

One-rdg. \_\_\_\_\_  
P. Hrngs. \_\_\_\_\_  
Pgs. 4  
Filed: 05-15-16

Sponsored by: Fulnecky

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

COUNCIL BILL 2018- 130

SPECIAL ORDINANCE \_\_\_\_\_

AN ORDINANCE

1 AMENDING Special Ordinances 26739 and 26740 for the purpose of authorizing the  
2 City Manager, or his designee, to exercise any necessary powers,  
3 including the execution of any agreements, which are required to complete  
4 projects funded by the 1/4 -Cent Capital Improvements Sales Tax and the  
5 1/8-Cent Transportation Sales Tax.  
6  
7

8 WHEREAS, the 1/4-Cent Capital Improvement Sales Tax and the 1/8-Cent  
9 Transportation Sales Tax were each approved on April 5, 2016, by a vote of the citizens  
10 of Springfield, Missouri; and  
11

12 WHEREAS, the funds from each tax are designated for high priority capital  
13 improvement projects; and  
14

15 WHEREAS, City Council adopted Special Ordinance 26739 and 26740, on May  
16 16, 2016, to facilitate efforts to design said capital improvements and to authorize  
17 contract negotiations to acquire any needed rights-of-way or real property needed to  
18 complete said projects; and  
19

20 WHEREAS, City Council desires to clarify that the City Manager is authorized to  
21 exercise any powers necessary, including the power to enter into contracts on behalf of  
22 the City to acquire any needed rights-of-way or real property, to ensure that projects  
23 funded by the 1/4 -Cent Capital Improvements Sales Tax and the 1/8-Cent  
24 Transportation Sales Tax are completed in an efficient and timely manner.  
25

26 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
27 SPRINGFIELD, MISSOURI, as follows, that:  
28

29 Section 1 – Special Ordinance 26739 is hereby amended by adding a new  
30 Section 4 thereto and renumbering any remaining sections consistent with this  
31 amendment, said new section to read as follows:  
32

33 (Note: Language to be added is underlined and language being removed is ~~stricken~~.)

34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78

Section 4 – The City Manager, or their designee, is hereby authorized to exercise any and all powers necessary to implement high priority transportation projects funded by the 1/4-Cent Capital Improvements Sales Tax, including, without limitation, the execution of any agreements or contracts for the purchase of any rights-of-way or real property interests which are required to complete said projects and the hiring of any consultants or design professionals whose services are necessary for the completion of said projects. However, any action to proceed with condemnation or eminent domain shall first be approved by City Council.

Section 2 – Special Ordinance 26740 is hereby amended by adding a new Section 4 thereto and renumbering any remaining sections consistent with this amendment, said new section to read as follows:

(Note: Language to be added is underlined and language being removed is ~~stricken~~.)

Section 4 – The City Manager, or their designee, is hereby authorized to exercise any and all powers necessary to implement high priority transportation projects funded by the 1/8-Cent Transportation Sales Tax, including, without limitation, the execution of any agreements or contracts for the purchase of any rights-of-way or real property interests which are required to complete said projects and the hiring of any consultants or design professionals whose services are necessary for the completion of said projects. However, any action to proceed with condemnation or eminent domain shall first be approved by City Council.

Section 3 – 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 Burt, City Manager

## **EXPLANATION TO COUNCIL BILL 2018-130**

FILED: 05-15-18

ORIGINATING DEPARTMENT: Public Works


**PURPOSE:** Authorizing the City Manager, or his designee, to exercise any necessary powers, including the execution of any agreements, which are required to complete projects funded by the 1/4-Cent Capital Improvements Sales Tax and the 1/8-Cent Transportation Sales Tax.

**BACKGROUND:** City Council previously adopted Special Ordinance 26739 and 26740 on May 16, 2016. These Ordinances budgeted funds and facilitated efforts to design and begin contract negotiations for the projects included in the 1/4-Cent Capital Improvement Sales Tax and the 1/8-Cent Transportation Sales Tax which were approved by a vote of the citizens of Springfield on April 5, 2016. This Council bill will clarify that the City Manager is authorized to enter into contracts to acquire the right-of-way and real property needed to complete the projects funded by the 1/4-Cent Capital Improvements Sales Tax and the 1/8-Cent Transportation Sales Tax. This Council bill also clarifies that the City Manager may enter into contracts with consultants and design professionals for services related to 1/4-Cent Capital Improvements Sales Tax and 1/8-Cent Transportation Sales Tax projects.

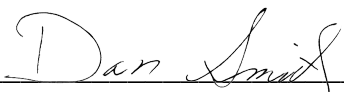
Supports the following Field Guide 2030 goal(s): Chapter 3, Economic Development; Major Goal 3, Plan for and develop infrastructure needed for sustainable, quality, growth; Objective 3a, Prioritize key infrastructure improvements needed to facilitate private investment; Chapter 8, Natural Environment; Major Goal 14, Ensure sustainable, adequate City and County stormwater funding for water quality protection and infrastructure management; Objective 14a, Stormwater Management Funding – Provide sustainable, adequate funding for City/County stormwater management programs; Chapter 12, Transportation; Major Goal 1, Transportation Advocacy and Needs Assessment. The transportation network should be monitored periodically, providing feedback for the support of the most comprehensive solution for transportation demand, safety, quality of life, economic development, availability of applicable funding, and the maximizing of beneficial returns on transportation investments. Transportation improvements should be based on this assessment and the network's relationship with the surrounding land use; Objective 1e, The City of Springfield will identify and work with responsible entities to develop public support and approval for a specific set of regional and local transportation priorities and (a) funding mechanism(s) to supplement (and not supplant) funding for priorities to be implemented with current and forecasted federal, state, regional, and local funding. Possible funding mechanisms that should be explored include expansion of the 1/8-cent transportation sales tax to all of Greene County or establishment of a regional transportation taxing district for the entire OTO metropolitan planning area.

REMARKS: Public Works recommends approval 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