with the director in accordance with this section.

1392 (c) Transportation network companies shall provide the passenger with a photo of the
1393 driver, including the make and model of the vehicle and license plate number that
1394 will be picking up the passenger. Further, the transportation network company will
1395 provide vehicles with GPS systems that will provide not only directions to the
1396 destination but will allow the transportation network vehicle to be monitored as to its
1397 route.

1398 (d) Each transportation network company shall maintain accurate records disclosing the
1399 number of trips per vehicle and the hours used. Such records shall be provided to
1400 the director upon request.

1401
1402 Secs. 118-129—118-150. - Reserved.

1403
1404 Section 2 – The section and subsection numbers shown herein shall be used
1405 unless the City Clerk or the codifier of the City Code assign a different section or
1406 subsection number to the language.

1407
1408 Section 3 – Savings Clause. Nothing in this ordinance shall be construed to
1409 affect any suit or proceeding now pending in any court or any rights acquired or liability
1410 incurred nor any cause or causes of action occurred or existing, under any act or
1411 ordinance repealed hereby. Nor shall any right or remedy of any character be lost,
1412 impaired, or affected by this ordinance.

1413
1414 Section 4 – Severability Clause. If any section, subsection, sentence, clause, or
1415 phrase of this ordinance is for any reason held to be invalid, such decision shall not
1416 affect the validity of the remaining portions of this ordinance. The Council hereby
1417 declares that it would have adopted the ordinance and each section, subsection,
1418 sentence, clause, or phrase thereof, irrespective of the fact that any one or more
1419 sections, subsections, sentences, clauses, or phrases be declared invalid.

1420
1421 Section 5 – This ordinance shall be in full force and effect from and after
1422 passage.

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1425 Passed at meeting: _____

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Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: Amanda R. Gallen, Assistant City Attorney

Approved for Council action: Jay Burt, City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 211

FILED: 08-30-16

ORIGINATING DEPARTMENT: City Manager's Office

PURPOSE: Amending the Springfield City Code by repealing language contained in Chapter 118 Vehicles for Hire, and adding new regulations for Transportation Network Companies and Drivers.

BACKGROUND INFORMATION: The transportation industry is adapting with the addition of new technology. Transportation Network Companies (TNC's) are utilizing digital networks and software applications to connect drivers with passengers. Our current taxi regulations do not envision the proliferation of this technology, and therefore TNC's are not able to operate in Springfield. The Springfield Convention and Visitor's Bureau has also noted that visitors to Springfield have inquired about the ability to utilize a TNC for transportation services.

The TNC topic was referred to the City Council Finance and Administration Committee. Council Bill No. 2016-064 was sent by the Committee to City Council on March 21, 2016. At that meeting Council Bill No. 2016-064 was tabled and the topic of TNCs was referred back to the Committee. The Committee met on August 19, 2016 and voted to send forward a new Council Bill for Council consideration.

This proposed Council Bill contains several differences from the original bill presented to Council on March 21, 2016, which include but are not limited to:

- The minimum age requirement for a taxicab, airport limousine, or TNC driver is now proposed to be 18 years of age.
- In lieu of the City conducted background check for drivers, the City may pursuant to this proposal, approve a third party vendor to conduct background checks at the request of the Taxicab Company, airport Limousine Company, or TNC.
- The insurance limits for taxicab companies, airport limousine companies, or TNCs have, pursuant to this proposal, been amended to require \$100,000 for bodily injury or death of one person, \$250,000 for any one accident resulting in injuries to or death of more than one person, and \$25,000 for damage to property.

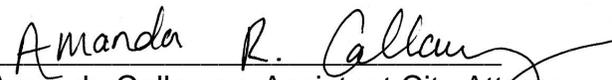
Also included in these code revisions are changes to the existing taxi regulations that will streamline the process and eliminate other now-unnecessary requirements. All drivers, including taxi's and TNC's, are required to satisfy the same regulations: which requires proof of a valid Missouri chauffeur's license, and background checks, among other requirements.

The state mandatory minimum insurance requirements for TNC's will change on April 1, 2017 pursuant to Senate Bill 947. On that date, Section 379.1702 RSMo will go into effect and the following automobile insurance requirements shall apply while a TNC driver is

logged onto the network and available to receive requests but is not engaged in a prearranged ride: primary automobile liability insurance amount of at least \$50,000 for death and bodily injury per person, \$100,000 for death and bodily injury per incident, and \$25,000 for property damage. When the TNC driver is engaged in a prearranged ride, Section 379.1702 requires primary automobile liability insurance in the amount of at least one million dollars for death, bodily injury, and property damage.

REMARKS: The bill is recommended by the City Council Finance & Administration Committee.

Submitted by:


Amanda Callaway, Assistant City Attorney

Recommended by:


Collin Quigley, Assistant City Manager

Approved by:


Greg Burris, City Manager

One-rdg. _____
P. Hrngs. _____
Pgs. 4
Filed 08-30-16

Sponsored by: Ferguson

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016 -212

SPECIAL ORDINANCE NO. _____

AN ORDINANCE

1 APPROVING the transfer of the City's interest in real property located at 820 West
2 Brower Street to the Springfield Community Land Trust.
3
4

5 WHEREAS, the City assumed the title to property located at 820 West Brower
6 Street (the "Property") after demolition of a dangerous building located on site; and
7

8 WHEREAS, after three attempts, the City has been unable to find a buyer for the
9 Property; and
10

11 WHEREAS, Springfield Community Land Trust ("SCLT") will accept the Property
12 to construct affordable housing upon the Property; and
13

14 WHEREAS, disposition of real property owned by the City calls for City Council
15 approval.
16

17 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
18 SPRINGFIELD, MISSOURI, as follows, that:
19

20 Section 1 - The City Council hereby approves the transfer of its ownership
21 interest in the real estate located at 820 West Brower Street , further depicted on
22 "Exhibit A," to SCLT at no cost.
23

24 Section 2 - The City Council hereby authorizes the Mayor to execute such
25 documents as are necessary to convey its interest in the property to SCLT.
26

27 Section 3 - This ordinance shall be in full force and effect from and after passage.
28
29

30 Passed at meeting: _____
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33 _____
34 Mayor

35 Attest: _____, City Clerk

36
37

38 Filed as Ordinance: _____

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41 Approved as to form: Duke McDonald, Assistant City Attorney

42
43

44 Approved for Council Action: Greg Burt, City Manager

EXPLANATION TO COUNCIL BILL NO. 2016 - 212

FILED: 08-30-16

ORIGINATING DEPARTMENT: City Manager's Office

PURPOSE: To authorize the mayor, or his designee, to execute necessary documents to convey its interest in real property located at 820 West Brower Street in Springfield, Missouri, to Springfield Community Land Trust (SCLT) at no cost.

BACKGROUND INFORMATION: The City took over title to the property after demolishing a dangerous building located on the property. The City put the property up for public bid three times but received no bids. No City department needs the property and it does not have a public purpose. A real-estate conveyance requires City Council's approval.

SCLT is a local, not-for-profit organization, which is interested in the property for construction of affordable housing for qualified buyers.

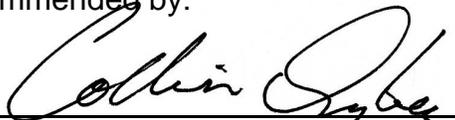
REMARKS: The above council bill originated with the Land Inventory Committee. Under "Administrative Memorandum #5D," the committee has declared the above property to be surplus.

Submitted by:



Duke McDonald, Assistant City Attorney

Recommended by:



Collin Quigley, Assistant City Manager

Approved by:



Greg Burris, City Manager



Exhibit A

City of Springfield, Missouri
820 West Brower Street



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Printed: Aug 17, 2016

One-rdg. _____
P. Hrngs. _____
Pgs. 4
Filed 08-30-16

Sponsored by: Burnett

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016 -213

SPECIAL ORDINANCE NO. _____

AN ORDINANCE

1 APPROVING the transfer of the City's interest in real property located at 1436 North
2 Rogers Avenue to Springfield Community Gardens.
3
4

5 WHEREAS, the City assumed ownership of property located at 1436 North
6 Rogers Avenue (the "Property") following demolition of a dangerous building on site;
7 and
8

9 WHEREAS, a small portion of the Property is in a 0.2% annual chance floodplain
10 and a larger portion is in a 1% annual chance floodplain (see "Exhibit A"); and
11

12 WHEREAS, Springfield Community Gardens (SCG) will accept ownership of the
13 Property in its current condition to construct a community garden thereon; and
14

15 WHEREAS, after repeated attempts, the City has been unable to find a buyer for
16 the Property; and
17

18 WHEREAS, disposition of real property owned by the City calls for City Council
19 approval.
20

21 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
22 SPRINGFIELD, MISSOURI, as follows, that:
23

24 Section 1 - The City Council hereby approves the transfer of its ownership
25 interest in the real estate located at 1436 North Rogers Avenue , further depicted on
26 "Exhibit A," to SCG at no cost.
27

28 Section 2 - The City Council hereby authorizes the Mayor to execute such
29 documents as are necessary to convey its interest in the property to Springfield
30 Community Gardens.
31

32 Section 3 - This ordinance shall be in full force and effect from and after passage.
33

34 Passed at meeting: _____

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Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: *Duke McDonald*, Assistant City Attorney

Approved for Council Action: *Greg Burt*, City Manager

EXPLANATION TO COUNCIL BILL NO. 2016 - 213

FILED: 08-30-16

ORIGINATING DEPARTMENT: City Manager's Office

PURPOSE: To authorize the Mayor, or his designee, to execute necessary documents to convey its interest in real property located at 1436 North Rogers Avenue in Springfield, Missouri, to Springfield Community Gardens (SCG) at no cost to SCG.

BACKGROUND INFORMATION: The City took over title to the property after demolishing a dangerous building located on it. The property sits in a 0.2% annual chance floodplain and a 1% annual chance floodplain (see "Exhibit A"). Due to the flood-plain issues, the City has been unable to sell the property after repeated attempts.

SCG is a local, not-for-profit organization, which will accept the property despite the floodplain issues to develop a community garden. No City department needs the property and it does not have a public purpose. A real-estate conveyance requires City Council's approval.

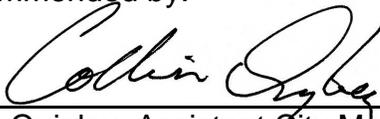
REMARKS: The above council bill originated with the Land Inventory Committee. Under "Administrative Memorandum #5D," the committee has declared the above property to be surplus. Any conveyance of the property must contain a deed restriction that the finish-floor elevation must be above the 0.2% annual chance floodplain.

