



City of Springfield

Agenda

City Council

Ken McClure, Mayor

Zone Councilmembers

Monica Horton, Zone 1

Abe McGull, Zone 2

Brandon Jenson, Zone 3

Matthew Simpson, Zone 4

General Councilmembers

Heather Hardinger, General A

Craig Hosmer, General B

Callie Carroll, General C

Derek Lee, General D

September 9, 2024

6:30 PM

**Regional Police-Fire Training Center
2620 West Battlefield Road
Room 101, 102, and 103**

[Rules and procedures.](#)

1. ROLL CALL.

2. APPROVAL OF MINUTES.

2.1. Approval of Minutes. August 19, 2024, City Council Meeting, August 27, 2024, Special City Council Meeting, and September 3, 2024, Special City Council Meeting.

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 MEETING.

6. SECOND READING AND FINAL PASSAGE.

Citizens Have Spoken. May Be Voted On.

6.1. Council Bill 2024-173 (Carroll)

A special ordinance amending the Fiscal Year 2024-2025 budget to appropriate \$461,000 from the Marijuana Sales Tax Fund; and reducing by five the authorized full-time equivalent positions of Police Officer.

7. RESOLUTIONS.

Citizens May Speak. May Be Voted On.

7.1. Council Bill 2024-178 (Simpson)

A resolution initiating the rezoning of approximately 5.4 acres of property generally located at 817 West El Camino Alto Drive from R-LD, Low-Density Multi-Family Residential District with Conditional Overlay District 214 to O-1, Office District and establishing a Conditional Overlay District.

8. EMERGENCY BILLS.

9. PUBLIC IMPROVEMENTS.

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

10.1. Council Bill 2024-179 (Carroll)

A special ordinance authorizing the City Manager, or designee, to accept an Airport Terminal Program Grant from the United States Department of Transportation, Federal Aviation Administration, as part of the Bipartisan Infrastructure Law, to the City of Springfield, Missouri by and through the Springfield-Branson National Airport Board, in an amount of \$5,357,143, for the purpose of providing funds for the construction of five passenger boarding bridges at Springfield-Branson National Airport; requiring the Airport to provide matching funds in the amount of \$281,954.90; amending the budget of the Airport Board for fiscal year 2024-2025 in the amount of \$5,539,097.90; and declaring that this Ordinance qualifies for approval in one reading pursuant to City Charter Section 2.16(25).

11. AMENDED BILLS.

12. COUNCIL BILLS FOR PUBLIC HEARING.

13. FIRST READING BILLS. Requiring One Reading.

14. FIRST READING BILLS. Requiring Two Readings.

Citizens May Speak. Not Anticipated To Be Voted On.

14.1. Council Bill 2024-180 (Hosmer)

A general ordinance amending the Springfield City Code, Section 2-92, known as the "Salary Ordinance," relating to salary grades for various job titles within the City service as contained in the Professional, Administrative and Technical Non-Union Schedule by adding two new job titles and deleting one job title.

14.2. Council Bill 2024-181 (Lee)

A special ordinance approving the Third Amendment to the July 1, 2022, Collective Bargaining Agreement between the City of Springfield, Missouri and the International Brotherhood of Electrical Workers AFL-CIO Union Number 753, the Exclusive Representative of a certain Bargaining Unit within the Crafts, Trades, and Labor employee group; and authorizing the City Manager, or designee, to execute the Third Amendment.

14.3. Council Bill 2024-182 (Horton)

A special ordinance granting an exception to the Comprehensive Housing Assistance Program (“CHAP”) boundary for the Maplewood Villas Phase II development located at 3905 West Maple Street; and authorizing the Department of Planning and Development to approve a \$525,000 loan for the Maplewood Villas Phase II development with a reduced interest rate from the rate established in the CHAP Rules.

14.4. Council Bill 2024-183 (Carroll)

A special ordinance authorizing the City Manager, or designee, to enter into a Cost Apportionment Agreement with the Missouri Highways and Transportation Commission, Greene County, and Ozarks Transportation Organization to share costs associated with various quality of place and other aesthetic improvements over and under Interstate 44 between Kansas Expressway and Glenstone Avenue and on New Melville Road over Interstate 44; and amending the Fiscal Year 2024-2025 budget for the Department of Public Works in the amount of \$2,250,000 to appropriate \$2,200,000 of federal Surface Transportation Block Grant – Urban funds and \$50,000 of 1/8-cent Transportation Sales Tax fund balance reserves for this project.

14.5. Council Bill 2024-184 (Lee)

A special ordinance approving the 2024-2028 1/4-cent Capital Improvement Sales Tax (“CIST”) and the 2025-2029 1/8-cent Transportation Sales Tax (“TST”) projects and programs; and amending the Fiscal Year 2024-2025 budget of the City of Springfield, Missouri, in the amount of \$11,000,000 to appropriate CIST and TST reserves for the same.

14.6. Council Bill 2024-185 (Hosmer)

A special ordinance amending the Fiscal Year 2024-2025 budget for the Department of Environmental Services in the amount of \$1,600,000 to appropriate retained earnings from the Clean Water Fund for the Southwest Wastewater Treatment Plant Ozone Generator Restoration.

14.7. Council Bill 2024-186 (Carroll)

A general ordinance approving the City Utilities’ Fiscal Year 2025 Operating Budget for its Fiscal Year ending September 30, 2025.

14.8. Council Bill 2024-187 (Hosmer)

A general ordinance approving revisions to natural gas rates charged by City Utilities of Springfield, Missouri, and related terms and conditions.

14.9. Council Bill 2024-188 (Hardinger)

A general ordinance authorizing revisions to transit rates charged by City Utilities of Springfield, Missouri, and related terms and conditions.

14.10. Council Bill 2024-189 (Hardinger, Hosmer, Carroll, Lee)

A general ordinance repealing City of Springfield Code Chapter 74 – NUISANCE AND HOUSING CODE, Article VI. – RENTAL PROPERTY REGISTRATION.

14.11. Council Bill 2024-190 (Hardinger, Hosmer, Carroll, Lee)

A general ordinance amending City of Springfield Code Chapter 26 – Buildings and Building Regulations, Article III. – Dangerous, Blighted and Nuisance Building Code, sections 26-62, 26-74, 26-77, 26-79, 26-80, 26-82, 26-83, and 26-84.

15. PETITIONS, REMONSTRANCES AND COMMUNICATIONS.

15.1. Tim Havens wishes to address City Council.

15.2. Brian Paschall wishes to address City Council.

16. NEW BUSINESS.

16.1. 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.

16.2. The Mayor recommends the following appointment to the Springfield-Greene County Public Library Board: Mar'Ellen Felin with term to expire October 1, 2025.

16.3. The City Manager recommends the following appointment to the Art Museum Board: Steve Kirks with term to expire June 1, 2027.

16.4. The City Manager recommends the following appointment to the Art Museum Board: Christina Pike with term to expire June 1, 2026.

16.5. The City Manager recommends the following reappointments to the Art Museum Board: Amanda Stadler and Lindsey Kelsay with terms to expire June 1, 2027.

17. UNFINISHED BUSINESS.

18. MISCELLANEOUS.

19. CONSENT AGENDA – FIRST READING BILLS. See Item #3.

19.1. Council Bill 2024-191 (Carroll)

A special ordinance authorizing the City Manager, or designee, to accept funds in the amount of \$36,500 from Mercy Hospital Springfield, through The Bobby Allison Fund, for use by the Springfield-Greene County Health Department's Family Connects Program; and amending the Fiscal Year 2024-2025 budget in the amount of \$36,500 to appropriate the grant funds.

19.2. Council Bill 2024-192 (Lee)

A special ordinance authorizing the City Manager, or designee, to enter into a Municipal and Cost Apportionment Agreement with the Missouri Highways and Transportation Commission to share costs associated with quality of place and other aesthetic improvements on new lighting and signal poles located at the northbound and southbound US Highway 65 ramps at Evans Road.

20. CONSENT AGENDA – ONE READING BILLS.

21. CONSENT AGENDA – SECOND READING BILLS. See Item #3.

21.1. Council Bill 2024-174 (Jenson)

A special ordinance authoring the City Manager, or designee, to enter into a License Agreement with Missouri State University, for the purpose of allowing the installation and maintenance of a public shuttle shelter onto City right-of-way at 901 East Elm Street.

22. END OF CONSENT AGENDA.

23. ADJOURN.



City of Springfield

Minutes

City Council

Ken McClure, Mayor

Zone Councilmembers

Monica Horton, Zone 1
Abe McGull, Zone 2
Brandon Jenson, Zone 3
Matthew Simpson, Zone 4

General Councilmembers

Heather Hardinger, General A
Craig Hosmer, General B
Callie Carroll, General C
Derek Lee, General D

August 19, 2024

6:30 PM

Regional Police-Fire
Training Center
2620 West Battlefield Road
Room 101, 102, and 103

1. ROLL CALL.

2. APPROVAL OF MINUTES.

2.1. Approval of Minutes. August 5, 2024, City Council Meeting.

Mayor Pro Tem Simpson moved to approve the minutes as presented. Councilmember Horton seconded the motion, and the minutes were approved as presented by the following vote: Ayes: Councilmember Hosmer, Councilmember Carroll, Councilmember Lee, Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, and Mayor McClure. Nays: None. Absent: Councilmember Hardinger. Abstain: None.

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.

The Consent Agenda was approved as presented by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Hardinger. Abstain: None.

