

One-rdg. _____
P. Hrngs. _____
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Filed 10-16-18

Sponsored by Ollis

First Reading _____

Second Reading _____

COUNCIL BILL 2018-256

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING Chapter 98, 'Streets, Sidewalks and Public Places,' Article VI,
2 'Improvements,' Division 4, 'Sewers,' Section 98-285, 'Installation of lift
3 stations and force mains by private developers,' of the Springfield City
4 Code, so as to authorize the revision of subsection (d), 'Connection to
5 existing lift stations;' and replacement of subsection (e), 'Annual statement
6 of difference in costs,' with 'Statement of Lift Station Costs.'

7
8

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

11

12 Section 1 - Chapter 98, 'Streets, Sidewalks and Public Places,' Article VI,
13 'Improvements,' Division 4, 'Sewers,' Section 98-285, 'Installation of lift stations and
14 force mains by private developers,' of the Springfield City Code is hereby amended by
15 enacting revisions to subsection (d), 'Connection to existing lift stations,' and
16 replacement of subsection (e), 'Annual statement of difference in costs,' pertaining to
17 the calculation of lift station costs, which subsection shall read as follows:

18

19 NOTE: Language to be added is underlined. Language to be deleted is ~~stricken~~.

20

21 "(d) *Connection to existing lift stations.* A request by a property owner or
22 developer to connect a new development to a sewer system served by an existing
23 lift station will be reviewed by the city on a case-by-case basis. The city will not
24 allow a new development to connect to a lift station unless there is sufficient
25 capacity in the lift station and force main to serve the additional property or unless
26 the developer increases the capacity of the lift station and force main in an amount
27 sufficient to serve the new property as determined by the city. If the city finds the
28 cost to install a gravity sewer is less than the cost to expand the lift station and force
29 main plus the ten-year variable cost and the incremental cost to construct gravity
30 sewers as adjusted by the construction cost index, then the gravity sewer shall be
31 constructed at the cost of the developer. If, however, the city finds the cost to install
32 the gravity sewer is greater than the cost computed pursuant to the previous
33 sentence, then the city may decide to pay the developer the difference and require

34 the developer to install the gravity sewer. If the city decides not to pay the additional
35 cost for installation of the gravity sewer, the city may allow the developer to install
36 gravity sewers or connect to an existing lift station and force main and expand such
37 lift station and force main if necessary. If the developer elects to connect to the
38 existing lift station and force main, then the developer shall pay the city the ten-year
39 variable cost, plus the incremental cost to construct gravity sewers as adjusted by
40 the construction cost index. These additional fees shall not be assessed for any
41 existing subdivisions which are served by existing lift stations. Fees also shall not be
42 assessed for existing subdivisions under development in phases where the lift
43 station and force main now serving the subdivisions were planned to serve all
44 phases of the development. Nothing contained in this subsection shall be construed
45 to prohibit the city from entering into a contract with a developer which allows the
46 developer to recover a reasonable portion of the developer's ten-year fixed cost
47 from third parties who are developing outside the sewer district and want to connect
48 to the lift station and force main.”

49

50 ~~(e) *Annual statement of difference in costs.* If there are any increases in costs, the~~
51 ~~director of environmental services shall file an annual statement with the city clerk of~~
52 ~~ten-year fixed costs, the ten-year fixed variable cost and the incremental cost to~~
53 ~~construct gravity sewers before such costs are used to compute the difference in~~
54 ~~cost. A copy of the first annual statement has been filed with the ordinance from~~
55 ~~which this section is derived in the city clerk's office. A public meeting shall be held~~
56 ~~by the director of environmental services to discuss the proposed increases and to~~
57 ~~obtain input from the public. After the public hearing, the director of environmental~~
58 ~~services may file with the city clerk the annual statement of difference in costs. Any~~
59 ~~increase in the annual statement of difference in costs shall not become effective~~
60 ~~until 30 days after it has been filed with the city clerk. If a councilmember files a~~
61 ~~written objection with the city clerk within 30 days after the annual statement has~~
62 ~~been filed, then the new annual statement of difference in costs shall not become~~
63 ~~effective until after it has been approved by the city council.~~

64

65 (e) *Calculation of Lift station difference in cost.* The following amounts will be used in
66 the calculation to determine the cost of a lift station in the comparison analysis.
67 Each of these costs are based on December 2017 values and must be adjusted to
68 present-day values using the Engineering News-Record (ENR) Construction Cost
69 Index. As of December 2017, the base value of the ENR Construction Cost Index is
70 10873.