Submitted by:



Duke McDonald, Assistant City Attorney

Recommended by:



Collin Quigley, Assistant City Manager

Approved by:



Greg Burris, City Manager

Legend

- Base Flood Elevations
- Effective FEMA Floodway
- 1% ANNUAL CHANCE FLOOD HAZARD
- 0.2% ANNUAL CHANCE FLOOD HAZARD

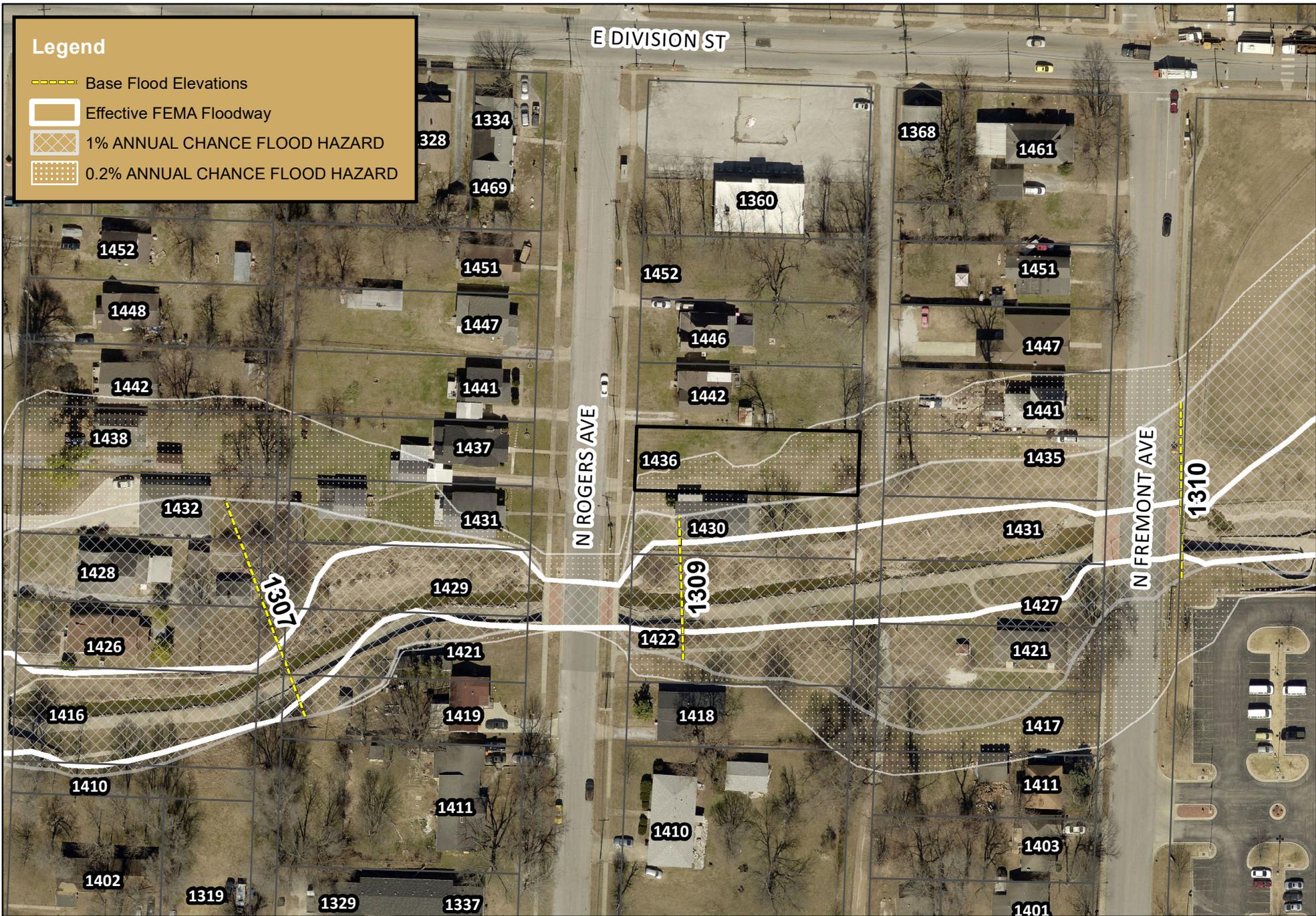


Exhibit A

1436 North Rogers Avenue



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One-rdg. _____
P. Hrngs. _____
Pgs. 4
Filed 08-30-16

Sponsored by: Ferguson

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016 -214

SPECIAL ORDINANCE NO. _____

AN ORDINANCE

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APPROVING the transfer of the City's interest in real property located at 1839 North Tyler Avenue to Alice Mcgilvry.

WHEREAS, the City demolished dangerous buildings located at 1839 North Tyler Avenue and subsequently acquired title to the property; and

WHEREAS, said demolition and related costs totalled \$5,599; and

WHEREAS, the property is within a sink-hole boundary; and

WHEREAS, the City has put the property out for bid three times and has received no bids; and

WHEREAS, the loan committee believes the property to be unmarketable due to the sink-hole boundary; and

WHEREAS, Alice Mcgilvry owns adjacent properties to the north and south of 1839 North Tyler Avenue; and

WHEREAS, Alice Mcgilvry's 1843 North Tyler property sits north of 1839 North Tyler Avenue and shares its sink-hole boundary; and

WHEREAS, Alice Mcgilvry is willing to accept 1839 North Tyler Avenue if the City quitclaim deeds it to her; and

WHEREAS, disposition of real property owned by the City calls for City Council approval.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, MISSOURI, as follows, that:

33 Section 1 - The City Council hereby approves the transfer of its ownership
34 interest in the real estate located at 1839 North Tyler Avenue and further depicted on
35 "Exhibit A" to Alice Mcgilvry.
36

37 Section 2 - The City Council hereby authorizes the Mayor to execute such
38 documents as are necessary to convey its interest in the property to Alice Mcgilvry, with
39 appropriate deed restrictions and reservations.
40

41 Section 3 - This ordinance shall be in full force and effect from and after passage.
42
43
44

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46 Passed at meeting: _____
47

48
49 _____
50 Mayor
51

52 Attest: _____, City Clerk
53
54

55 Filed as Ordinance: _____
56

57 Approved as to form: *Duke McDonald*, Assistant City Attorney
58
59

60 Approved for Council Action: *Greg Burt*, City Manager
61

EXPLANATION TO COUNCIL BILL NO. 2016 - 214

FILED: 08-30-16

ORIGINATING DEPARTMENT: City Manager's Office

PURPOSE: To authorize the Mayor, or his designee, to execute necessary documents to convey title to 1839 North Tyler Avenue at no cost to Alice Mcgilvry, who owns adjacent properties to the North and South.

BACKGROUND INFORMATION: The City spent \$5,599 demolishing dangerous buildings on the property. The City then acquired the property after the owner's death . After putting it out for public bid three times, the City has received no bids. The property is unmarketable because approximately 1/3 of it is within a sink-hole boundary, as is 1843 North Tyler Avenue, Alice Mcgilvry's property to the North.

No city department needs the property and it does not have a public purpose. However, the City will reserve a drainage easement over the entire property and prohibit any building on it. A real-estate conveyance requires City Council's approval.

REMARKS: The above council bill originated with the Land Inventory Committee. Under "Administrative Memorandum #5D," the committee has declared the above property to be surplus.

Submitted by:



Duke McDonald, Assistant City Attorney

Recommended by:

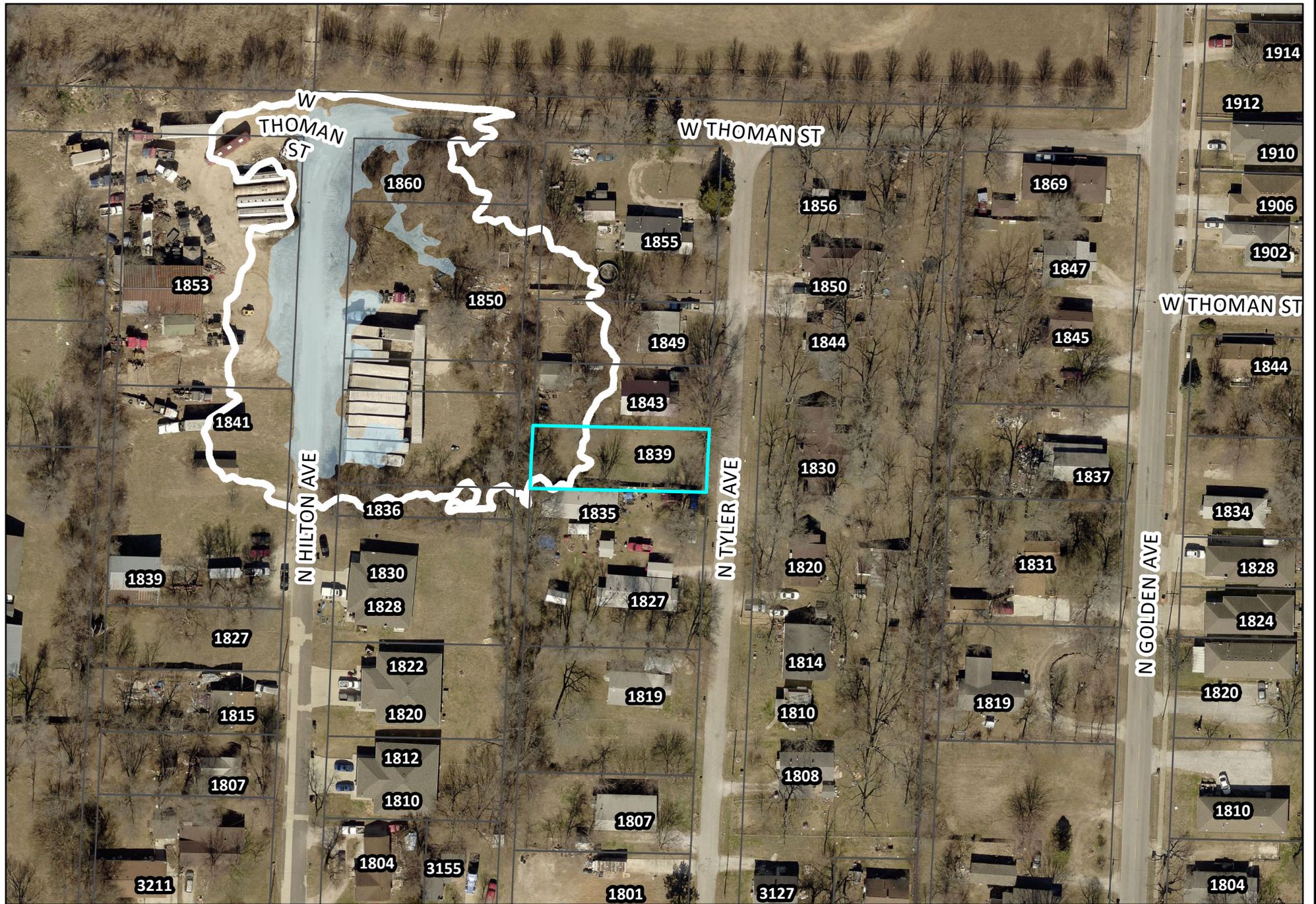


Collin Quigley, Assistant City Manager

Approved by:



Greg Burris, City Manager



One-rdg. X
P. Hrngs. _____
Pgs. 4
Filed: 08-30-16

Sponsored by: McClure

COUNCIL BILL NO. 2016- 215 RESOLUTION NO. _____

RESOLUTION

1 GRANTING a new liquor license to sell retail liquor by the drink, including Sunday
2 sales, to DS GILL, LLC, d/b/a Zayka Indian Cuisine, located at 311 South
3 Jefferson Avenue, Springfield, Missouri, such license to include an
4 enclosed sunroom and a patio measuring 16 feet by 14 feet on the South
5 side of the building.
6 _____
7

8 WHEREAS, DS GILL, LLC, d/b/a Zayka Indian Cuisine, located at 311 South
9 Jefferson Avenue, has filed an application for a license to sell intoxicating liquor by the
10 drink at retail that includes sales on Sunday and also within an enclosed sunroom and a
11 patio measuring 16 feet by 14 feet on the South side of the building; and
12

13 WHEREAS, pursuant to 10-37 of the Springfield City Code, as amended by
14 Section 311.080 RSMo, no license shall be granted for the sale of intoxicating liquor
15 within 200 feet of any school or church unless the applicant shall first obtain the consent
16 in writing of the City Council; and
17

18 WHEREAS, Applicant's place of business is located within 200 feet of a church
19 or school.
20

21 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
22 SPRINGFIELD, MISSOURI, as follows, that:
23

24 Section 1 – The City Council grants DS GILL, LLC, d/b/a Zayka Indian Cuisine, a
25 license to sell intoxicating liquor by the drink at retail and on Sunday at its location at
26 311 South Jefferson Avenue, Springfield, Missouri, such license to include an enclosed
27 sunroom and a patio measuring 16 feet by 14 feet on the south side of the building .
28

29 Section 2 – This resolution shall be in effect immediately upon adoption.
30

31 Passed at meeting: _____
32

33 _____
34 Mayor
35

36
37
38
39
40
41
42
43
44
45

Attest: _____, City Clerk

Filed as Resolution: _____

Approved as to form: Rhonda Lewsade, Assistant City Attorney

Approved for Council action: Greg Burt, City Manager

EXPLANATION TO COUNCIL BILL NO. 2016 - 215

FILED: 08-30-16

ORIGINATING DEPARTMENT: Law

PURPOSE: To grant a new license to sell retail liquor by the drink, including Sunday sales, to DS GILL, LLC, d/b/a Zayka Indian Cuisine, ("DS GILL") located at 311 South Jefferson Avenue, Springfield, Missouri, such license to include an enclosed sunroom and a patio measuring 16 feet by 14 feet on the South side of the building.