4. CEREMONIAL MATTERS.

5. CITY MANAGER REPORT, POLICE CHIEF REPORT, AND RESPONSES TO QUESTIONS RAISED AT THE PREVIOUS CITY COUNCIL MEETING.

Jason Gage, City Manager, noted the City of Springfield's Office of Belonging and Intercultural Development, along with several community partners, hosted an engagement event last week to gather community input on accessibility efforts in the community. He added the collaborative effort gathered feedback and insights from those who stand to benefit from NaviLens technology, an innovative software that allows people who are blind, or have low vision, to independently navigate unknown places by translating visual signage into audio messages.

Mr. Gage thanked the Parks Department for offering cooling center options during the recent heat advisories. He noted all three of the Springfield-Greene County Park Board Family Centers, as well as Jordan Valley Ice Park, opened entrance lobbies as free public cooling centers. Mr. Gage added that all lobbies had seating, restroom access, and air conditioning. Mr. Gage further noted the public was also welcome to cool off in the water at the Ozarks Stream and Fountain at Jordan Valley Park located at 635 East Trafficway. Fountains run daily from 10:00 a.m. to 9:00 p.m., with fountain shows every hour with free admission.

Mr. Gage noted the Birthplace of Route 66 Festival broke attendance records this year with approximately 74,700 people attending the two-and-a-half-day festival. The event had attendees from 39 of the States and 34 countries, including Malaysia, New Zealand, Argentina, Italy, Turkey, and South Africa. A highlight reel of the event was shown.

Mayor McClure commended the Public Information Office staff for their work on the event. He added 2026 would mark the centennial of Route 66.

Paul Williams, Police Chief, provided a quarterly update. Chief Williams noted crime was flat over the past six months. He added the three categories of Crimes Against Persons, Crimes Against Property, and Crimes Against Society would be presented for the first quarter. Chief Williams noted Crimes Against Persons showed a slight decrease of approximately 3 percent. He added crime had trended down since 2021. Chief Williams further noted murder was at 2 for the first six months of the year which was a significant drop. He added burglaries were down approximately 5 percent for the first six months. There was a focus on robberies for the last part of the previous year which educated individuals on how to keep themselves from becoming a victim. Robberies decreased almost 9 percent, and motor vehicle theft decreased by 16 percent. Chief Williams noted approximately 1,500 steering wheel locks were given to owners of Kia and Hyundai vehicles to help prevent theft.

Chief Williams noted there was a nearly 20 percent increase in Crimes Against Society. He further noted there was a 22 percent increase in drug arrests due to aggressive enforcement from the Narcotics Unit. There was also an increase in arrests for heroin, opioids, and methamphetamine.

Chief Williams further noted a dramatic decrease in overdose deaths due to enforcement and the availability of Narcan. Chief Williams noted an increase in gambling and assisting gambling from zero to 24. Chief Williams further noted in the first six months of the year, the number of municipal prisoners nearly doubled. A total of 48 beds were available for use, and that had not been exceeded. Chief Williams added 120 citations for use of video lottery terminals had been issued since passage of the ordinance.

Chief Williams noted gun violence continued to be the number one problem. He added there had been a dramatic decrease over the past five years.

Chief Williams provided an update on the Data-Driven Approach to Crime (DDACTS). Chief Williams noted the running total for calls for service was 93,000 from last July through this June. There were approximately 7,000 fewer calls for service. He further noted officers average 70 traffic stops per month, almost double from a year ago. Chief Williams further noted Operation Safe Ride, a coordination with Highway Patrol for the use of helicopters for enforcement activities, was conducted in July. He added efforts were focused on the downtown area resulting in 66 traffic stops, 65 tickets issued, and three arrests. Chief Williams noted they would continue to monitor the area.

Chief Williams provided an update on the Lights On Program. He noted the program addresses equipment violations such as headlights and taillights that were not functioning and began with 100 vouchers and four repair shops that accept the vouchers. Chief Williams further noted 35 of 100 vouchers had been distributed to date, and the program would continue until the vouchers were distributed in full.

Chief Williams provided an update to Councilmember McGull regarding the number of miles patrol officers drove on average. He noted the average per officer was 13,832 miles per year, or 76 miles per shift.

Chief Williams provided an update on the Unmanned Aerial Vehicle (UAV) unit, drone program. He noted there were two officers dedicated to operating drones, with a goal of using them as first responders. He noted there were an average of 60 deployments, or calls for service, over the past three months. Each deployment lasted approximately 20 minutes. Chief Williams noted there were 175 deployments with 8 apprehensions.

Chief Williams provided a Mental Health Co-Responder update. He noted there were 214 referrals completed in the past six months. He added 166 resolved in 30 minutes or less, and 74 were referred to community resources.

Chief Williams noted there were currently 54 vacant positions. He added recruitment was up with double the number of applicants for the next academy class. Chief Williams further noted 24 individuals were offered positions for next academy class. Chief Williams noted there were eight Police Service Representative vacancies, with six applicants currently in the background check process. Chief Williams noted the department had utilized multifaceted recruiting efforts through television, radio, billboards, and Spanish speaking radio spots.

He added there were statewide television and radio campaigns, a national television radio campaign, and social media ads. Chief Williams further noted the \$5,000 incentive for new recruits and \$10,000 incentive for lateral recruits was beneficial.

Councilmember McGull thanked Chief Williams for the report and asked about the attrition rate. Chief Williams responded approximately 20 to 25 Police Officers were historically lost to retirement and resignation, with a loss of approximately 40 in the most recent years. He added the pattern had slowed with the reinstatement program. Chief Williams noted the attrition goal was 7.5 percent. The rate had been as high as 12.5 percent over the last couple of years and was currently around 10 percent. Councilmember McGull thanked Chief Williams for reporting on the mileage which provided citizens with an idea of how much officers were patrolling the streets. Chief Williams noted bike patrol was used on the Missouri State Campus and in the downtown area. Councilmember McGull encouraged the use of drone patrol. Chief Williams responded drones were used at the Ozark Empire Fair and downtown.

Councilmember Hosmer asked how many officers returned through the rehire program. Chief Williams responded he would get numbers for the rehire and reinstatement programs. He estimated approximately 12 officers had used the programs. Councilmember Hosmer asked if City Council could be given a comparison to benchmark cities for crimes and crimes per officer. Chief Williams responded affirmatively. Councilmember Hosmer asked if officers would pull someone over for a missing license plate. Chief Williams noted officers had discretion to pull individuals over for any violation. Councilmember Hosmer noted citizens had reported concern with reporting crimes for vehicles without license plates. Chief Williams responded he would provide the traffic statistic numbers at the next update. He added license plates were a statewide issue. Chief Williams encouraged citizens to always report crimes.

Councilmember Jenson thanked Chief Williams for the update on noise enforcement. He asked about clearance rates for crime and noted only approximately a third of crimes had been cleared. Chief Williams responded clearance numbers were fluid and always increase over time. He noted a comparison on the number of cases in process and those cleared would be provided. Councilmember Jenson asked for information to be provided on rates of recidivism.

Mayor McClure thanked Chief Williams for his report.

6. SECOND READING AND FINAL PASSAGE.

Citizens Have Spoken. May Be Voted On.

6.1. Council Bill 2024-158 (McGull)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 5 acres of property generally located at 3110 East Cherry Street from GR, General Retail, with Conditional Overlay District 158, to GR, General Retail, with Conditional Overlay District No. 255; and adopting an updated Official Zoning Map. (By: B&T Commercial Properties LLC; 3110 East Cherry Street; Z-19-2024 w/ COD 255.)

Ordinance 6866. Council Bill 2024-158 (McGull) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Hardinger. Abstain: None.

6.2. Council Bill 2024-159 (Simpson)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.73 acres of property generally located at 2456 East Sunshine Street from Planned Development 136, to GR, General Retail District; establishing Conditional Overlay District No. 254; and adopting an updated Official Zoning Map. (By: Thomas Edward Gregorski; 2456 East Sunshine Street; Z-18-2024 w/ Conditional Overlay District No. 254.)

Ordinance 6867. Council Bill 2024-159 (Simpson) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Carroll, Councilmember Lee, Mayor McClure. Nays: None. Absent: Councilmember Hardinger. Abstain: None.

6.3. Council Bill 2024-160 (Jenson)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 5.4 acres of property generally located at 817 West El Camino Alto Drive from R-LD, Low-Density Multi-Family Residential District, with Conditional Overlay District 214, to O-1, Office District; establishing Conditional Overlay District No. 253; and adopting an updated Official Zoning Map. (By: Ridge HZ55, LLC; 817 West El Camino Alto Drive; Z-17-2024 with Conditional Overlay District No. 253.)

Jordan Paul, City Attorney, noted when a Councilmember recuses themselves, they normally leave the dais as best practice, not due to a requirement. He further noted the actual requirement was that the Councilmember not participate in the discussion. Mr. Paul noted the quorum for zoning ordinances required seven members be present. He added to comply with City Code, the three Councilmembers would recuse, not participate in the discussion, but remain in their seat so the quorum was preserved.

Councilmember Carroll, Councilmember Lee, and Mayor McClure recused themselves from Council Bill 2024-160 and remained at the dais.

Councilmember Hosmer asked if there would be a bufferyard between the residential property and the development. Bob Hosmer, Planning Manager, responded affirmatively. He added there would be a 100-foot setback and 400-foot setback for any maximum height limitations. Mr. Hosmer responded the bufferyard would be a 15-foot buffer with plantings on the side. Councilmember Hosmer noted his overarching issue with bufferyards was the lack of enforcement and maintenance. He asked if a bufferyard requirement for other developments had been enforced previously. Mr. Hosmer responded affirmatively.