71

- 72 1. The “Ten Year Fixed Cost” is \$92,250
- 73 2. The “Ten Year Variable Cost” is 1.7 cents per square foot of property proposed
74 to be served or \$265 per proposed dwelling unit for a low density residential
75 development (less than 2.8 dwelling units per acre) or \$90 per Population
76 Equivalent (projected average daily discharge/100 GPD) for a Non-residential
77 development whichever is least.
- 78 3. The “Incremental Cost to Construct Gravity Sewers” is 3.77 cents per square
79 foot of property proposed to be served.

80 Section 2 – This Ordinance shall be in full force and effect from and after
81 passage.

82
83 Passed at meeting: _____

84
85 _____
86 Mayor

87
88 Attest: _____, City Clerk

89
90 Filed as Ordinance: _____

91
92 Approved as to form: *John Millington*, Assistant City Attorney

93
94 Approved for Council action: *Jason A. Ray*, City Manager

EXPLANATION TO COUNCIL BILL 2018 - 256

FILED: 10-16-18

ORIGINATING DEPARTMENT: Environmental Services

PURPOSE: Amending Chapter 98, 'Streets, Sidewalks and Public Places,' Article VI, 'Improvements,' Division 4, 'Sewers,' Section 98-285, 'Installation of lift stations and force mains by private developers,' of the Springfield City Code, so as to authorize the revision of subsection (d), 'Connection to existing lift stations;' and replacement of subsection (e), 'Annual statement of difference in costs,' with 'Statement of Lift Station Costs.'

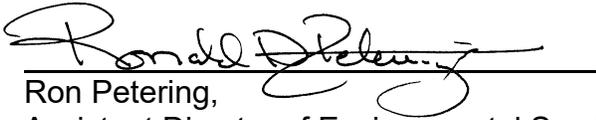
BACKGROUND INFORMATION: The City Code is intended to ensure, to the extent possible, that the operating cost of lift stations and force mains will not be subsidized by users of the sewer system who are outside the area served by the force main and lift station. Section 98-285 details the requirements for installation of lift stations and force mains by private developers and provides a mechanism for developing unsewered tracts while establishing constraints on the construction of public lift stations. The section outlines a method to determine the cost of operating and maintaining a lift station, and an incremental cost to construct a gravity trunk line for future relief of a lift station. It also outlines the methodology for the developer to use when making the cost comparison between building a gravity line or a lift station. Subsection (d) explains how the costs are to be calculated, and Subsection (e) defines how those costs will be annually updated.

The costs associated with construction and maintenance were last updated by ordinance in 2001 and were based on construction costs at that time. The ordinance included a provision to update annually, but this has never been done. With the current proposed revision, the calculation method will remain the same, but the updated costs will be based on current utility, maintenance, and construction costs with a provision that the cost be adjusted annually based on an established construction cost index. This will ensure that in the future, the costs will be reflective of current construction costs.

REMARKS: This proposed revision was recommended by the Plans and Policies Committee on July 19, 2018, and was presented to the Chamber of Commerce's Development Issues Input Group ("DIIG") on September 19, 2018.

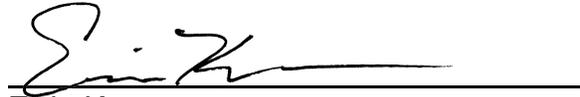
RECOMMENDATIONS: Environmental Services recommends passage of this Council bill.

Submitted by:



Ron Petering,
Assistant Director of Environmental Services

Recommended by:



Errin Kemper,
Director of Environmental Services

Approved by:



Jason A. Gage, City Manager