BACKGROUND INFORMATION: Applicant, DS GILL, applied for a license to sell retail liquor by the drink, including Sunday sales, at its location at 311 South Jefferson Avenue, such license to include an enclosed sunroom and a patio measuring 16 feet by 14 feet on the south side of the building. The applicant's business is located within 200 feet of property owned by Missouri State University. Missouri State University has been advised by the applicant of applicant's proposed sale of alcohol and does not object (see "Exhibit A").

Pursuant to Section 10-37 of the Springfield City Code, as amended by Section 311.080 RSMo, no license shall be granted for the sale of intoxicating liquor within 200 feet of any church or school unless the applicant shall first obtain the consent in writing of the City Council. As a result, City Council must determine whether it will issue a license to this business at this location.

Submitted by:

Approved by:



Rhonda Lewsader
Assistant City Attorney



Greg Burris, City Manager

Exhibit A



Missouri State UNIVERSITY

August 5, 2015

The City of Springfield, Business Licensing Office
Attn: Buffee Smith, Licensing Supervisor
840 Boonville Avenue
PO Box 8368
Springfield, MO 65801-8368

RE: Liquor License Letter of Non-Protest

To Whom It May Concern:

This letter will serve as a blanket Letter of Non-Protest with regard to the issuance of a liquor license per Missouri statute 311.080 RSMo which prohibits the City of Springfield from issuing a license for the sale of intoxicating liquor to an establishment within a specific distance of a school without the written consent of City Council. The same statute requires that all owners of property within the specified distance are provided at least ten day's written notice prior to the approval of such a license. (Springfield City Code sets the distance at 200 feet.)

In the event that a business should submit a request for a liquor license to the City of Springfield that is in line with this statute, this document should be utilized to satisfy the inquiry of the Springfield City Council for requested approval of the University. Should the University choose to protest a liquor license at any time, the appropriate documentation will be provided by the University to the City of Springfield Business License Division with respect to the aforementioned statute.

Sincerely,

A handwritten signature in black ink that reads "Matthew D. Morris".

Matthew D. Morris
Interim Vice President for Administrative
and Information Services

One-rdg. X
P. Hrngs. _____
Pgs. 3
Filed: 08-30-16

Sponsored by: Fisk

COUNCIL BILL NO. 2016- 216

RESOLUTION NO. _____

RESOLUTION

1 GRANTING a new liquor license to sell retail liquor by the drink, including Sunday sales, to
2 Fresh Ideas Management LLC, located at 900 North Benton, Springfield,
3 Missouri, in Findlay Student Center.
4 _____
5

6 WHEREAS, Fresh Ideas Management LLC, located at 900 North Benton, Springfield,
7 Missouri, has filed an application for a license to sell intoxicating liquor by the drink at retail that
8 includes sales on Sunday; and
9

10 WHEREAS, pursuant to 10-37 of the Springfield City Code, as amended by Section
11 311.080 RSMo, no license shall be granted for the sale of intoxicating liquor within 200 feet of
12 any school or church unless the applicant shall first obtain the consent in writing of the City
13 Council; and
14

15 WHEREAS, Applicant's place of business is located within 200 feet of a church or
16 school.
17

18 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
19 SPRINGFIELD, MISSOURI, as follows, that:
20

21 Section 1 – The City Council grants Fresh Ideas Management LLC a license to sell
22 intoxicating liquor by the drink at retail and on Sunday at its location at 900 North Benton,
23 Springfield, Missouri, in Findlay Student Center.
24

25 Section 2 – This resolution shall be in effect immediately upon adoption.
26

27 Passed at meeting: _____
28

29 _____
30 Mayor
31

32 Attest: _____, City Clerk
33

34 Filed as Resolution: _____
35

36 Approved as to form: Rhonda Lewsader , Assistant City Attorney
37

38 Approved for Council action: Guy Bunt , City Manager
39
40

EXPLANATION TO COUNCIL BILL NO. 2016 -216

FILED: 08-30-16

ORIGINATING DEPARTMENT: Law

PURPOSE: To grant a new license to sell retail liquor by the drink, including Sunday sales, to Fresh Ideas Management LLC located at 900 North Benton, Springfield, Missouri, in Findlay Student Center.

BACKGROUND INFORMATION: Applicant, Fresh Ideas Management LLC applied for a license to sell retail liquor by the drink, including Sunday sales, at its location at 900 North Benton, in Findlay Student Center. The applicant's premises are located on Drury University property, making them within 200 feet of property owned by a school. Drury University has contracted with the applicant to provide food services and desires that the applicant be able to service alcohol in Findlay Student Center (see "Exhibit A").

Pursuant to Section 10-37 of the Springfield City Code, as amended by Section 311.080 RSMo, no license shall be granted for the sale of intoxicating liquor within 200 feet of any church or school unless the applicant shall first obtain the consent in writing of the City Council. As a result, City Council must determine whether it will issue a license to this business location.

Submitted by:

Approved by:



Rhonda Lewsader
Assistant City Attorney



Greg Burris, City Manager

Exhibit A

RESOLUTION OF THE BOARD OF TRUSTEES OF DRURY UNIVERSITY REGARDING CONSENT FOR THIRD PARTY LIQUOR LICENSE ON DRURY UNIVERSITY CAMPUS

BE IT RESOLVED by the Board of Trustees of Drury University (the "Corporation"), as follows:

WHEREAS Drury University and Fresh Ideas entered into a binding contractual agreement naming Fresh Ideas the provider of food service on the Drury University campus, effective June 1, 2016 through May 31, 2021, renewable in one-year terms thereafter, and

WHEREAS the University has the right to cancel the agreement at the end of the five-year term or due to breach of contract by Fresh Ideas, and

WHEREAS Fresh Ideas will utilize kitchen, dining, and catering facilities in Drury University's Findlay Student Center and surrounding University facilities in order to fulfill its contractual obligations, and

WHEREAS Drury University desires that Fresh Ideas has the ability to purchase and serve alcohol in and around Findlay Student Center,

NOW THEREFORE the Board of Trustees of Drury University issues its consent that Fresh Ideas be allowed to obtain appropriate liquor licenses for use in and around Drury University's Findlay Student Center, for the duration of its contract with the University, in order to comply with its contractual obligations and the desires of the University.

IN WITNESS WHEREOF AND ON BEHALF OF THE BOARD OF TRUSTEES, I have

hereunto set my hand this 5th day of August, 2016.

Lyle D Reed

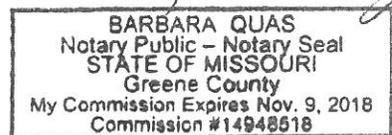
Chairman of the Board of Trustees

Bonnie Meloy

Secretary of the Corporation

Subscribed and sworn to before me this 5th day of August, 2016. I am commissioned as a notary public within the county of Greene, State of Missouri, and my commission expires on November 9, 2018

Barbara Quas



34

35

36 Approved as to form: Amanda R. Callaway, Assistant City Attorney

37

38

39 Approved for Council action: Greg Burt, City Manager

EXPLANATION TO COUNCIL BILL NO. 2016- 217

FILED: 08-30-16

ORIGINATING DEPARTMENT: Public Works

PURPOSE: To authorize the City Manager, or his designee, to apply for a grant from the Missouri Department of Conservation to support native plant establishment and enhancement on the traffic islands at Sunset Street and Grant Avenue, and Sunset Street and Fort Avenue.

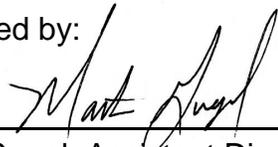
BACKGROUND INFORMATION: Public Works desires to apply for a grant described in detail in "Exhibit A," in the amount of \$9,960 from the Missouri Department of Conservation (MDC) to fund native plant establishment and enhancement. The project will focus on the traffic islands at Sunset Street and Grant Avenue, and Sunset Street and Fort Avenue. The project includes installing native plants that provide habitat for monarch butterflies and food sources for pollinators, as well as informational signs to help educate the public.

REMARKS: This grant requires a match from the City in the form of in-kind services valued at \$15,373.

Supports the following Field Guide 2030 goal(s): Chapter 8, Natural Environment; Major Goal 11, Foster the utilization of native plants within our community; Objective 11a, Require native plants in all public projects and stormwater.

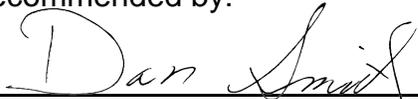
REMARKS: Public Works recommends approval of this Council bill.

Submitted by:



Martin Gugel, Assistant Director of Public Works

Recommended by:



Dan Smith, Director of Public Works

Approved by:



Greg Burris, City Manager

2016 MDC Community Conservation Grant

Sunset Avenue Traffic Islands Glade Planting and Establishment

Project Basics

- **Title:** Turf Conversion to Glade Planting in Traffic Islands
- **Lead Organization:** City of Springfield Public Works, Grounds Division
- **Project Manager:** Contract Horticulturist, Ambur Gossen
- **Funding Request:** \$9,960
- **Total Project Funding:** \$25,333
- Partial funding would be acceptable for our proposed project

Project Description

Overview:

In January of 2015, the City of Springfield began the South Creek Restoration Project along Sunset street, which involved removing over 5,000 linear feet of existing concrete channel, restoring a meandering creek bed with rock & log dams, overseeding with a native plant seed mix, and planting over 100 trees in the riparian corridor. In September of 2015, the City of Springfield's Environmental Services applied for, and was awarded, a Community Conservation Grant from MDC for the maintenance of the native area for the first year.

The two traffic islands in the parameter of this proposal are along Sunset street, partially over the box culverts for the waterway. The habitat in the medians is similar to that of a glade, in full sun, with a hot, dry environment, and relatively shallow soil depth over the concrete. As part of our overall goal to reduce landscape maintenance costs and requirements, while providing tie-in to the traffic islands to the South Creek Project, Public Grounds is proposing to kill off the turf in the two islands and install glade plantings through the dead turf material, along with planting three trees on the islands.

Objectives:

The overall goal of Public Grounds is to reduce maintenance on all medians, traffic islands, parkways, facilities, and City owned lots. With the implementation of the South Creek Project, Public Grounds recognizes an opportunity to:

- Remove turf in the traffic islands that currently must be mowed once a week
- Replace turf with low maintenance, drought tolerant perennials that will compliment the creek below

- Engage local elementary school students and people who utilize the greenway trail along the traffic islands leading to the creek
- Work with the local Greater Ozarks Audobon Society and Missouri Master Naturalists, who volunteer to maintain a section of the riparian corridor further upstream
- Work with Missouri State University's Darr Agriculture Center to use this location as a research project for a college student
- Educate the public about pollinators, urban wildlife, and necessary food sources and habitats, through signage installed along the sidewalk at each traffic island

Management Description and Timeline:

Starting in the summer of 2016, and continuing into the fall of 2016, turf will be mowed to reduce vegetation height and root depth, treatments of glyphosate will be applied to kill off cool season turf and weeds, and pre-emergent will be applied to prevent germination of weed seeds.

In the spring of 2017, treatments of glyphosate will be applied to continue to kill off cool season turf and weeds, and pre-emergent will be applied to prevent germination of weed seeds. Any dead trees will be removed and new trees will be planted in areas not directly over box culverts. Signage built by the City's sign department will be installed at this time as well.

In May-June of 2017, another treatment of glyphosate will be applied as needed. If bermuda grass is an issue, a fifth treatment will be applied in July before installing plugs.

In July-August of 2017, native plugs purchased from growers on the Grow Native! member list will be installed by City employees, as well as Master Naturalists or Gardeners, depending on availability and desire to help. Plants will be installed in zones, according to the landscape design provided by the City's Horticulturist. See detailed lists below.

Supplemental watering will take place by the Public Grounds department the first growing season, at least once a week, or as needed, until plants enter dormancy, using our water trailer.

In fall of 2017, spot spraying and manual removal of weeds will continue as needed.

Trees will be monitored monthly by the City tree establishment contractor, and cared for as needed, for the first three years after planting.