FAILED. Council Bill 2024-160 (Jenson) failed by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, and Mayor Pro Tem Simpson. Nays: Councilmember Hosmer. Absent: Councilmember Hardinger. Abstain: None. Recused and remained at dais: Councilmember Carroll, Councilmember Lee, and Mayor McClure.

6.4. Council Bill 2024-161 (Jenson)

A general ordinance amending the Official Map of the City of Springfield, Missouri, adopted pursuant to General Ordinance 1478, by changing the street name of the 1700-2000 block of South McCurry Street to South McCurry Avenue.

Ordinance 6868. Council Bill 2024-161 (Jenson) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Hardinger. Abstain: None.

6.5. Council Bill 2024-165 (Horton, McGull)

A special ordinance amending the Fiscal Year 2024-2025 budget of the Department of Public Works in the amount of \$1,350,000 to appropriate 1/4-cent Capital Improvement Sales Tax fund balance reserves for sidewalk improvements and rehabilitation of existing sidewalks.

Ordinance 28038. Council Bill 2024-165 (Horton, McGull) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Hardinger. Abstain: None.

6.6. Council Bill 2024-166 (Simpson)

A special ordinance authorizing the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, Missouri, as shown on the renewal of the Cluster Preliminary Subdivision Plat of Reed Avenue Cottages, generally located at 4423 South Reed Avenue, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with all the terms of this Ordinance.

Councilmember Jenson noted he reviewed the Code to focus on cluster developments. He further noted the purpose of a cluster development was to be designed to encourage ingenuity and originality, and to preserve open space while leveraging densities that would not otherwise be allowed. Councilmember Jenson expressed his belief the proposed met the letter of the law, but not the intent. He expressed he would reluctantly vote in favor.

Ordinance 28039. Council Bill 2024-166 (Simpson) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: Councilmember Hosmer. Absent: Councilmember Hardinger. Abstain: None.

6.7. Council Bill 2024-167 (Hosmer)

A special ordinance amending the Fiscal Year 2024-2025 budget of the Springfield-Greene County Park Board by increasing revenues in the amount of \$175,000.00.

Ordinance 28040. Council Bill 2024-167 (Hosmer) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Hardinger. Abstain: None.

7. RESOLUTIONS.

Citizens May Speak. May Be Voted On.

7.1. Council Bill 2024-169 (Hosmer)

A resolution adopting the goals of eliminating traffic-related deaths by 2040 and eliminating traffic-related serious injuries by 2050 as part of a Vision Zero approach to traffic safety.

Mandy Buettgen, Public Works Engineer, provided a brief overview of the proposed. Ms. Buettgen noted the Safe Streets SGF Collaborative was introduced to City Council by Public Works at a luncheon on July 16. She further noted the collaborative was put together by Public Works, the Police Department, the Fire Department, and the Office of Public Information and Civic Engagement. Ms. Buettgen added there was a disproportionate number of severe crashes in the community over the past few years. She noted the group's goal was to reduce and eventually eliminate fatal and severe injury crashes by joining the National Vision Zero Movement. Ms. Buettgen further noted the strategy prioritizes safety through a Safe System approach. The proposed would allow adoption of the Vision Zero goal and make the City eligible to apply for federal funding grants.

Councilmember McGull asked if "eliminate" should be used as opposed to "mitigate". Mr. Paul responded the resolution shows the City was being proactive and was unsure the standard for negligence would change based on this type of resolution. Councilmember McGull expressed his belief the proposed would provide a great opportunity to eliminate or mitigate accidents and fatalities.

Councilmember Hosmer noted three of the worst 13 cities in the nation for traffic safety were in Missouri, with the City being number 13 of 172. He asked for clarification on why this would be the case. Ms. Buettgen responded the population, and the I-44 corridor could be contributing factors.

An opportunity was given for citizens to express their views.

Carolyn McGhee addressed City Council. Ms. McGhee expressed her support for the proposed. She noted she had been cut off while crossing streets numerous times, and her boyfriend had been hit crossing. Ms. McGhee further noted drivers do not allow the full crosswalk for visually-impaired people.

With no further appearances, the public hearing was declared closed.

Resolution 10778. Council Bill 2024-169B (Hosmer) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Hardinger. Abstain: None.

*Clerk's note: Council Bill 2024-169 was inadvertently duplicated. As a result, Council Bill 2024-169, Resolution 10778 became Council Bill 2024-169B, Resolution 10778.

7.2. Council Bill 2024-170 (Hardinger)

A resolution authorizing the City Manager, or designee, to apply for a Safe Streets and Roads for All grant of up to \$3,000,000 from the United States Department of Transportation to fund studies for a transportation master plan.

Mandy Buettgen, Public Works Engineer, provided a brief overview of the proposed. Ms. Buettgen noted the proposed would allow the City, in cooperation with the Ozarks Transportation Organization, to apply for grant funds for a Transportation Master Plan. She further noted the plan would provide priorities and strategic plans for reliable and safe transportation for users of the roadway system. Ms. Buettgen added the plan was outlined in ForwardSGF, and the cost was not yet fully determined but anticipated to be less than \$3 million. The City would pay a 20 percent match of that.

Councilmember Jenson asked what modes of transportation would be covered. Ms. Buettgen responded transportation within the public right-of-way, specifically neighborhood speed studies due to congestion. She added it would include a pedestrian and bicycle safety action plan as well as training and education.

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

Resolution 10779. Council Bill 2024-170 (Hardinger) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Hardinger. Abstain: None.

7.3. Council Bill 2024-171 (Lee)

A resolution authorizing the City Manager, or designee, to apply for a Charging and Fueling Infrastructure grant of up to \$600,000 from the United States Department of Transportation through an application submitted by the Ozarks Transportation Organization to install electric vehicle charging stations.

Eric Claussen, Assistant Director of Public Works, provided a brief overview of the proposed. Mr. Claussen noted the proposed would allow the City to apply for a charging and infrastructure grant to provide 22 new charging stations in the community. He added the first would be added at Campbell and Pacific Street, and the following two at Boonville and Olive Street, and at Boonville and Water Street. Mr. Claussen added the stations would be level 2 charging stations.

Councilmember McGull asked if there was a strategic plan regarding placement of charging stations. Mr. Claussen responded the proposed looked at charging stations from a regional perspective. He noted the City had conversations with City Utilities regarding charging stations throughout the community. Mr. Claussen added the proposed was specific to the area and strategic as to where it was required the stations be placed.

Councilmember Hosmer asked if the charging stations would be paid stations. Mr. Claussen responded the payment mechanism would need to be set up, and the stations would require payment.

Councilmember Lee applauded the department for their work in applying for federal dollars that enable the City to leverage funds.

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

Resolution 10780. Council Bill 2024-171 (Lee) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Hardinger. Abstain: None.

- 8. EMERGENCY BILLS.**
- 9. PUBLIC IMPROVEMENTS.**
- 10. GRANTS.**
- 11. AMENDED BILLS.**
- 12. COUNCIL BILLS FOR PUBLIC HEARING.**
- 13. FIRST READING BILLS. Requiring One Reading.**
Citizens May Speak. May Be Voted On.

13.1. Council Bill 2024-172 (Carroll)

A special ordinance to levy and assess a special tax against the lots, blocks, and parcels of ground hereinafter described and to establish rates to pay for the cost of the construction of sanitary sewers in the City of Springfield, Missouri, in Sanitary Sewer District No. 182 of Section No. 16, in the general vicinity of West Bypass and Division Street; providing for inclusion of said district in the City Sewer Financial Assistance Program; authorizing the City Clerk to issue special tax bills and deliver the same to the Director of Finance to be registered in his office in accordance with this Ordinance; and declaring that this Ordinance qualifies for approval in one reading under City Charter Section 10.15.

Zach Martin, Principal Engineer, provided a brief overview of the proposed. Mr. Martin noted the proposed was the final of a series of City Council actions related to the sanitary sewer district located on the west side of West Bypass north of Division Street. He added the district included seven properties for which sewer service was now available. Mr. Martin added prior City Council action established the boundary and set the project up for construction, which was completed. He noted the proposed would be the final City Council action to assess the cost of the construction. The total cost of the assessment was \$294,721.07, and the breakdown for each of the properties was included in the proposed. Mr. Martin further noted there were several financial assistance programs the City had to offer to potentially lower the assessments.

Councilmember McGull asked if the proposed sewer line went down the middle of the street. Mr. Martin responded it was preferred the line be in the right-of-way. Councilmember McGull asked if the City had control over where the lines were placed. Mr. Martin noted it was preferred for the line to drain toward the street. Councilmember McGull asked the cost for a property owner to hook to the system. Mr. Martin responded the rate was approximately .46 cents per square foot with a lateral cost of approximately \$8,000 to \$16,000 depending on the length of the lateral.

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

Ordinance 28041. Council Bill 2024-172 (Carroll) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Hardinger. Abstain: None.

14. FIRST READING BILLS. Requiring Two Readings. Citizens May Speak. Not Anticipated To Be Voted On.

14.1. Council Bill 2024-173 (Carroll)

A special ordinance amending the Fiscal Year 2024-2025 budget to appropriate \$461,000 from the Marijuana Sales Tax Fund; and reducing by five the authorized full-time equivalent positions of Police Officer.