Annual maintenance will consist of cleaning up beds in late February, weed removal as needed, and evaluated for a prescribed burn every 4-5 years, depending on weather and political climate at the time. Maintenance responsibilities will rest primarily with Public Grounds, until a partnership with a community volunteer group can be formed.

10' Buffer Plants

Purple Poppy Mallow	<i>Callirhoe involucrata</i>
Prairie Pussytoes	<i>Antennaria neglecta</i>
Rose Verbena	<i>Glandularia canadensis</i>
Wild Petunia	<i>Ruellia humilis</i>
Missouri Primrose	<i>Oenothera missouriensis</i>
Shooting Star	<i>Dodecatheon meadia</i>
Alum Root	<i>Heuchera richardsonii</i>

Shorter Mid-range Plants

Southern Prairie Aster	<i>Aster paludosus</i>
Silky Aster	<i>Aster sericeus</i>
Lanceleaf Coreopsis	<i>Coreopsis lanceolata</i>
White Prairie Clover	<i>Dalea candida</i>
Purple Prairie Clover	<i>Dalea purpurea</i>
Savanna Bergamot	<i>Monarda bradburniana</i>
Purple Beardtongue	<i>Penstemon cobaea</i>
Butterfly Milkweed	<i>Asclepias tuberosa</i>
Goat's Rue	<i>Tephrosia virginiana</i>
Prairie Dropseed	<i>Sporobolus heterolepis</i>

Mid-range Plants

Green Milkweed	<i>Asclepias viridiflora</i>
Spider Milkweed	<i>Asclepias viridis</i>
Aromatic Aster	<i>Aster oblongifolius</i>
Cream Wild Indigo	<i>Baptisia bracteata</i>
Yellow Wild Indigo	<i>Baptisia sphaerocarpa</i>
Indian Paintbrush	<i>Castilleja coccinea</i>
Prairie Coreopsis	<i>Coreopsis palmata</i>
Western Sunflower	<i>Helianthus occidentalis</i>
Prairie Coneflower	<i>Ratibida columnifera</i>
Gray Goldenrod	<i>Solidago nemoralis</i>
Golden Alexander	<i>Zizia aurea(aptera?)</i>
Rough Blazing Star	<i>Liatris aspera</i>
Glade Blazing star	<i>Liatris mucronata</i>
Squarrosa Blazing Star	<i>Liatris squarrulosa</i>
Slender Mountain Mint	<i>Pycnanthemum tenuifolium</i>
New Jersey Tea	<i>Ceanothus americanus</i>
Leadplant	<i>Amorpha canescens</i>

Taller Mid-range Plants

White Wild Indigo	<i>Baptisia alba</i>
Blue Wild Indigo	<i>Baptisia australis</i>
Sideoats Gramma	<i>Bouteloua curtipendula</i>
Pale Purple Coneflower	<i>Echinacea pallida</i>
Yellow Coneflower	<i>Echinacea paradoxa</i>
Purple Coneflower	<i>Echinacea purpurea</i>
Ozark Glade Coneflower	<i>Echinacea simulata</i>
Prairie Cinquefoil	<i>Potentilla arguta</i>
Prairie Dock	<i>Silphium terebinthinaceum</i>
Little Bluestem	<i>Schizachyrium scoparium</i>
Wild Quinine	<i>Parthenium integrifolium</i>
Virginia Wildrye	<i>Elymus virginicus</i>
Ox-eye Sunflower	<i>Heliopsis helianthoides</i>
Rattlesnake Master	<i>Eryngium yuccifolium</i>
Showy Tick Trefoil	<i>Desmodium canadense</i>
Rosinweed	<i>Silphium integrifolium</i>
Beardtongue	<i>Penstemon digitalis</i>
Switchgrass	<i>Panicum virgatum</i>
Bergamot	<i>Monarda fistulosa</i>
American Beautyberry	<i>Calliarpa americana</i>
Missouri Maidenbush	<i>Phyllanthopsis phyllanthoides</i>

Project Timeline:

- August 2016: Apply first treatments of glyphosate to kill existing bermuda grass
- September 2016: Submit grant application for consideration
- October-November 2016: Mow turf low, apply second treatment of glyphosate, apply pre-emergent
- December 2016: Upon grant award, place plug order with growers
- Early spring 2017: Apply third treatment of glyphosate, apply pre-emergent, remove dead trees, install signs, have new trees planted by contractor, tree maintenance contract begins and goes for three years, hold an invasive weed I.D. class
- May-June 2017: Apply fourth treatment of glyphosate to warm season turf
- July 2017: Apply fifth glyphosate treatment if necessary, install plants, start supplemental watering as needed, hold a native plant I.D. and maintenance class
- Late Summer 2017: Continue watering, control weeds as necessary
- Fall 2017: Apply pre-emergent, control weeds as necessary

- Spring 2018: Apply pre-emergent if needed, continue weed control
- Summer 2018: Take inventory of plants, replace/fill-in plants as needed, continue weed control if natives haven't completely filled in
- Future Management: Monitor and control invasive species, burn after year 4 and every 5 years as possible, replant in blank spaces as needed

Outreach:

The City will work with different partners to provide training for Public Grounds employees. Some of those would be: Patrick Byers of MU Extension for weed I.D. and control, Mervin Wallace at Missouri Wildflowers for native plant I.D. and proper maintenance; MDC staff for burn classes and training.

The City will reach out to Mark Twain elementary school to see if there is an interest in using the traffic islands as an outdoor classroom to study pollinators. The City will also work with MSU's Darr Agriculture Center students to do occasional perennial maintenance and weed control.

The Greater Ozarks Audobon Society and Missouri Master Naturalists help maintain parts of South Creek east of the restoration project. The City will reach out to those groups to see if they would be interested in volunteering to help plant the natives. In return, any unused plugs would be donated for them to use at other locations along the creek.

Project Partners:

City of Springfield Public Grounds Department: All herbicide applications and non-volunteered work

Missouri Master Naturalists- Possible volunteers for planting, possible partner for bed maintenance

Greater Ozarks Audobon Society: Possible volunteers for planting, possible partner for bed maintenance

Missouri State University Agriculture Students/Clubs: Possible volunteers for planting, possible partner for bed maintenance

Missouri Department of Conservation: Mostly advisory

Fiscal Responsibility:

The fiscal responsibility will fall upon the Public Works Department of the City of Springfield

Lead Contact: Ambur Gossen (417) 864-1450, agossen@springfieldmo.gov

Federal Tax ID#: 44-6000268

Missouri Tax ID #: 12493651

Project Budget

ITEM	COST	FUNDING SOURCE
2016 Fall Spraying*	\$ 10	CoS PW
2016 Pre-Emergent Application**	\$ 290	CoS PW
2017 Early Spring Spraying*	\$ 10	CoS PW
2017 Pre-Emergent Application**	\$ 290	CoS PW
2017 Early Summer Spraying*	\$ 10	CoS PW
2017 Mid Summer Spraying* (If Needed)	\$ 10	CoS PW
Mid-Summer Plug Planting (List)		
- 10' Edge Buffer Zone Traffic Island #1	\$ 2,663	CCGP
- Center Island Zone Traffic Island #1	\$ 4,838	CCGP
- 10' Edge Buffer Zone Traffic Island #2	\$ 2,459	CCGP
- Center Island Zone Traffic Island #2	\$ 3,553	CoS PW
2-Swamp White Oak w/ 3 year maintenance	\$ 2,600	CoS PW
1-Crabapple Tree w/ 3 year maintenance	\$ 1,300	Cos PW
2016/17 Staff Labor^ (approx. 250 hrs)	\$ 5,000	CoS PW
2016/17 Volunteer Hours***		Volunteers
Supplemental Watering (approx. 40 hrs)	\$ 800	CoS PW
Educational Signage	\$ 1,500	CoS PW
CoS PW Cost	\$ 15,373	
Total Cost:	\$ 25,333	
Grant Request:	\$ 9,960	

*Glyphosate Herbicide (\$32.51 per 2.5 gal)

**Snapshot Pre-Emergent (\$96.13/50 lb)

***Labor based on current Missouri minimum wage (\$7.65 per hr)

^Average burden rate for City employees (\$20 per hr)

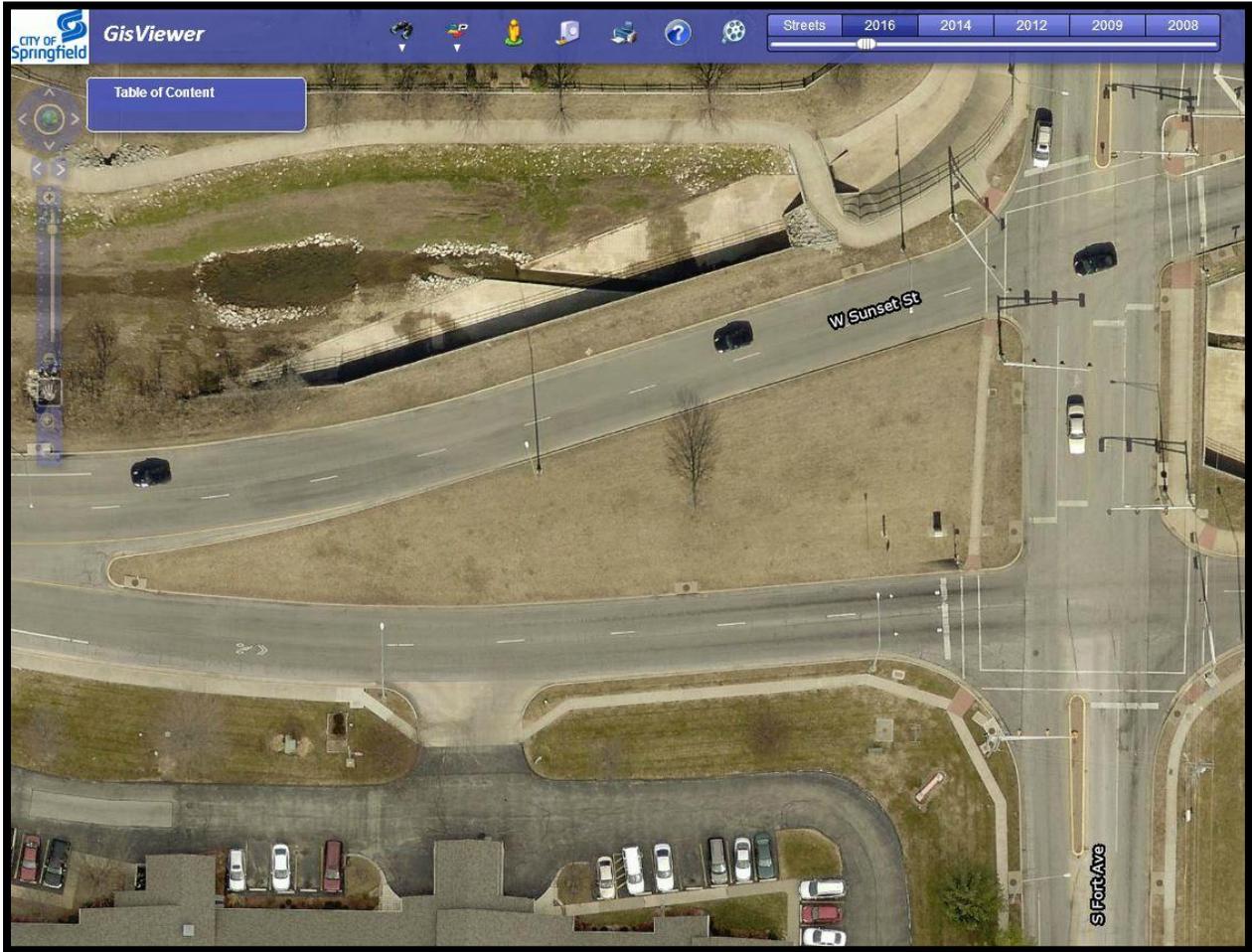
Proposed Project Sites Outlined in Blue:

Fort Ave at top of photo, Grant Ave at bottom of photo. **North ->**



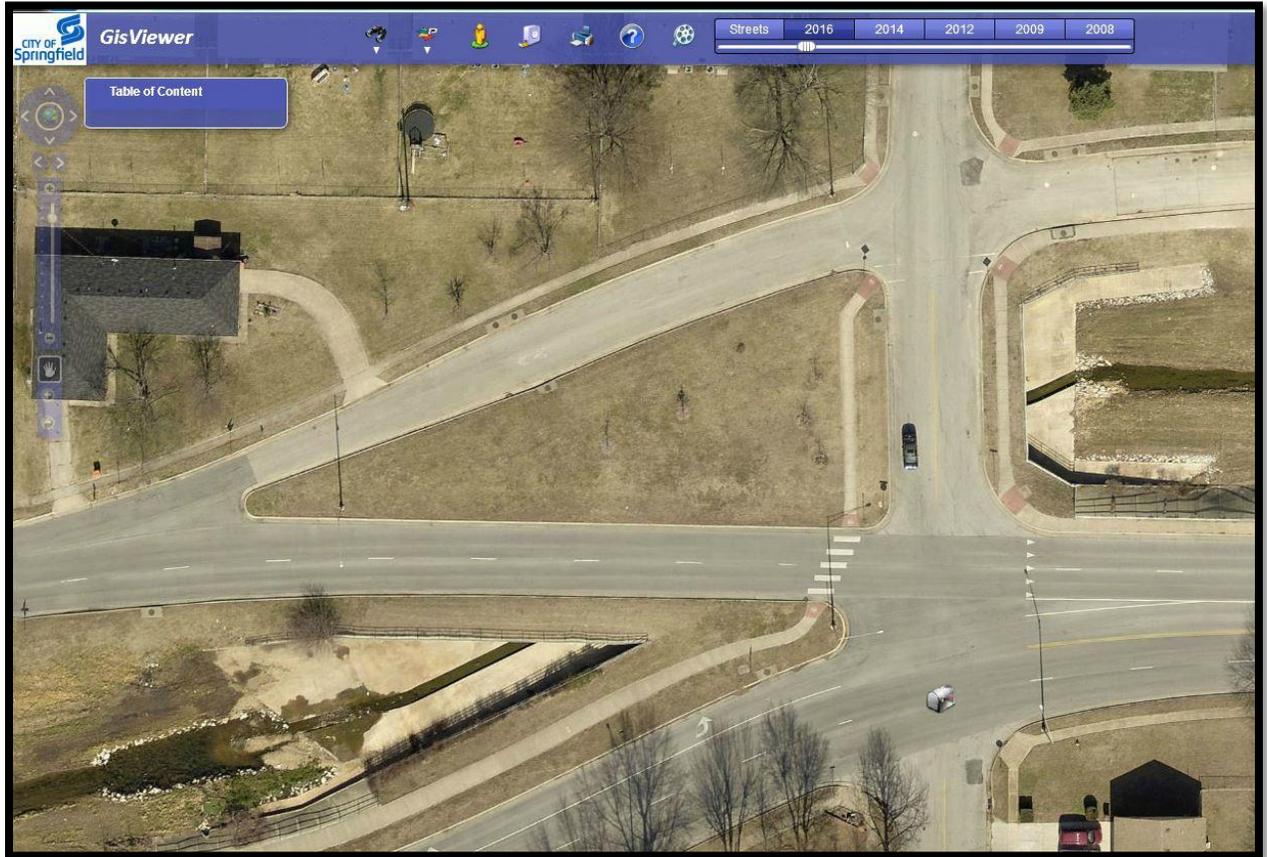
Traffic Island #1:

Fort Ave and Sunset Ave, on the southwest side of South Creek. 16,179 sq. ft. total



Traffic Island #2:

Grant Ave and Sunset Ave, on the northwest side of South Creek. 13,216 sq. ft. total



One-rdg. _____
P. Hrngs. _____
Pgs. 10
Filed: 08-16-16

Sponsored by: Fishel

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016- 204

SPECIAL ORDINANCE NO. _____

AN ORDINANCE

1 AUTHORIZING the City Manager, or his designee, to enter into a License Agreement with
2 Environmental Works, Inc., to install and maintain one monitoring well on
3 a public right-of-way at the Kum & Go, L.L.C., located at 3030 South
4 Jefferson Avenue, to monitor groundwater conditions at no cost to the
5 City.
6 _____
7

8 WHEREAS, this monitoring well is part of an environmental investigation that is
9 taking place at the Kum & Go, L.L.C., at 3030 South Jefferson Avenue as shown on "Exhibit
10 1," and
11

12 WHEREAS, the monitoring well will assist Environmental Works, Inc., in this
13 investigation.
14

15 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
16 SPRINGFIELD, MISSOURI, as follows, that:
17

18 Section 1 – The City Manager, or his designee, is hereby authorized to enter into a
19 License Agreement with Environmental Works, Inc., said agreement to be substantially in
20 the form as that document attached hereto and incorporated herein by reference as "Exhibit
21 2."
22

23 Section 2 – This ordinance shall be in full force and effect from and after passage.
24

25 Passed at meeting: _____
26

27 _____
28 Mayor

29 Attest: _____, City Clerk
30

31 Filed as Ordinance: _____
32

33 Approved as to form: , Assistant City Attorney
34

35 Approved for Council action: , City Manager
36

EXPLANATION TO COUNCIL BILL NO: 2016- 204

FILED: 08-16-16

ORIGINATING DEPARTMENT: Public Works

PURPOSE: To authorize the City Manager, or his designee, to enter into a License Agreement with Environmental Works, Inc., (as shown in "Exhibit 2"), to install and maintain one monitoring well on a public right-of-way to monitor groundwater conditions at no cost to the City.

BACKGROUND INFORMATION: The monitoring well is part of an environmental investigation that is taking place at the Kum & Go, L.L.C. at 3030 South Jefferson Avenue "Exhibit 1." This investigation is conducted with the oversight and approval of the Missouri Department of Natural Resources. The proposed monitoring well will be completed to an approximate depth of 25 feet, depending on field conditions. The well is to be installed flush with the ground approximately 20 feet from the centerline along the east side of South Jefferson Avenue and is within the public right-of-way.

The license agreement permits the consultant to install and maintain one monitoring well in the public right-of-way, in a location and manner approved by a designated representative of the Director of Public Works. The City has previously granted permission to install similar wells in other locations. Proof of insurance has been submitted.

This ordinance supports the following Field Guide 2013 goals: Chapter 8, Natural Environment; Major Goal 16, Watershed Protection – Maintain or restore the pre-development hydrology of our watersheds and protect our waterways from pollution; Objective 16c, Support State Water Pollution Control Regulations - Support legislation to adequately fund the Missouri Department of Natural Resources to ensure they have the resources necessary to enforce the state's land disturbance program and other water pollution control regulations in areas that are not under the jurisdiction of an effective local program.

FINANCIAL: The cost of installation and maintenance falls to Environmental Works, Inc.

RECOMMENDATION: Public Works recommends passage of this Council bill.

Submitted by:



Martin Gugel, Director of Public Works

Recommended by:



Dan Smith, Director of Public Works

Approved by:



Greg Burris, City Manager

Exhibit 1



Exhibit 2

ROUTING	(1) ORIGINATING DEPARTMENT	(2) LICENSEE	(3) FINANCE DEPARTMENT
ORDER	(4) LAW DEPARTMENT	(5) CITY MANAGER'S OFFICE	(6) CITY CLERK'S OFFICE
EFFECTIVE DATE	TERMINATION DATE	CONTRACT NUMBER:	
() NEW CONTRACT		() RENEWAL OF CONTRACT No. _____	
CITY		LICENSEE	
CITY OF SPRINGFIELD 840 BOONVILLE, PO Box 8368 SPRINGFIELD, MO 65802 PHONE: 417-1801 FAX: 417-1983 ATTN: MANDY BUETTGEN-QUINN DEPT: TRAFFIC OPERATIONS		ENVIRONMENTAL WORKS, INC. 1455 E. CHESTNUT EXPRESSWAY SPRINGFIELD, MO 65802 PHONE: 417-890-9500 FAX: 417-823-9659 ATTN: KATIE GRAPPONE	

**LICENSE AGREEMENT
FOR MONITORING WELLS**

This License Agreement, made and entered into this ____ day of _____, 20____, by and between Environmental Works, Inc., a Missouri corporation (hereinafter "Licensee") and the City of Springfield, Missouri, a municipal corporation, (hereinafter "City").

WITNESSETH:

Whereas, the City of Springfield, Missouri, is the owner of certain street right-of-way located south of Battlefield Road on Jefferson Avenue in Springfield, Missouri, and

Whereas, Licensee. is a Missouri corporation is good standing, with its principal offices at 1455 E. Chestnut Expressway, Springfield, Missouri, 65802, and

Whereas, Licensee is an environmental consulting firm which provides sampling and analysis services in connection with hazardous releases from underground storage tanks and other sources, and

Whereas, Licensee has been retained for the purpose of performing site characterization studies, and

Whereas, the Missouri Department of Natural Resources has requested a system of monitoring wells be installed in an area which includes the City property,

NOW, THEREFORE, for and in consideration of the mutual promises and agreements herein contained, it is agreed by the City and Licensee, as follows:

1. License to Install and Maintain Groundwater Monitor Well: City hereby grants to Licensee, its subcontractors, employees and agents, a license to enter upon City property for the purpose of installing, testing, repair and maintenance of one groundwater monitor well in connection with its environmental site characterization study, said monitoring well to be installed as near as feasible to the location shown on **Exhibit A**, which is attached hereto and incorporated by reference. This license shall commence on the date of the execution of this agreement and shall continue until terminated by either party. Upon termination, all well equipment shall be removed, the well properly capped and covered by Licensee and the right-of-way premises restored to the satisfaction of City upon termination of this license.

2. Location of Monitoring Well: The monitoring well location selected by Licensee shall be approved by a designated representative of the City's Department of Public Works prior to installation, who may regulate the time of the work and may require the work to be stopped at any time, in his discretion. Licensee, however, shall have full responsibility for the location of the monitoring well installed. Installation and removal of the well shall be undertaken pursuant to an excavation permit from the

Director of Public Works, subject to the requirements of the applicable City ordinances. Licensee shall conduct its activities so as to minimize any damage to City property and interference with the movement of motor vehicles in the areas where the monitoring well is installed. Adequate guards and warning signs or devices consistent with the requirements contained in the Manual on Uniform Traffic Control Devices will be provided by Licensee during construction. The monitoring well shall not be installed below a depth of thirty (30) feet without express approval of the City and shall at all times be in compliance with applicable City ordinances. The monitoring well shall be protected by metal covers flush with grade and the well shall be constructed below ground level upon completion. Casings shall contain a locking device to prevent unauthorized access to the well. No subsurface water drawn from the well shall be stored on City premises. Well equipment shall conform to the description in **Exhibit B** attached hereto.

3. Indemnity: Licensee, in consideration for the grant of this license, agrees to defend and indemnify, and save the City and its duly elected officials, employees and agents, harmless from any and all claims, demands, causes of action, damages, judgments, costs, attorney fees or expenses, of any sort or kind whatsoever, including all damages for any injuries to person or persons, including death, or to property, arising out of or in connection with the activities on the property by Licensee, its subcontractors, agents and employees, notwithstanding any possible negligence on the part of the City, its duly elected officials, agents or employees, whether sole, concurrent or otherwise.

4. Insurance: Without limiting any of the other obligations or liabilities of the Licensee, the Licensee shall secure and maintain at its own cost and expense, throughout the duration of this License Agreement insurance of such types and in such amounts as may be necessary to protect it and the interests of the City of Springfield against all hazards or risks of loss as hereunder specified or which may arise out of the performance of this License Agreement. The form and limits of such insurance, together with the underwriter thereof in each case, are subject to approval by the City of Springfield. Regardless of such approval, it shall be the responsibility of the Licensee to maintain adequate insurance coverage at all times during the term of the Contract. Failure of the Licensee to maintain coverage shall not relieve it of any contractual responsibility or obligation or liability in general or under this License Agreement.