David Holtmann, Director of Finance, provided a brief overview of the proposed. Mr. Holtmann noted the proposed would authorize additional funding for pay plan improvements negotiated for Police Officers for the current fiscal year. He added a total of five full-time positions equivalent (FTE) were being reduced to cover the ongoing cost for premium shift pay. Mr. Holtmann further noted an additional \$461,000 of funding from the marijuana sales tax fund was being utilized to cover additional pay plan improvements that were above the City's available funds for pay plan improvements.

Councilmember Hosmer asked if the reduction in officers would be a permanent reduction. Mr. Holtmann responded affirmatively. He noted the reduction would be permanent until the City provided funding. Mr. Holtmann added the \$461,000 from the marijuana tax would be full funding at current cost. Councilmember Hosmer asked the purpose of reducing the FTE. Mr. Holtmann responded salary expenses provided in the current budget would be reallocated to pay for premium shift overtime rate. He added the saving from the five eliminated positions plus the marijuana tax funds were twofold to pay premium shift overtime pay plus pay improvements that were negotiated on behalf of Police Officers. Councilmember Hosmer noted the part of the marijuana tax purpose was to enhance law enforcement. Mr. Holtmann responded the funds would be used for additional enhancements for Police Officers through pay improvements.

Councilmember Lee expressed his support for the proposed as it took money designated for Police Officers and provided it to them.

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

15. PETITIONS, REMONSTRANCES AND COMMUNICATIONS.

15.1. James Wilson wishes to address City Council.

James Wilson addressed City Council. Mr. Wilson noted he lives downtown. He expressed his belief the noise, unsafe action, and illegal use of unregistered vehicles was an issue in that area. Mr. Wilson expressed his belief the motorcycle traffic could be dangerous and sometimes occurred until 3:30 a.m. Mr. Wilson noted many of the motorcycles had unreadable license plates. He proposed the prohibition of motorcycles from entering the square from one block before Boonville and College Street, extended by at least two blocks on St. Louis Street, and one block on Jefferson Avenue. Mr. Wilson noted these blocks have the greatest pedestrian traffic and concentration of vulnerable sidewalk cafés. He asked that the City involve neighborhoods in clarification and codification regarding disturbances.

Councilmember McGull thanked Mr. Wilson for his comments. He noted he had been talking to the Downtown Springfield Association regarding closing Park Central Square during certain hours.

Councilmember Jenson expressed his approval for greater physical design and enforcement efforts. He asked Mr. Wilson if he could share an update of all his requests. Mr. Wilson responded he was not prepared for a full update, but one issue included parking garages and the management of them.

Councilmember Lee asked if Mr. Wilson's proposal was to close the square to all traffic at night or just motorcycles. Mr. Wilson responded he would like it to be closed to motorcycles and expressed his belief the majority of the noise was from motorcycles. Councilmember Jenson asked staff if this would be possible. Mr. Paul responded regulations could be generated by City Council; however there could be enforcement issues.

15.2. Duane Keys wishes to address City Council.

Duane Keys addressed City Council. Mr. Keys expressed his belief the persistent and disruptive noise from cars, motorcycles, minibikes, and dirt bikes, many of which were unlicensed or illegal for public roadways, had become a significant problem. Mr. Keys thanked the Police Chief for efforts toward the issue. He noted these issues could have a negative impact on the mental health of residents and were an issue of well-being and safety. Mr. Keys asked City Council to lead the charge by directing resources and enforcing laws related to the issue.

Mayor Pro Tem Simpson thanked Mr. Keys for speaking. He noted the seizure and destruction of street bikes had seemed to be effective in New York City and could be worth exploring.

Councilmember Horton thanked Mr. Keys for speaking. She noted ForwardSGF and Code updates would build upon how the City was redeveloped. Councilmember Horton further noted there was a line of demarcation regarding the City becoming more car-centric versus pedestrian friendly. She thanked Mr. Keys for challenging the public philosophy in effort to make the design of streets safer, quieter, more engaging, and in promoting economic activity and vitality.

15.3. Larry Halverson wishes to address City Council.

Larry Halverson addressed City Council. Mr. Halverson thanked City Council for hearing those speaking on noise disturbances. He noted he moved downtown in 2020, and it was wonderful. Mr. Halverson noted the number of attractions, businesses, and restaurants downtown was appealing. Mr. Halverson expressed his belief there were several issues that inhibited continued growth and development downtown, especially noise. He added the noise from primarily motorcycles could reach over 80 decibels and occurred an average of every 3.5 minutes each night. Mr. Halverson noted motorcycles were dangerous and created hazards for pedestrians. Mr. Halverson expressed his belief the noise had hurt his hearing and sleep and felt the problem was increasing.

Councilmember Jenson asked for clarity that Mr. Halverson knew of individuals who chose not to invest time or money into downtown due to the issues. Mr. Halverson responded affirmatively and expressed his belief this was more than just a quality-of-life issue.

15.4. Morris Dock wishes to address City Council.

Morris Dock addressed City Council. Mr. Dock noted he had asked the City to implement speed bumps or signs to slow traffic downtown. He expressed his belief safety issues were beyond control and noted motorcycles went through the downtown area every 30 minutes, with some motorcycles using the sidewalks.

Councilmember Hosmer asked Mr. Dock how long he had lived downtown and if the issues were increasing. Mr. Dock responded he had been there since 2008, and the issues were increasing. Councilmember Hosmer expressed his belief bad actors were tolerated in the City and that technology should be able to be used to catch offenders. Mr. Dock noted many of the motorcycles were not registered.

Councilmember Carroll noted her experience with the noise issue downtown. Mr. Dock noted the noise had started to begin earlier in the evening and came in waves.

15.5. Robert Iacob wishes to address City Council.

Robert Iacob addressed City Council. Mr. Iacob, CEO of Sleepover, Inc., noted the company partnered with multi-family owners and occupy their vacancies to operate as short-term rentals. He noted their problem with complying as only two short-term rentals were allowed per multi-family dwelling. Mr. Iacob expressed his belief the City had made short-term rentals very restrictive. He asked City Council to pause their municipal trial until the company could become compliant.

16. NEW BUSINESS.

17. UNFINISHED BUSINESS.

18. MISCELLANEOUS.

19. CONSENT AGENDA – FIRST READING BILLS. See Item #3.

19.1. Council Bill 2024-174 (Jenson)

A special ordinance authoring the City Manager, or designee, to enter into a License Agreement with Missouri State University, for the purpose of allowing the installation and maintenance of a public shuttle shelter onto City right-of-way at 901 East Elm Street.

20. CONSENT AGENDA – ONE READING BILLS. See Item #3.

20.1. Council Bill 2024-175 (Hardinger)

A resolution confirming the appointment of Lori Vaccaro and the reappointment of Martin Gugel and Matt Schaefer to the Convention and Entertainment Community Improvement District Board of Directors.

Resolution 10781. Council Bill 2024-175 (Hardinger) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Hardinger. Abstain: None.

20.2. Council Bill 2024-176 (Hosmer)

A resolution acknowledging the reappointment of Travis Shaw to the Springfield Enhanced Enterprise Zone Board as the representative of the affected school districts.

Resolution 10782. Council Bill 2024-176 (Hosmer) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Hardinger. Abstain: None.

21. CONSENT AGENDA – SECOND READING BILLS.

22. END OF CONSENT AGENDA.

23. ADJOURN.

Mayor Pro Tem Simpson moved to adjourn. Councilmember Jenson seconded the motion, and it was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: Councilmember Hosmer. Absent: Councilmember Hardinger. Abstain: None.



City of Springfield

Minutes

City Council Special Meeting

Ken McClure, Mayor

Zone Councilmembers

Monica Horton, Zone 1

Abe McGull, Zone 2

Brandon Jenson, Zone 3

Matthew Simpson, Zone 4

General Councilmembers

Heather Hardinger, General A

Craig Hosmer, General B

Callie Carroll, General C

Derek Lee, General D

August 27, 2024

12:00 PM

**Councilman Denny
Whayne Conference Room
Busch Building, 4th Floor
840 Boonville Avenue**

1. ROLL CALL.

Present: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Absent: None.

2. FIRST READING BILLS. Requiring One Reading.

Citizens May Speak. May Be Voted On.

2.1. Council Bill 2024-177 (Hardinger)

A special ordinance amending Special Ordinance 27998 and Special Ordinance 27999, passed by City Council on June 10, 2024, by setting a final tax levy on real and personal property for current expenses and debt retirement for the City of Springfield, Missouri, and its boards and agencies, for the Fiscal Year beginning July 1, 2024, and ending June 30, 2025; and declaring an emergency pursuant to Section 2.12(5) of the City Charter

David Holtmann, Director of Finance, provided a brief overview of the proposed. Mr. Holtmann noted the proposed was the final step to certify the City's property tax levies for the tax year 2024. He further noted after receiving the final assessed valuation information from the County, City tax levies were calculated, and public notice of seven days was met. Mr. Holtmann added the ordinance was being presented as an emergency measure due to the short time allowed for affixing the tax rates. Mr. Holtmann noted tax levies must be set by September 1. He added the final tax levy for the year for taxes received in Fiscal Year 2025 was 0.6104 per one hundred, up slightly from last year. Mr. Holtmann further noted the City's assessed valuation rose approximately \$56 million to \$3,918,674,000. He added new construction and newly added territory made up approximately \$51 million of the total, and the total tax estimate was \$25,834,000.

Mayor McClure noted the process, as noted in the title and the ordinance, was to set a temporary levy when the budget was passed. That occurred on June 10, 2024. He added the next step was to receive the final valuation from the County which was recently received and reflected in the proposed ordinance.