The certificates of insurance, including evidence of the required endorsements hereunder or the policies, shall be filed with the City within ten (10) days after the date of this License Agreement and prior to Licensee exercising any rights pursuant to this Agreement. All insurance policies shall require that the insurance company in question provide thirty (30) days written notice prior to modification or cancellation of such insurance. Such notices shall be mailed, certified mail, return receipt requested, to:

City of Springfield - Public Works, P.O. Box 8368, Springfield, MO 65801-8368; and

Such policies shall name the City as an additional insured with limits of liability not less than the sovereign immunity limits for Missouri public entities calculated by the Missouri Department of Insurance as of January 1 each calendar year and published annually in the Missouri Register pursuant to Section 537.610, RSMo.

(See, <http://insurance.mo.gov/industry/sovimmunity.php>).

As of January 1, 2015, the minimum coverage for the insurance referred to herein shall be as set out below:

a. Workers' Compensation....Statutory coverage per RSMo 287.010 et seq.
Employer's Liability..... \$1,000,000.00

b. Commercial General Liability Insurance, including coverage for Contractual Liability and Independent Contractors Liability. Such coverage shall apply to bodily injury and property damage on an "Occurrence Form Basis" with limits of at least Two Million Seven Hundred Twenty-Seven Thousand Four Hundred Eighty-Nine and no/100 Dollars (\$2,727,489.00) for all claims arising out of a single accident or occurrence and at least Four Hundred Nine Thousand One Hundred Twenty-Three and no/100 Dollars (\$409,123.00) with respect to injuries and/or death of any one person in a single occurrence and an amount not less than at least \$1,000,000 for all claims to property arising out of a single occurrence and at least \$100,000 to any one owner with respect to damages to property. Licensee agrees that the proceeds of such insurance policy shall first be used to pay any award, damages, costs, and/or attorneys' fees incurred by or assessed against City, its employees, officers and agents, before payment of any award, damages, costs or attorneys fees of Licensee, its employees, officers or agents. Licensee agrees to cause its insurer to name City as an additional insured on such insurance policy, including the City as an additional insured for coverage under its products-completed operations hazard, and said policy shall be primary and noncontributory.

c. Automobile Liability Insurance covering bodily injury and property damage for owned, non-owned and hired vehicles, with limits of at least Two Million Seven Hundred Twenty-Seven Thousand Four Hundred Eighty-Nine and no/100 Dollars

(\$2,727,489.00) for all claims arising out of a single accident or occurrence and at least Four Hundred Nine Thousand One Hundred Twenty-Three and no/100 Dollars (\$409,123.00) with respect to injuries and/or death of any one person in a single accident or occurrence.

d. Subcontracts. In case any or all of this work is sublet, the Licensee shall require its agents to procure and maintain all insurance required in subparagraphs (A), (B) and (C) hereof and in like amounts. Licensee shall require any and all subcontractors with whom it enters into a contract to perform work on this project to protect the City of Springfield through insurance against applicable hazards or risks and shall, upon request of the City, provide evidence of such insurance.

5. Conformity with Environmental Regulations: Licensee shall not cause or create any environmental hazards on the property, nor violate any other governmental laws or regulations which may be applicable to its activities on the premises and shall obtain any and all licenses, permits or consents which may be required for its activities on the premises. Licensee shall insure that its activities do not interfere, directly or indirectly, with any City operations. Licensee shall insure that any subcontractor shall comply with the requirements of this paragraph.

6. Restoration of Premises: Licensee will, at its own expense, promptly upon completion of the work, restore the premises to their pre-existing condition and to the satisfaction of the Department of Public Works.

7. Change in Grade: If the City changes the grade of the row, or changes the location of the street surface, improvements, structures or appurtenances located thereon during the term of the license, or any extensions thereof, thereby necessitating work on or relocation of the well, such work or relocation shall be at Licensee's sole cost and expense.

8. Compensation: No compensation will be payable from the City to Licensee, nor will Licensee be required to pay to City any rent or other fee for entry upon City premises, in accordance with this agreement.

9. Conflict of Interest: Licensee certifies that no member or officer of its corporation is an officer or employee of the City, or any of its boards or agencies, and further that no officer or employee of the City has any financial interest, direct or indirect, in this contract, nor is there any conflict of interest under state law.

10. Discrimination: The Licensee agrees not to discriminate on the basis of or because of the race, creed, color, national origin or ancestry, sex, religion, handicap, age, or political opinion or affiliation, against any person in connection with its activities under the license.

11. Assignment: This License may not be assigned to any other party. City must approve any subcontractor performing work under this license.

12. Notices: Any notices given under this agreement shall be in writing and may be delivered in person or by facsimile transmission, to City, addressed to Frank Romines, City Attorney, City of Springfield, 840 Boonville, Springfield, Missouri 65802, FAX: (417) 864-1551, or to Licensee, addressed to Environmental Works, Inc., 1455 East Chestnut Expressway, Springfield, Missouri 65802, FAX: 417-823-9659.

13. Entire Agreement: This document and the exhibit attached hereto contains the entire agreement between the parties. No modification, amendment, or waiver of any of the provisions of this agreement shall be effective unless in writing specifically referring hereto, and signed by both parties.

14. Applicable Law: This agreement and every question arising hereunder shall be construed or determined according to the laws of the State of Missouri and in litigation pertaining hereto venue shall be proper only in the Circuit Court of Greene County, Missouri.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed on the day and year first written above.

Environmental Works, Inc.

By: _____

Printed Name: _____

Title: _____

Date: _____

APPROVED AS TO FORM

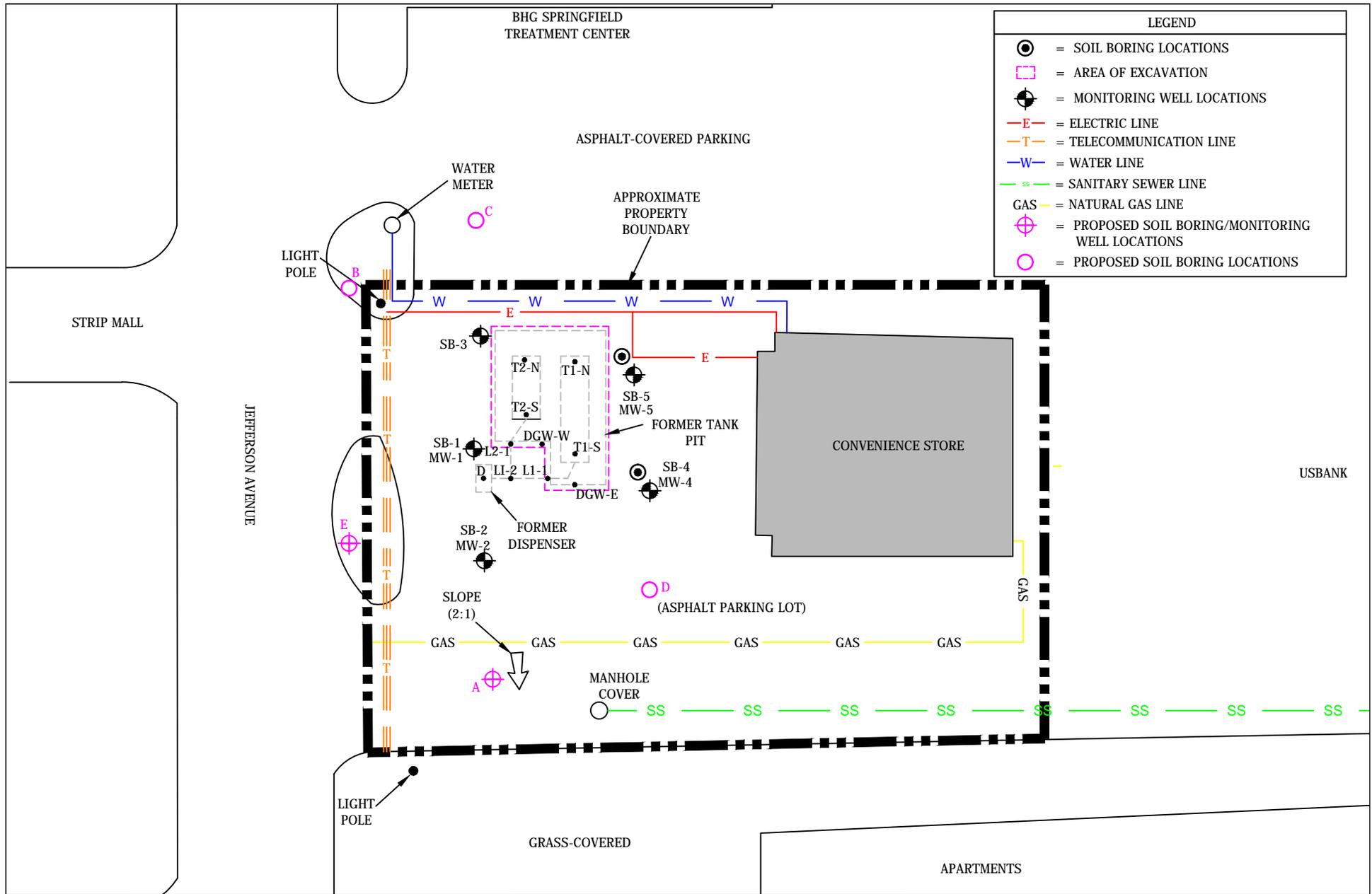
City Attorney or his designee

CITY OF SPRINGFIELD, MISSOURI

By: _____
City Manager or his designee

Date: _____

Exhibit A



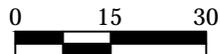
NORTH



CHECKED BY:
K. GRAPPONE

EWI #150604
DRAWN BY: CLM
Apr. 25, 2016

SCALE IN FEET



APPROXIMATE



ENVIRONMENTAL WORKS

Springfield Office Location:
1455 E. Chestnut Expressway
Springfield, MO 65802
Phone: (417) 890-9500

PROPOSED SOIL BORING/MONITORING
WELL LOCATIONS

FORMER KUM & GO #480
3030 SOUTH JEFFERSON AVE.
SPRINGFIELD, GREENE COUNTY, MISSOURI
ST0006445, R009035, CLAIM #63452

FIGURE

6.0

Boring ID: _____

Logged By: _____

Exhibit B

Drilled By: _____

Aboveground: _____ Protective Casing: Aboveground or Flush Mount (circle one)

Casing height agl _____

Surface Pad Diameter: _____

Flush Mount: Traffic Rated Y or N

Diameter: _____

Cement Pad Depth: _____ bls

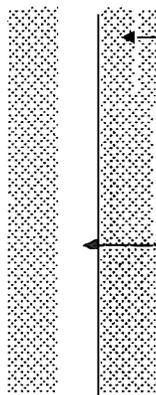
Top of Bentonite Cement Grout: _____ bls

Well Cap: Lockable Y or N

Grout Seal: Neat Cement or Bentonite Cement or Bentonite Slurry (circle one)

_____ # Bags cement (wt/bag _____)

_____ % Bentonite by dry weight



Blank Casing _____

Diameter _____

Type Sch 40 PVC or Stainless Steel (circle one)

Top of Bentonite Seal: _____ bls

Bentonite Seal: Pellets or Chips or Slurry (circle one)

_____ # Bags (wt/bag: _____)

Top of Filter Pack: _____ bls

Filter Pack:

Type: _____

Size: _____

_____ # Bags (wt/bag: _____)

Top of Screen: _____ bls

Screen Casing: _____

Slot Size: _____

Diameter: _____

Type: Sch 40 PVC or Stainless Steel (circle one)

Bottom Cap (length _____)

Bottom of Screen: _____ bls

Total Boring Depth: _____ bls

◀ | ▶ | Borehole Diameter _____

NOT TO SCALE

Well Construction Details Form

DRAWN	CHECKED	APPROVED	DATE
FILENAME			



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

8/17/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Ollis and Company 2274 East Sunshine Springfield MO 65804-1819	CONTACT NAME: Robin Talty PHONE (A/C, No. Ext): (417)881-8333 E-MAIL ADDRESS: Robin.Talty@ollisaa.com	FAX (A/C, No): (417)823-7444
	INSURER(S) AFFORDING COVERAGE	
INSURED Environmental Works, Inc. 1455 E Chestnut Expressway Springfield MO 65802	INSURER A: Starr Surplus Lines Insurance	
	INSURER B: Federal Insurance Company	
	INSURER C:	
	INSURER D:	
	INSURER E:	

NAIC #
13604
COVERAGES
CERTIFICATE NUMBER: 15-16 Master Cert

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X		1000065856151	8/14/2015	8/14/2016	EACH OCCURRENCE \$ 3,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000
							MED EXP (Any one person) \$ 5,000
							PERSONAL & ADV INJURY \$ 3,000,000
							GENERAL AGGREGATE \$ 6,000,000
							PRODUCTS - COMP/OP AGG \$ 6,000,000
							Per Project Aggregate \$ 6,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS			Auto is written through a different Agent and will be issued separately			COMBINED SINGLE LIMIT (Ea accident) \$
							BODILY INJURY (Per person) \$
							BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
							\$
A	<input type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$ None	X		1000336671151	8/14/2015	8/14/2016	EACH OCCURRENCE \$ 7,000,000
							AGGREGATE \$ 7,000,000
							\$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	44727993	8/14/2015	8/14/2016	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER
							E.L. EACH ACCIDENT \$ 1,000,000
							E.L. DISEASE - EA EMPLOYEE \$ 1,000,000
							E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A	Contractor's Pollution- Occ	X		1000065856151	8/14/2015	8/14/2016	\$3,000,000 each incident Incl-Gen Agg
A	Professional Liab - CM			1000065856151	8/14/2015	8/14/2016	\$3,000,000 Liab Limit Incl-Gen Agg

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
CERTIFICATE HOLDER**CANCELLATION**
City of Springfield
PO Box 8368
Springfield, MO 65802

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Robin Talty/R131

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One-rdg. _____
P. Hrngs. _____
Pgs. 12
Filed: 08-16-16

Sponsored by: Ferguson

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016- 205

SPECIAL ORDINANCE NO. _____

AN ORDINANCE

1 AUTHORIZING the City Manager, or his designee, to enter into an agreement with
2 Environmental Works, Inc., to install and maintain eight monitoring wells
3 on public right-of-ways to monitor groundwater conditions at no cost to the
4 City.
5 _____
6

7 WHEREAS, this group of monitoring wells (see "Exhibit 1"), will assist Environmental
8 Works, Inc., in an environmental investigation that is taking place at a former wood treating
9 facility located at 2800 West High Street; and
10

11 WHEREAS, this investigation is conducted in cooperation with the Missouri
12 Department of Natural Resources.
13

14 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
15 SPRINGFIELD, MISSOURI, as follows, that:
16

17 Section 1 – The City Manager, or his designee, is hereby authorized to enter into an
18 agreement with Environmental Works, Inc., said agreement to be substantially in the form
19 as that document attached hereto and incorporated herein by reference as "Exhibit 2."
20

21 Section 2 – This ordinance shall be in full force and effect from and after passage.
22

23 Passed at meeting: _____
24
25

26 _____
27 Mayor
28

29 Attest: _____, City Clerk
30

31 Filed as Ordinance: _____
32

33
34 Approved as to form: John Willington, Assistant City Attorney
35

36 Approved for Council action: Greg B..., City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 205

FILED: 08-16-16

ORIGINATING DEPARTMENT: Public Works

PURPOSE: To authorize the City Manager, or his designee, to enter into an agreement with Environmental Works, Inc., to install and maintain eight monitoring wells on public right-of-way(s) to monitor groundwater conditions at no cost to the City.

BACKGROUND INFORMATION: The monitoring wells are part of an environmental investigation that is taking place at a former wood treating facility, located at 2800 West High Street as shown in "Exhibit 1." This investigation is conducted in cooperation with the Missouri Department of Natural Resources. The proposed monitoring wells will be completed to an approximate depth of 35 feet, depending on field conditions. The wells are to be installed flush with the ground and approximately 20 feet from the centerline on multiple streets within public right-of-ways.

The license agreement "Exhibit 2" permits the consultant to install and maintain eight monitoring wells in the public right-of-way(s), in a location and manner approved by a designated representative of the Director of Public Works. The City has previously granted permission to install similar wells in other locations. Proof of insurance has been submitted.

This ordinance supports the following Field Guide 2013 goals: Chapter 8, Natural Environment; Major Goal 16, Watershed Protection – Maintain or restore the pre-development hydrology of our watersheds and protect our waterways from pollution; Objective 16c, Support State Water Pollution Control Regulations - Support legislation to adequately fund the Missouri Department of Natural Resources to ensure they have the resources necessary to enforce the state's land disturbance program and other water pollution control regulations in areas that are not under the jurisdiction of an effective local program.

FINANCIAL: The cost of installation and maintenance falls to Environmental Works, Inc.

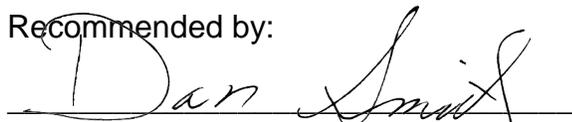
RECOMMENDATION: Public Works recommends passage of this Council bill.

Submitted by:



Martin Gugel, Assistant Director of Public Works

Recommended by:



Dan Smith, Director of Public Works

Approved by:



Greg Burris, City Manager

Exhibit 1

All wells to be installed in the green-way, between the curb and the sidewalk, if compatible with existing utilities.



Exhibit 2

ROUTING	<i>(1) ORIGINATING DEPARTMENT</i>	(2) LICENSEE	(3) FINANCE DEPARTMENT
ORDER	<i>(4) LAW DEPARTMENT</i>	(5) CITY MANAGER'S OFFICE	(6) CITY CLERK'S OFFICE
EFFECTIVE DATE	TERMINATION DATE	CONTRACT NUMBER:	
() NEW CONTRACT		() RENEWAL OF CONTRACT No. _____	
CITY		LICENSEE	
CITY OF SPRINGFIELD 840 BOONVILLE, PO Box 8368 SPRINGFIELD, MO 65802 PHONE: 417-1801 FAX: 417-1983 ATTN: MANDY BUETTGEN-QUINN DEPT: TRAFFIC OPERATIONS		ENVIRONMENTAL WORKS, INC. 1455 E. CHESTNUT EXPRESSWAY SPRINGFIELD, MO 65802 PHONE: 417-890-9500 FAX: 417-823-9659 ATTN: BARBARA GARCIA	

**LICENSE AGREEMENT
FOR MONITORING WELLS**

This License Agreement, made and entered into this ____ day of _____, 20____, by and between Environmental Works, Inc., a Missouri corporation (hereinafter "Licensee") and the City of Springfield, Missouri, a municipal corporation, (hereinafter "City").

WITNESSETH:

Whereas, the City of Springfield, Missouri, is the owner of certain street right-of-way located on North Drury Avenue, on North Clifton, on West Truman Street, on West High Street and on North Fulbright Avenue in Springfield, Missouri, and

Whereas, Licensee. is a Missouri corporation is good standing, with its principal offices at 1455 E. Chestnut Expressway, Springfield, Missouri, 65802, and

Whereas, Licensee is an environmental consulting firm which provides sampling and analysis services in connection with hazardous releases from underground storage tanks and other sources, and

Whereas, Licensee has been retained for the purpose of performing site characterization studies, and

Whereas, the Missouri Department of Natural Resources has requested a system of monitoring wells be installed in an area which includes the City property,

NOW, THEREFORE, for and in consideration of the mutual promises and agreements herein contained, it is agreed by the City and Licensee, as follows:

1. License to Install and Maintain Groundwater Monitor Wells: City hereby grants to Licensee, its subcontractors, employees and agents, a license to enter upon City property for the purpose of installing, testing, repair and maintenance of eight groundwater monitor wells in connection with its environmental site characterization study, said monitoring wells to be installed as near as feasible to the location shown on **Exhibit A**, which is attached hereto and incorporated by reference. This license shall commence on the date of the execution of this agreement and shall continue until terminated by either party. Upon termination, all well equipment shall be removed, the wells properly capped and covered by Licensee and the right-of-way premises restored to the satisfaction of City upon termination of this license.

2. Location of Monitoring Wells: The monitoring well locations selected by Licensee shall be approved by a designated representative of the City's Department of Public Works prior to installation, who may regulate the time of the work and may require the work to be stopped at any time, in his discretion. Licensee, however, shall have full responsibility for the locations of the monitoring wells installed. Installation and removal of the wells shall be undertaken pursuant to an excavation permit from the

Director of Public Works, subject to the requirements of the applicable City ordinances. Licensee shall conduct its activities so as to minimize any damage to City property and interference with the movement of motor vehicles in the areas where the monitoring wells are installed. Adequate guards and warning signs or devices consistent with the requirements contained in the Manual on Uniform Traffic Control Devices will be provided by Licensee during construction. The monitoring wells shall not be installed below a depth of fifty (50) feet without express approval of the City and shall at all times be in compliance with applicable City ordinances. The monitoring wells shall be protected by metal covers flush with grade and the wells shall be constructed below ground level upon completion. Casings shall contain a locking device to prevent unauthorized access to the well. No subsurface water drawn from the wells shall be stored on City premises. Well equipment shall conform to the description in **Exhibit B** attached hereto.

3. Indemnity: Licensee, in consideration for the grant of this license, agrees to defend and indemnify, and save the City and its duly elected officials, employees and agents, harmless from any and all claims, demands, causes of action, damages, judgments, costs, attorney fees or expenses, of any sort or kind whatsoever, including all damages for any injuries to person or persons, including death, or to property, arising out of or in connection with the activities on the property by Licensee, its subcontractors, agents and employees, notwithstanding any possible negligence on the part of the City, its duly elected officials, agents or employees, whether sole, concurrent or otherwise.

4. Insurance: Without limiting any of the other obligations or liabilities of the Licensee, the Licensee shall secure and maintain at its own cost and expense, throughout the duration of this License Agreement insurance of such types and in such amounts as may be necessary to protect it and the interests of the City of Springfield against all hazards or risks of loss as hereunder specified or which may arise out of the performance of this License Agreement. The form and limits of such insurance, together with the underwriter thereof in each case, are subject to approval by the City of Springfield. Regardless of such approval, it shall be the responsibility of the Licensee to maintain adequate insurance coverage at all times during the term of the Contract. Failure of the Licensee to maintain coverage shall not relieve it of any contractual responsibility or obligation or liability in general or under this License Agreement.

The certificates of insurance, including evidence of the required endorsements hereunder or the policies, shall be filed with the City within ten (10) days after the date of this License Agreement and prior to Licensee exercising any rights pursuant to this Agreement. All insurance policies shall require that the insurance company in question provide thirty (30) days written notice prior to modification or cancellation of such insurance. Such notices shall be mailed, certified mail, return receipt requested, to:

City of Springfield - Public Works, P.O. Box 8368, Springfield, MO 65801-8368; and

Such policies shall name the City as an additional insured with limits of liability not less than the sovereign immunity limits for Missouri public entities calculated by the Missouri Department of Insurance as of January 1 each calendar year and published annually in the Missouri Register pursuant to Section 537.610, RSMo.

(See, <http://insurance.mo.gov/industry/sovimmunity.php>).

As of January 1, 2015, the minimum coverage for the insurance referred to herein shall be as set out below:

a. Workers' Compensation....Statutory coverage per RSMo 287.010 et seq.
Employer's Liability..... \$1,000,000.00

b. Commercial General Liability Insurance, including coverage for Contractual Liability and Independent Contractors Liability. Such coverage shall apply to bodily injury and property damage on an "Occurrence Form Basis" with limits of at least Two Million Seven Hundred Twenty-Seven Thousand Four Hundred Eighty-Nine and no/100 Dollars (\$2,727,489.00) for all claims arising out of a single accident or occurrence and at least Four Hundred Nine Thousand One Hundred Twenty-Three and no/100 Dollars (\$409,123.00) with respect to injuries and/or death of any one person in a single occurrence and an amount not less than at least \$1,000,000 for all claims to property arising out of a single occurrence and at least \$100,000 to any one owner with respect to damages to property. Licensee agrees that the proceeds of such insurance policy shall first be used to pay any award, damages, costs, and/or attorneys' fees incurred by or assessed against City, its employees, officers and agents, before payment of any award, damages, costs or attorneys fees of Licensee, its employees, officers or agents. Licensee agrees to cause its insurer to name City as an additional insured on such insurance policy, including the City as an additional insured for coverage under its products-completed operations hazard, and said policy shall be primary and noncontributory.

c. Automobile Liability Insurance covering bodily injury and property damage for owned, non-owned and hired vehicles, with limits of at least Two Million Seven Hundred Twenty-Seven Thousand Four Hundred Eighty-Nine and no/100 Dollars

(\$2,727,489.00) for all claims arising out of a single accident or occurrence and at least Four Hundred Nine Thousand One Hundred Twenty-Three and no/100 Dollars (\$409,123.00) with respect to injuries and/or death of any one person in a single accident or occurrence.

d. Subcontracts. In case any or all of this work is sublet, the Licensee shall require its agents to procure and maintain all insurance required in subparagraphs (A), (B) and (C) hereof and in like amounts. Licensee shall require any and all subcontractors with whom it enters into a contract to perform work on this project to protect the City of Springfield through insurance against applicable hazards or risks and shall, upon request of the City, provide evidence of such insurance.