Councilmember Jenson asked if the total tax estimate was different from the estimated amount approved in the budget. Mr. Holtmann responded the estimate was approximately \$200,000 off in total from the original estimate. He added the amount was for the current levy and there were delinquent taxes due to the City from prior years. Mr. Holtmann noted the amount was a lower estimate than was in the budget. He added delinquent taxes were significantly more than last year at approximately \$1.5 million versus \$700,000.

Councilmember Hosmer asked how taxes for real and personal property were used. Mr. Holtmann responded taxes go to the Health Department, the Art Museum, the Library, and Parks. He added the library tax was a countywide tax. Councilmember Hosmer noted if someone did not pay property tax, the property would be up for sale after three years. He asked what happened when someone does not pay their personal property tax. Mr. Holtmann responded the tax was collected by the county. If not paid, they would have to pay the oldest tax year first when licensing vehicles. He added if an individual did not license their vehicle, at some point the tax became uncollectible. Councilmember Hosmer noted that added to the continuing issue of people driving without proper licensing.

Mayor McClure noted legislation was passed the year before last which required a change. He added the Department of Revenue Software Systems was designed to address the issue. Mayor McClure further noted the problem was a statewide issue. Councilmember Hosmer noted he would like to get a determination from the Department of Revenue regarding the number of vehicles in the City of Springfield that were not registered. Councilmember Hosmer expressed his belief it would be a benefit to know the number of vehicles so proactive enforcement could occur. Councilmember McGull noted he observed several vehicles stopped by Police Officers that did not have a current license plate. He expressed his belief the law was being enforced regarding license plates.

Council Bill 2024-177 (Hardinger) was approved by the following vote: Ayes: Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, Councilmember Jenson, and Mayor McClure. Nays: None. Absent: None. Abstain: None.

3. ADJOURN.

Mayor Pro Tem Simpson moved to adjourn. Councilmember Hardinger seconded the motion, and the motion passed by the following vote: Ayes: Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, Councilmember Jenson, Councilmember Horton, and Mayor McClure. Nays: None. Absent: None. Abstain: None.

**September 3, 2024
Springfield, Missouri**

The City Council met in special session on September 3, 2024, at the Transportation Management Center of the Ozarks. The meeting was called to order by Mayor McClure.

Roll Call

Present: Brandon Jenson, Monica Horton, Abe McGull, Matthew Simpson, Craig Hosmer, Heather Hardinger, Callie Carroll, Derek Lee, and Ken McClure. Absent: None.

Closed Session

Mayor Pro Tem Simpson moved City Council hold a closed meeting to discuss legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys 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.

Councilmember Horton seconded the motion, and it was approved by the following vote: Ayes: Horton, McGull, Simpson, Hosmer, Hardinger, Carroll, Lee, Jenson, and McClure. Abstain: None. Absent: None.

Prepared by
Michelle Kaasa

Anita J. Cotter, CMC/MRCC
City Clerk



EXPLANATION TO COUNCIL BILL 2024-173 (CARROLL)

FILED: 08/20/2024

ORIGINATING DEPARTMENT: Police

TITLE: A special ordinance amending the Fiscal Year 2024-2025 budget to appropriate \$461,000 from the Marijuana Sales Tax Fund; and reducing by five the authorized full-time equivalent positions of Police Officer.

PURPOSE: Amending the Fiscal Year 2024-2025 budget of the City to adjust the authorized sworn employee positions in the Springfield Police Department by reducing the authorized full-time equivalent ("FTE") Police Officer positions by five (5) full-time equivalent ("FTE") positions. Further, amending the Fiscal Year 2024-2025 budget of the City to appropriate \$461,000 from the Marijuana Sales Tax Fund to the General Revenue and Law Enforcement Sales Tax Funds in order to pay for pay improvements for certain Police Department employees.

BACKGROUND INFORMATION: Through the recent collective bargaining negotiations process, certain pay improvements were agreed to between the City and the Springfield Police Officers Association, Fraternal Order of Police Lodge 22, the exclusive representative of a certain bargaining unit within the Police Department. In order to fund an ongoing cost for Premium Shift Pay, the City desires to reduce the number of authorized, FTE Police Officer positions by five (5). This desired change will not impact any current employee as the positions being eliminated are currently vacant in the Police Department. Additional pay improvements were also agreed to and in order to fund those pay improvements, it is necessary to appropriate a total of \$461,000 from the Marijuana Sales Tax Fund to the General Revenue and Law Enforcement Sales Tax Funds. Specifically, \$341,140 will be appropriated to the General Revenue Fund portion of the Police Department budget and \$119,860 will be appropriated to the Law Enforcement Sales Tax Fund portion of the Police Department budget in order to fund the agreed to pay improvements.

BUDGET NOTE:

Proposed Budget Adjustment 013 is attached to the Council Bill as an exhibit and details the appropriation from the Marijuana Sales Tax Revenue Fund. No separate budget adjustment is needed regarding the funding for the Premium Shift Pay as such funding has already been appropriated for Police Department salaries.

Submitted By: Paul Williams, Police Chief

Authorized for inclusion on the agenda pursuant to City Code section 2-33:



- Attachments:**
1. POL FTE Reduction and BA_Ord
 2. Ex A - BA

One-rdg. _____
P. Hrngs. _____
Pgs. 5
Filed: 08-13-24

Sponsored by: Carroll

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-173

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Fiscal Year 2024-2025 budget to appropriate \$461,000 from the
2 Marijuana Sales Tax Fund; and reducing by five the authorized full-
3 time equivalent positions of Police Officer.
4 _____
5

6 WHEREAS, through the collective bargaining process, certain pay improvements
7 were agreed to between the City and the Springfield Police Officers Association,
8 Fraternal Order of Police Lodge 22, the exclusive representative of a certain bargaining
9 unit within the Police Department; and
10

11 WHEREAS, the Marijuana Sales Tax Fund contains unappropriated funds; and
12

13 WHEREAS, the Fiscal Year 2024-2025 budget authorizes 367 full-time
14 equivalent sworn positions within the Police Department, which includes 271 police
15 officer positions; and
16

17 WHEREAS, in order to have sufficient funds for the agreed to pay improvements,
18 the City desires to 1) appropriate a total of \$461,000 from the Marijuana Sales Tax Fund
19 to the General Revenue and Law Enforcement Sales Tax Funds; and 2) reduce by five
20 the number of authorized, full time equivalent police officer positions, said reduction to
21 be to those positions funded from the general revenue fund; and
22

23 WHEREAS, the reduction in full time equivalent police officer positions will not
24 impact any current employee as the positions are currently vacant positions in the
25 Police Department.
26

27 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
28 SPRINGFIELD, MISSOURI, as follows, that:
29

30 Section 1 – The City Manager, or designee, is hereby authorized on behalf of the
31 City of Springfield, Missouri, to appropriate Marijuana Sales Tax Fund monies in the
32 amount of \$461,000 for the purpose of paying for pay improvements agreed to as part

33 of collective bargaining with the Springfield Police Officers Association, Fraternal Order
34 of Police Lodge 22.

35
36 Section 2 – The Fiscal Year 2024-2025 budget of the City is hereby amended by
37 reducing by five the total number of full-time equivalent police officer positions within the
38 Police Department, such that there shall now be total of 362 full time equivalent sworn
39 positions, which will include 266 police officer positions.

40
41 Section 3 – The budget of the Police Department for Fiscal Year 2024-2025 is
42 hereby amended in the accounts and in the amounts shown on Budget Adjustment No.
43 013, which is attached hereto as “Exhibit A” and incorporated herein by reference.

44
45 Section 4 – The City Manager, or designee, is directed to cause the appropriate
46 accounting entries to be made in the books and records of the City.

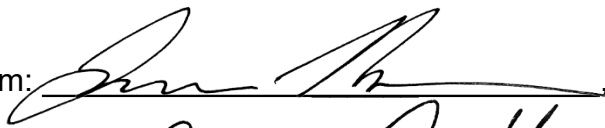
47
48 Section 5 – This Ordinance shall be in full force and effect from and after
49 passage.

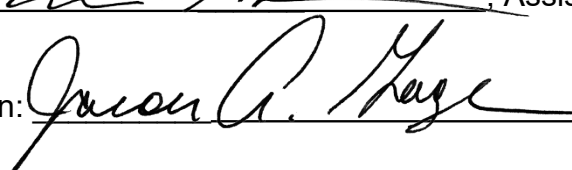
50
51 Passed at meeting: _____

52
53 _____
54 Mayor

55
56 Attest: _____, City Clerk

57
58 Filed as Ordinance: _____

59
60
61 Approved as to form:  _____, Assistant City Attorney

62
63
64 Approved for Council action:  _____, City Manager

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit A

Budget Adjustment
013

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
10110	09	14120	417010	000000	00000	\$ 341,140	Transfer from Marijuana Sales Tax Fund to General Fund
25010	09	14120	417010	000000	00000	\$ 119,860	Transfer from Marijuana Sales Tax Fund to LEST
Net Revenue Adjustment						\$ 461,000	

Expenditures:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
22560	09	14120	502430	000000	00000	\$ (461,000)	Marijuana Sales Tax Fund - Reserve Appropriations
22560	18	90100	509910	000000	00000	461,000	Marijuana Sales Tax Fund - Transfer to other funds
10110	18	90100	500110	000000	00000	341,140	Increase in cost of salaries in Police General Fund
25010	18	90100	500110	000000	00000	119,860	Increase in cost of salaries in Police LEST
Net Expenditure Adjustment						\$ 461,000	

Fund Balance Appropriation:

Fund	Title	Amount

Explanation: To amend the FY2024-25 budget by appropriating reserve held for funding decisions in the marijuana sales tax fund for Police salaries based of union negotiations. Budgeting a transfer to cover the increase in cost of salaries.