5. Conformity with Environmental Regulations: Licensee shall not cause or create any environmental hazards on the property, nor violate any other governmental laws or regulations which may be applicable to its activities on the premises and shall obtain any and all licenses, permits or consents which may be required for its activities on the premises. Licensee shall insure that its activities do not interfere, directly or indirectly, with any City operations. Licensee shall insure that any subcontractor shall comply with the requirements of this paragraph.

6. Restoration of Premises: Licensee will, at its own expense, promptly upon completion of the work, restore the premises to their pre-existing condition and to the satisfaction of the Department of Public Works.

7. Change in Grade: If the City changes the grade of the row, or changes the location of the street surface, improvements, structures or appurtenances located thereon during the term of the license, or any extensions thereof, thereby necessitating work on or relocation of the well, such work or relocation shall be at Licensee's sole cost and expense.

8. Compensation: No compensation will be payable from the City to Licensee, nor will Licensee be required to pay to City any rent or other fee for entry upon City premises, in accordance with this agreement.

9. Conflict of Interest: Licensee certifies that no member or officer of its corporation is an officer or employee of the City, or any of its boards or agencies, and further that no officer or employee of the City has any financial interest, direct or indirect, in this contract, nor is there any conflict of interest under state law.

10. Discrimination: The Licensee agrees not to discriminate on the basis of or because of the race, creed, color, national origin or ancestry, sex, religion, handicap, age, or political opinion or affiliation, against any person in connection with its activities under the license.

11. Assignment: This License may not be assigned to any other party. City must approve any subcontractor performing work under this license.

12. Notices: Any notices given under this agreement shall be in writing and may be delivered in person or by facsimile transmission, to City, addressed to Frank Romines, City Attorney, City of Springfield, 840 Boonville, Springfield, Missouri 65802, FAX: (417) 864-1551, or to Licensee, addressed to Environmental Works, Inc., 1455 East Chestnut Expressway, Springfield, Missouri 65802, FAX: 417-823-9659.

13. Entire Agreement: This document and the exhibit attached hereto contains the entire agreement between the parties. No modification, amendment, or waiver of any of the provisions of this agreement shall be effective unless in writing specifically referring hereto, and signed by both parties.

14. Applicable Law: This agreement and every question arising hereunder shall be construed or determined according to the laws of the State of Missouri and in litigation pertaining hereto venue shall be proper only in the Circuit Court of Greene County, Missouri.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed on the day and year first written above.

APPROVED AS TO FORM

City Attorney or his designee

Environmental Works, Inc.

By: _____

Printed Name: _____

Title: _____

Date: _____

CITY OF SPRINGFIELD, MISSOURI

By: _____
City Manager or his designee

Date: _____

Exhibit A

All wells to be installed in the greenway, between the curb and the sidewalk, if existing utilities allow.

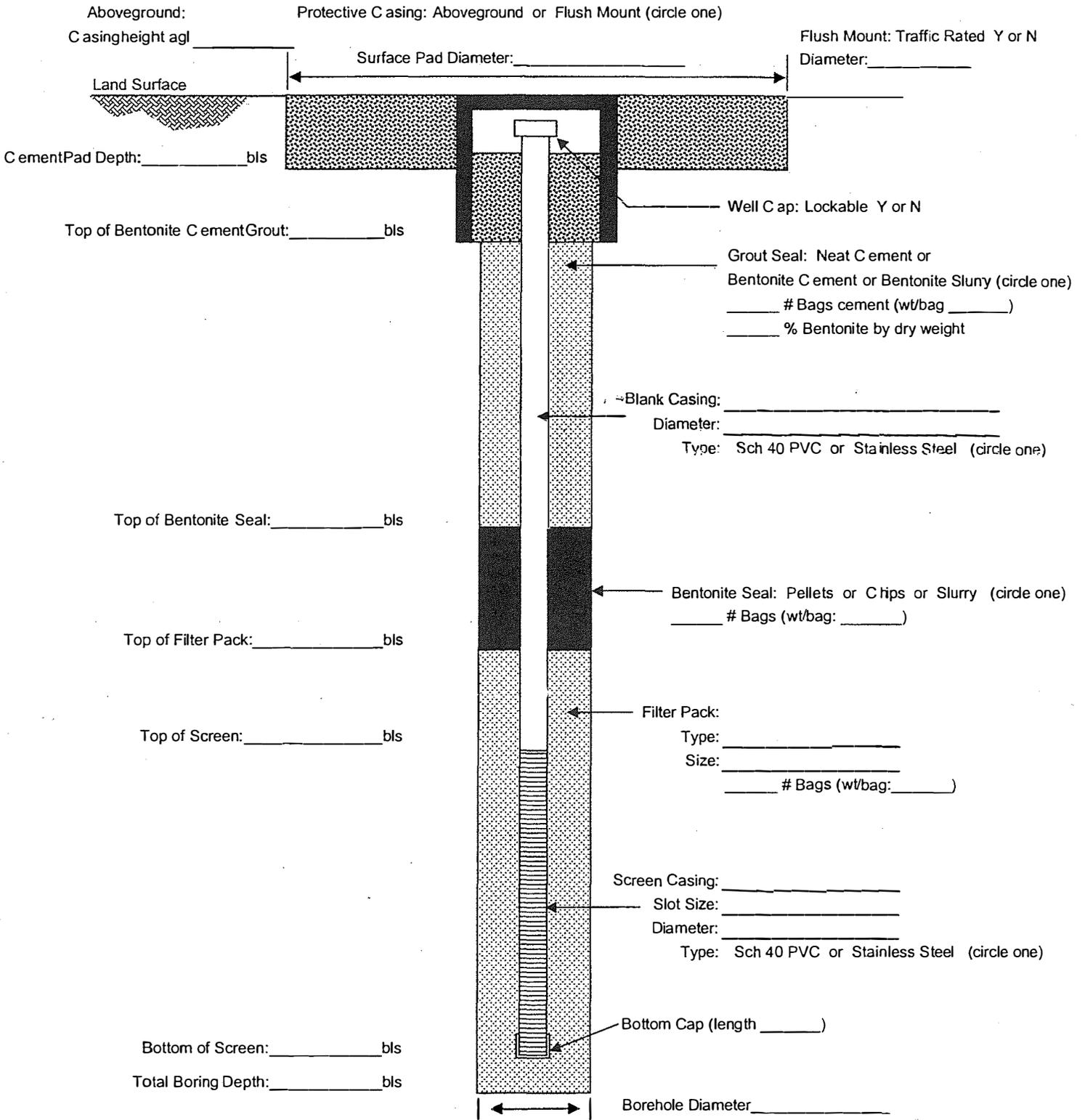


Exhibit B

Logged By: _____

Boring ID: Proposed

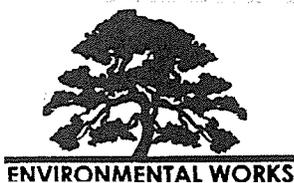
Drilled By: _____



NOT TO SCALE

Well Construction Details Form

DRAWN	CHECKED	APPROVED	DATE
FILENAME			





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
8/14/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Barker Phillips Jackson 1637 S Enterprise Ave PO Box 4207 Springfield MO 65804-4207	CONTACT NAME: Sharon Bradley PHONE (A/C, No, Ext): (417) 887-3550 E-MAIL ADDRESS: sbradley@bpj.com	FAX (A/C, No): (417) 887-3252
	INSURER(S) AFFORDING COVERAGE INSURER A: United Fire & Casualty Company NAIC # 13021	
INSURED Environmental Works Inc 1455 E. Chestnut Expressway Springfield MO 65802-2158	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES CERTIFICATE NUMBER: 15/16 Master REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
	GENERAL LIABILITY <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$	
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS			60406305	8/14/2015	8/14/2016	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$	
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$	
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						<input type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$	
A	Leased & Rented Equipment			60406305	8/14/2015	8/14/2016	Limit	\$450,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 RE: Springfield Laundry City of Springfield is Additional Insured with regards to the Auto Liability coverage. 30 day cancellation notice in favor of the City of Springfield on the auto liability policy.

CERTIFICATE HOLDER City of Springfield PO Box 8368 Springfield, MO 65801-8368	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE Sharon Bradley/SMB <i>Sharon M Bradley</i>



COPY

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
8/17/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Ollis and Company 2274 East Sunshine Springfield MO 65804-1819	CONTACT NAME: Robin Talty PHONE (A/C, No, Ext): (417) 881-8333 FAX (A/C, No): (417) 823-7444 E-MAIL ADDRESS: Robin.Talty@ollisaa.com	
	INSURER(S) AFFORDING COVERAGE	
INSURED Environmental Works, Inc. 1455 E Chestnut Expressway Springfield MO 65802	INSURER A: Starr Surplus Lines Insurance NAIC # 13604	
	INSURER B: Federal Insurance Company	
	INSURER C:	
	INSURER D:	
	INSURER E:	

COVERAGES **CERTIFICATE NUMBER:** 15-16 Master Cert **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY	X		1000065856151	8/14/2015	8/14/2016	EACH OCCURRENCE \$ 3,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000
	GENL AGGREGATE LIMIT APPLIES PER:						MED EXP (Any one person) \$ 5,000
	<input checked="" type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						PERSONAL & ADV INJURY \$ 3,000,000
	OTHER:						GENERAL AGGREGATE \$ 6,000,000
	AUTOMOBILE LIABILITY			Auto is written through a different Agent and will be issued separately			PRODUCTS - COMP/OP AGG \$ 6,000,000
	<input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS						Per Project Aggregate \$ 6,000,000
	<input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> EXCESS LIAB	X		1000336671151	8/14/2015	8/14/2016	BODILY INJURY (Per person) \$
	<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE						BODILY INJURY (Per accident) \$
	DED <input type="checkbox"/> RETENTION \$ None						PROPERTY DAMAGE (Per accident) \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			44727993	8/14/2015	8/14/2016	\$
B	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				E.L. EACH ACCIDENT \$ 1,000,000
							E.L. DISEASE - EA EMPLOYEE \$ 1,000,000
							E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A	Contractor's Pollution- Occ	X		1000065856151	8/14/2015	8/14/2016	\$3,000,000 each incident Incl-Gen Agg
A	Professional Liab - CM			1000065856151	8/14/2015	8/14/2016	\$3,000,000 Liab Limit Incl-Gen Agg

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
re: Springfield Laundry

The Certificate Holder and any person or organization required to be an Additional Insured under a written contract or agreement relating to your business is an Additional Insured with a Waiver of Subrogation per the General Liability/Pollution and Excess policy(s) provisions &/or endorsements. Excess Policy goes over a separate Auto Liability policy not shown here.

CERTIFICATE HOLDER **CANCELLATION**

City of Springfield PO Box 8368 Springfield, MO 65802	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE Robin Talty/R131
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COMMENTS/REMARKS

Due to the varying terms required by certificate holders, the obstacles when attempting to include contract language via a certificate of insurance. Insureds are advised that certificates of insurance should be used only to provide evidence of insurance in lieu of an actual copy of the applicable insurance policy. Certificates cannot be used to amend, expand, or otherwise alter the terms of the actual policy.