Requested By:

Paul F. Zwick August 13, 2024
Department Head Date

Approved By:

D. J. Hill August 13, 2024
Director of Finance Date

Authorization:

Council Bill No. 2024-173
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____

City Manager Date



EXPLANATION TO COUNCIL BILL 2024-178 (SIMPSON)

FILED: 08/29/2024

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A resolution initiating the rezoning of approximately 5.4 acres of property generally located at 817 West El Camino Alto Drive from R-LD, Low-Density Multi-Family Residential District with Conditional Overlay District 214 to O-1, Office District and establishing a Conditional Overlay District.

PURPOSE: To initiate the rezoning of approximately 5.4 acres of property generally located at 817 West El Camino Alto Drive from R-LD, Low-Density Multi-Family Residential District with Conditional Overlay District 214 to O-1, Office District and establishing Conditional Overlay District No. 253, and refer the matter to the Planning and Zoning Commission for its report and recommendation.

BACKGROUND INFORMATION: On August 19, 2024, an application for rezoning of approximately 5.4 acres of property generally located at 817 West El Camino Alto Drive from R-LD, Low-Density Multi-Family Residential District with Conditional Overlay District 214 to O-1, Office District and establishing Conditional Overlay District No. 253, brought by the property owner, was denied by a vote of 4 to 1, with three recusals and one absence. City Code Section 36-367(13) prohibits an applicant from refiling an application for rezoning within six months of a denial, however, that same section allows City Council or the Planning and Zoning Commission to initiate such a refiling in conjunction with Section 36-367(2).

The passage of this Resolution would not guarantee approval of the proposed rezoning; rather, it would permit further discussion pertaining to the proposed rezoning prior to the six-month waiting period for refiling by the applicant.

Submitted By: Steve Childers, Director of Planning & Development

Authorized for inclusion on the agenda pursuant to City Code section 2-33:

Maurice S. Jones, Deputy City Manager 9/4/2024

Attachments: 1. Rezoning Initiation 817 W El Camino Alto

One-rdg. X
P. Hrngs.
Pgs. 3
Filed: 09-03-24

Sponsored by: Simpson

COUNCIL BILL 2024-178 RESOLUTION

A RESOLUTION

1 INITIATING the rezoning of approximately 5.4 acres of property generally
2 located at 817 West El Camino Alto Drive from R-LD, Low-Density
3 Multi-Family Residential District with Conditional Overlay District
4 214 to O-1, Office District and establishing a Conditional Overlay
5 District.
6
7

8 WHEREAS, an application for rezoning of approximately 5.4 acres of property
9 generally located at 817 West El Camino Alto Drive from R-LD, Low-Density Multi-
10 Family Residential District with Conditional Overlay District 214 to O-1, Office District
11 and establishing Conditional Overlay District No. 253, brought by the property owner,
12 was denied by a vote of 4 to 1 on August 19, 2024, with three recusals and one
13 absence; and
14

15 WHEREAS, Section 36-367(13) generally precludes an applicant from refiling an
16 application for rezoning within six (6) months of the denial of the rezoning of the same
17 property; and
18

19 WHEREAS, Section 36-367(13), together with Section 36-367(2), grant the City
20 Council the authority to initiate rezoning actions, and to refer such actions to the
21 Planning and Zoning Commission for its report and recommendation; and
22

23 WHEREAS, the City Council now desires to initiate such a rezoning action for the
24 property generally located at 817 West El Camino Alto Drive.
25

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

29 Section 1 – City Council hereby initiates the rezoning of approximately 5.4 acres
30 of property generally located at 817 West El Camino Alto Drive from R-LD, Low-Density
31 Multi-Family Residential District with Conditional Overlay District 214 to O-1, Office
32 District and establishing a Conditional Overlay District, and directs that this rezoning
33 action be referred to the Planning and Zoning Commission for its report and
34 recommendation.
35

36 Section 2 – This Resolution shall be in effect immediately upon adoption and
37 passage.

38
39 Passed at meeting: _____

40
41 _____
42 Mayor

43
44 Attest: _____, City Clerk

45
46 Filed as Resolution: _____

47
48 Approved as to form: Laura Vales, Assistant City Attorney

49
50
51 Approved for Council action: Jason A. Hage, City Manager
52



EXPLANATION TO COUNCIL BILL 2024-179 (CARROLL)

FILED: 08/22/2024

ORIGINATING DEPARTMENT: Airport

TITLE: A special ordinance authorizing the City Manager, or designee, to accept an Airport Terminal Program Grant from the United States Department of Transportation, Federal Aviation Administration, as part of the Bipartisan Infrastructure Law, to the City of Springfield, Missouri by and through the Springfield-Branson National Airport Board, in an amount of \$5,357,143, for the purpose of providing funds for the construction of five passenger boarding bridges at Springfield-Branson National Airport; requiring the Airport to provide matching funds in the amount of \$281,954.90; amending the budget of the Airport Board for fiscal year 2024-2025 in the amount of \$5,539,097.90; and declaring that this Ordinance qualifies for approval in one reading pursuant to City Charter Section 2.16(25).

PURPOSE: Authorizing the City Manager, or his designee, to apply for and accept an Airport Terminal Program Grant from the United States Department of Transportation, Federal Aviation Administration, as part of the Bipartisan Infrastructure Law, to the City, by and through the Springfield-Branson National Airport Board in an amount totaling \$5,357,143 for the purpose of providing funds for the construction of five passenger boarding bridges at Springfield-Branson National Airport; requiring the Airport to provide matching funds in the amount of \$281,954.90; amending the budget of the Airport Board Fiscal Year 2024-2025 in the amount of \$5,539,097.90; and declaring that this bill qualifies for approval in one reading.

BACKGROUND INFORMATION: The objective of this grant is to fund the construction of five passenger boarding bridges to replace those which are nearing the end of their useful life. The total cost of the project is estimated at \$7,686,313, for which this grant and the Airport's matching funds will cover approximately 73.4% of the project. The remaining 26.6% has already been budgeted in the Fiscal Year 2024-2025.

Submitted By: Joy Latimer, Assistant City Attorney

Authorized for inclusion on the agenda pursuant to City Code section 2-33:

Collin Quigley, Deputy City Manager 8/28/2024

Attachments:

1. Bipartisan Infrastructure_ord
2. Airport Grant Agreement_Exh A
3. Airport Grant Agreement_ Exh B

One rdg. X
P. Hrngs.
Pgs. 85
Filed: 09-03-24

Sponsored by: Carroll

First Reading: _____

Second Reading:_____

COUNCIL BILL 2024-179

SPECIAL ORDINANCE _____

AN ORDINANCE

AUTHORIZING the City Manager, or designee, to accept an Airport Terminal Program Grant from the United States Department of Transportation, Federal Aviation Administration, as part of the Bipartisan Infrastructure Law, to the City of Springfield, Missouri by and through the Springfield-Branson National Airport Board, in an amount of \$5,357,143, for the purpose of providing funds for the construction of five passenger boarding bridges at Springfield-Branson National Airport; requiring the Airport to provide matching funds in the amount of \$281,954.90; amending the budget of the Airport Board for fiscal year 2024-2025 in the amount of \$5,539,097.90; and declaring that this Ordinance qualifies for approval in one reading pursuant to City Charter Section 2.16(25).

WHEREAS, the City of Springfield, Missouri ("City"), by and through the Springfield-Branson National Airport Board (the "Airport Board"), has received approval from the United States Department of Transportation, Federal Aviation Administration for \$5,357,143 in grant relief as part of the Bipartisan Infrastructure Law, on a grant application made by the Airport Board; and

WHEREAS, this amendment to the budget for the City of Springfield, Missouri for the fiscal year 2024-2025 has been approved and recommended by the City Manager of Springfield; and

WHEREAS, the United States Department of Transportation, Federal Aviation Administration, and the City desire to enter into an agreement to govern the terms of this Grant.

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

32 Section 1 – City Council hereby authorizes the City Manager, or designee, to
33 accept grant funds from the United States Department of Transportation, Federal
34 Aviation Administration, in the amount of \$5,357,143 in grant relief as part of Bipartisan
35 Infrastructure Law, and to execute the agreements between the City of Springfield,
36 Missouri (“City”) and the United States Department of Transportation, Federal Aviation
37 Administration, said agreements to be substantially in form and content as those
38 documents attached hereto and incorporated herein by this reference as “Exhibit A.”
39

40 Section 2 – City Council hereby amends the budget for Fiscal Year 2024-2025 of
41 the Springfield-Branson National Airport Board in the accounts and in the amounts as
42 shown on Budget Adjustment No. 020, a copy of which is attached hereto and
43 incorporated herein by this reference as “Exhibit B.”
44

45 Section 3 – City Council hereby finds that the budget adjustment made above
46 has been recommended by the City Manager and further finds that the budget
47 adjustment herein is necessary to meet the need for relevant public expenditure.
48

49 Section 4 – City Council hereby directs the City Manager, or designee, to cause
50 the appropriate accounting entries to be made in the books and records of the City. In
51 the event additional funding is provided under this Grant by the grantor, the Director of
52 Finance is hereby authorized to adjust this appropriation by an amount not to exceed 20
53 percent of the total grant sum not to exceed \$5,357,143.
54

55 Section 5 – City Council hereby finds and declares that this Ordinance authorizes
56 entering into a contract with a state or federal government agency for the purpose of
57 receiving grant monies from the same and may be passed as a one-reading ordinance
58 pursuant to City Charter Section 2.16(25). Therefore, this Ordinance shall be in full force
59 and effect from and after passage.
60

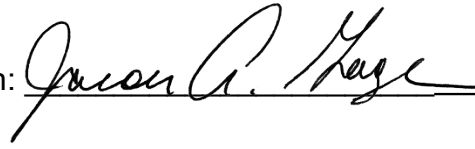
61 Passed at meeting: _____
62

63 _____
64 Mayor
65

66 Attest: _____, City Clerk
67

68 Filed as Ordinance: _____
69

70
71 Approved as to form:  _____, Assistant City Attorney
72

73
74 Approved for Council action:  _____, City Manager



U.S. Department
of Transportation
Federal Aviation
Administration

Airports Division
Central Region
Missouri

Office of Airports (ACE-600)
901 Locust, Room 364
Kansas City, MO 64106

August 21, 2024

Director of Aviation Brian Weiler
Springfield-Branson National Airport
2300 N Airport Blvd
Suite 100
Springfield, MO

Dear Brian Weiler:

The Grant Offer for the Bipartisan Infrastructure Law (BIL) - Airport Terminal Program Grant (ATP) Project No. 3-29-0077-072-2024 at Springfield-Branson Ntl Airport is attached for execution. This letter outlines the steps you must take to properly enter into this agreement and provides other useful information. Please read the conditions, special conditions, and assurances that comprise the grant offer carefully.

You may not make any modification to the text, terms or conditions of the grant offer.

Steps You Must Take to Enter Into Agreement.

To properly enter into this agreement, you must do the following:

1. The governing body must give authority to execute the grant to the individual(s) signing the grant, i.e., the person signing the document must be the sponsor's authorized representative(s) (hereinafter "authorized representative").
2. The authorized representative must execute the grant by adding their electronic signature to the appropriate certificate at the end of the agreement.
3. Once the authorized representative has electronically signed the grant, the sponsor's attorney(s) will automatically receive an email notification.
4. On the **same day or after** the authorized representative has signed the grant, the sponsor's attorney(s) will add their electronic signature to the appropriate certificate at the end of the agreement.
5. If there are co-sponsors, the authorized representative(s) and sponsor's attorney(s) must follow the above procedures to fully execute the grant and finalize the process. Signatures must be obtained and finalized no later than **September 17, 2024**.
6. The fully executed grant will then be automatically sent to all parties as an email attachment.

Payment. Subject to the requirements in 2 CFR § 200.305 (Federal Payment), each payment request for reimbursement under this grant must be made electronically via the Delphi eInvoicing System. Please see the attached Grant Agreement for more information regarding the use of this System.

Project Timing. The terms and conditions of this agreement require you to complete the project without undue delay and no later than the Period of Performance end date (1,460 days from the grant execution date). We will be monitoring your progress to ensure proper stewardship of these Federal funds. We expect you to submit payment requests for reimbursement of allowable incurred project expenses consistent with project progress. Your grant may be placed in “inactive” status if you do not make draws on a regular basis, which will affect your ability to receive future grant offers. Costs incurred after the Period of Performance ends are generally not allowable and will be rejected unless authorized by the FAA in advance.

Reporting. Until the grant is completed and closed, you are responsible for submitting formal reports as follows:

- For all grants, you must submit by December 31st of each year this grant is open:
 1. A signed/dated SF-270 (Request for Advance or Reimbursement for non-construction projects) or SF-271 or equivalent (Outlay Report and Request for Reimbursement for Construction Programs), and
 2. An SF-425 (Federal Financial Report).
- For non-construction projects, you must submit [FAA Form 5100-140, Performance Report](#) within 30 days of the end of the Federal fiscal year.
- For construction projects, you must submit [FAA Form 5370-1, Construction Progress and Inspection Report](#), within 30 days of the end of each Federal fiscal quarter.

Audit Requirements. As a condition of receiving Federal assistance under this award, you must comply with audit requirements as established under 2 CFR Part 200. Subpart F requires non-Federal entities that expend \$750,000 or more in Federal awards to conduct a single or program specific audit for that year. Note that this includes Federal expenditures made under other Federal-assistance programs. Please take appropriate and necessary action to ensure your organization will comply with applicable audit requirements and standards.

Closeout. Once the project(s) is completed and all costs are determined, we ask that you work with your FAA contact indicated below to close the project without delay and submit the necessary final closeout documentation as required by your Region/Airports District Office.

FAA Contact Information. Justin Collier, (816) 329-2635, justin.k.collier@faa.gov is the assigned program manager for this grant and is readily available to assist you and your designated representative with the requirements stated herein.

We sincerely value your cooperation in these efforts and look forward to working with you to complete this important project.

Sincerely,



Rodney N. Joel
Acting Director, Central Region Airports Division



U.S. Department
of Transportation
Federal Aviation
Administration

**FY 2024 AIRPORT TERMINAL PROGRAM GRANT
GRANT AGREEMENT
Part I - Offer**

Federal Award Offer Date	August 21, 2024
Airport/Planning Area	Springfield-Branson National Airport
Airport Terminal Program Grant Number	3-29-0077-072-2024
Unique Entity Identifier	DMFJL5LWA8L4
TO:	City of Springfield

(herein called the "Sponsor") (For Co-Sponsors, list all Co-Sponsor names. The word "Sponsor" in this Grant Agreement also applies to a Co-Sponsor.)

FROM: **The United States of America** (acting through the Federal Aviation Administration, herein called the "FAA")

WHEREAS, the Sponsor has submitted to the FAA a Project Application dated August 05, 2024, for a grant of Federal funds for a project at or associated with the Springfield-Branson National Airport, which is included as part of this Grant Agreement; and

WHEREAS, the FAA has approved a project for the Springfield-Branson National Airport (herein called the "Project") consisting of the following:

Construct Five Passenger Boarding Bridges (Design and Construction: 72.6% of project)

which is more fully described in the Project Application submitted in response to the Notice of Funding Opportunity (NOFO) published on September 1, 2023.

NOW THEREFORE, Pursuant to and for the purpose of carrying out the Infrastructure Investment and Jobs Act (Public Law 117-58) of 2021 referred to as the Bipartisan Infrastructure Law (BIL); and the representations contained in the Project Application; and in consideration of: (a) the Sponsor's adoption and ratification of the Grant Assurances attached hereto; (b) the Sponsor's acceptance of this Offer; and (c) the benefits to accrue to the United States and the public from the accomplishment of the Project and compliance with the Grant Assurance and conditions as herein provided;

THE FEDERAL AVIATION ADMINISTRATION, FOR AND ON BEHALF OF THE UNITED STATES, HEREBY OFFERS AND AGREES to pay (95)% of the allowable costs incurred accomplishing the Project as the United States share of the Project.

Assistance Listings Number (Formerly CFDA Number): 20.106

This Offer is made on and SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

CONDITIONS

1. **Maximum Obligation.** The maximum obligation of the United States payable under this Offer is **\$5,357,143.**

The following amounts represent a breakdown of the maximum obligation for the purpose of establishing allowable amounts for any future grant amendment, which may increase the foregoing maximum obligation of the United States under the provisions of 49 U.S.C. § 47108(b):

\$0 for planning

\$5,357,143 for airport development; and,

\$0 for land acquisition.

2. **Grant Performance.** This Grant Agreement is subject to the following Federal award requirements:

- a. Period of Performance:

1. Shall start on the date the Sponsor formally accepts this Agreement and is the date signed by the last Sponsor signatory to the Agreement. The end date of the Period of Performance is 4 years (1,460 calendar days) from the date of acceptance. The Period of Performance end date shall not affect, relieve, or reduce Sponsor obligations and assurances that extend beyond the closeout of this Grant Agreement.
2. Means the total estimated time interval between the start of an initial Federal award and the planned end date, which may include one or more funded portions or budget periods. (2 Code of Federal Regulations (CFR) § 200.1).

- b. Budget Period:

1. For this Grant is 4 years (1,460 calendar days) and follows the same start and end date as the Period of Performance provided in paragraph (2)(a)(1). Pursuant to 2 CFR § 200.403(h), the Sponsor may charge to the Grant only allowable costs incurred during the Budget Period. All project costs must be incurred after the grant execution date unless specifically permitted under 49 U.S.C. § 47110(c). Certain airport development costs incurred before execution of the grant agreement, but after November 15, 2021, are allowable only if certain conditions under 49 U.S.C. § 47110(c) are met.
2. Means the time interval from the start date of a funded portion of an award to the end date of that funded portion during which the Sponsor is authorized to expend the funds awarded, including any funds carried forward or other revisions pursuant to 2 CFR § 200.308.

- c. Close Out and Termination:

1. Unless the FAA authorizes a written extension, the Sponsor must submit all Grant closeout documentation and liquidate (pay-off) all obligations incurred under this award no later than 120 calendar days after the end date of the Period of Performance. If the Sponsor does not submit all required closeout documentation within this time period, the FAA will

proceed to close out the grant within one year of the Period of Performance end date with the information available at the end of 120 days (2 CFR § 200.344).

2. The FAA may terminate this Grant, in whole or in part, in accordance with the conditions set forth in 2 CFR § 200.340, or other Federal regulatory or statutory authorities as applicable.
3. **Ineligible or Unallowable Costs.** The Sponsor must not include any costs in the project that the FAA has determined to be ineligible or unallowable.
4. **Indirect Costs - Sponsor.** The Sponsor may charge indirect costs under this award by applying the indirect cost rate identified in the project application as accepted by the FAA, to allowable costs for Sponsor direct salaries and wages.
5. **Determining the Final Federal Share of Costs.** The United States' share of allowable project costs will be made in accordance with 49 U.S.C. § 47109, the regulations, policies, and procedures of the Secretary of Transportation ("Secretary"), and any superseding legislation. Final determination of the United States' share will be based upon the final audit of the total amount of allowable project costs and settlement will be made for any upward or downward adjustments to the Federal share of costs.
6. **Completing the Project Without Delay and in Conformance with Requirements.**
 - a. The Sponsor must carry out and complete the project without undue delays and in accordance with this Agreement, BIL (Public Law 117-58), the regulations, and the Secretary's policies and procedures.
 - b. The Sponsor agrees to post-award performance and project evaluation requirements by the FAA/DOT/Federal government or its agents as specified in the NOFO.
 - c. Per 2 CFR § 200.308, the Sponsor agrees to report and request prior FAA approval for any disengagement from performing the project that exceeds three months or a 25 percent reduction in time devoted to the project. The report must include a reason for the project stoppage.
 - d. The Sponsor also agrees to comply with the grant assurances, which are part of this Agreement.
7. **Amendments or Withdrawals before Grant Acceptance.** The FAA reserves the right to amend or withdraw this offer at any time prior to its acceptance by the Sponsor.
8. **Offer Expiration Date.** This offer will expire and the United States will not be obligated to pay any part of the costs of the project unless this offer has been accepted by the Sponsor on or before **September 17, 2024**, or such subsequent date as may be prescribed in writing by the FAA.
9. **Improper Use of Federal Funds.** The Sponsor must take all steps, including litigation if necessary, to recover Federal funds spent fraudulently, wastefully, or in violation of Federal antitrust statutes, or misused in any other manner for any project upon which Federal funds have been expended. For the purposes of this Grant Agreement, the term "Federal funds" means funds however used or dispersed by the Sponsor, that were originally paid pursuant to this or any other Federal grant agreement. The Sponsor must obtain the approval of the Secretary as to any determination of the amount of the Federal share of such funds. The Sponsor must return the recovered Federal share, including funds recovered by settlement, order, or judgment, to the Secretary. The Sponsor must

furnish to the Secretary, upon request, all documents and records pertaining to the determination of the amount of the Federal share or to any settlement, litigation, negotiation, or other efforts taken to recover such funds. All settlements or other final positions of the Sponsor, in court or otherwise, involving the recovery of such Federal share require advance approval by the Secretary.

10. **United States Not Liable for Damage or Injury.** The United States is not responsible or liable for damage to property or injury to persons which may arise from, or be incident to, compliance with this Grant Agreement.
11. **System for Award Management (SAM) Registration and Unique Entity Identifier (UEI).**
 - a. Requirement for System for Award Management (SAM): Unless the Sponsor is exempted from this requirement under 2 CFR § 25.110, the Sponsor must maintain the currency of its information in the SAM until the Sponsor submits the final financial report required under this Grant, or receives the final payment, whichever is later. This requires that the Sponsor review and update the information at least annually after the initial registration and more frequently if required by changes in information or another award term. Additional information about registration procedures may be found at the SAM website (currently at <http://www.sam.gov>).
 - b. Unique entity identifier (UEI) means a 12-character alpha-numeric value used to identify a specific commercial, nonprofit or governmental entity. A UEI may be obtained from SAM.gov at <https://sam.gov/content/entity-registration>.
12. **Electronic Grant Payment(s).** Unless otherwise directed by the FAA, the Sponsor must make each payment request under this Agreement electronically via the Delphi eInvoicing System for Department of Transportation (DOT) Financial Assistance Awardees.
13. **Informal Letter Amendment of BIL Projects.** If, during the life of the project, the FAA determines that the maximum grant obligation of the United States exceeds the expected needs of the Sponsor by \$25,000 or five percent (5%), whichever is greater, the FAA can issue a letter amendment to the Sponsor unilaterally reducing the maximum obligation.

The FAA can, subject to the availability of Federal funds, also issue a letter to the Sponsor increasing the maximum obligation if there is an overrun in the total actual eligible and allowable project costs to cover the amount of the overrun provided it will not exceed the statutory limitations for grant amendments. The FAA's authority to increase the maximum obligation does not apply to the "planning" component of Condition No. 1, Maximum Obligation.

The FAA can also issue an informal letter amendment that modifies the grant description to correct administrative errors or to delete work items if the FAA finds it advantageous and in the best interests of the United States.

An informal letter amendment has the same force and effect as a formal grant amendment.
14. **Environmental Standards.** The Sponsor is required to comply with all applicable environmental standards, as further defined in the Grant Assurances, for all projects in this grant. If the Sponsor fails to comply with this requirement, the FAA may suspend, cancel, or terminate this Grant Agreement.

15. **Financial Reporting and Payment Requirements.** The Sponsor will comply with all Federal financial reporting requirements and payment requirements, including submittal of timely and accurate reports.
16. **Buy American.** Unless otherwise approved in advance by the FAA, in accordance with 49 U.S.C. § 50101, the Sponsor will not acquire or permit any contractor or subcontractor to acquire any steel or manufactured goods produced outside the United States to be used for any project for which funds are provided under this Grant. The Sponsor will include a provision implementing Buy American in every contract and subcontract awarded under this Grant.
17. **Build America, Buy American.** The Sponsor must comply with the requirements under the Build America, Buy America Act (Public Law 117-58).
18. **Maximum Obligation Increase.** In accordance with 49 U.S.C. § 47108(b)(3), as amended, the maximum obligation of the United States, as stated in Condition No. 1, Maximum Obligation, of this Grant:
 - a. May not be increased for a planning project;
 - b. May be increased by not more than 15 percent for development projects, if funds are available;
 - c. May be increased by not more than the greater of the following for a land project, if funds are available:
 1. 15 percent; or
 2. 25 percent of the total increase in allowable project costs attributable to acquiring an interest in the land.

If the Sponsor requests an increase, any eligible increase in funding will be subject to the United States Government share as provided in BIL (Public Law 117-58), or other superseding legislation if applicable, for the fiscal year appropriation with which the increase is funded. The FAA is not responsible for the same Federal share provided herein for any amount increased over the initial grant amount. The FAA may adjust the Federal share as applicable through an informal letter of amendment.

19. **Audits for Sponsors.**
 PUBLIC SPONSORS. The Sponsor must provide for a Single Audit or program-specific audit in accordance with 2 CFR Part 200. The Sponsor must submit the audit reporting package to the Federal Audit Clearinghouse on the Federal Audit Clearinghouse's Internet Data Entry System at <http://harvester.census.gov/facweb/>. Upon request of the FAA, the Sponsor shall provide one copy of the completed audit to the FAA. Sponsors that expend less than \$750,000 in Federal awards and are exempt from Federal audit requirements must make records available for review or audit by the appropriate Federal agency officials, State, and Government Accountability Office. The FAA and other appropriate Federal agencies may request additional information to meet all Federal audit requirements.
20. **Suspension or Debarment.** When entering into a "covered transaction" as defined by 2 CFR § 180.200, the Sponsor must:
 - a. Verify the non-Federal entity is eligible to participate in this Federal program by:

1. Checking the Responsibility/Qualification records in the Federal Awardee Performance and Integrity Information System (FAPIIS) as maintained within the System for Award Management (SAM) to determine if the non-Federal entity is excluded or disqualified; or
 2. Collecting a certification statement from the non-Federal entity attesting they are not excluded or disqualified from participating; or
 3. Adding a clause or condition to covered transactions attesting the individual or firm are not excluded or disqualified from participating.
- b. Require prime contractors to comply with 2 CFR § 180.330 when entering into lower-tier transactions with their contractors and sub-contractors.
 - c. Immediately disclose in writing to the FAA whenever (1) the Sponsor learns they have entered into a covered transaction with an ineligible entity or (2) the Public Sponsor suspends or debars a contractor, person, or entity.

21. Ban on Texting While Driving.

- a. In accordance with Executive Order 13513, Federal Leadership on Reducing Text Messaging While Driving, October 1, 2009, and DOT Order 3902.10, Text Messaging While Driving, December 30, 2009, the Sponsor is encouraged to:
 1. Adopt and enforce workplace safety policies to decrease crashes caused by distracted drivers including policies to ban text messaging while driving when performing any work for, or on behalf of, the Federal government, including work relating to a grant or subgrant.
 2. Conduct workplace safety initiatives in a manner commensurate with the size of the business, such as:
 - i. Establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving; and
 - ii. Education, awareness, and other outreach to employees about the safety risks associated with texting while driving.
- b. The Sponsor must insert the substance of this clause on banning texting while driving in all subgrants, contracts, and subcontracts funded with this Grant.

22. Trafficking in Persons.

- a. *Posting of contact information.*
 1. The Sponsor must post the contact information of the national human trafficking hotline (including options to reach out to the hotline such as through phone, text, or TTY) in all public airport restrooms.
- b. *Provisions applicable to a recipient that is a private entity.*
 1. You as the recipient, your employees, subrecipients under this Grant, and subrecipients' employees may not:
 - i. Engage in severe forms of trafficking in persons during the period of time that the Grant and applicable conditions are in effect;

- ii. Procure a commercial sex act during the period of time that the Grant and applicable conditions are in effect; or
 - iii. Use forced labor in the performance of the Grant or any subgrants under this Grant.
- 2. We as the Federal awarding agency, may unilaterally terminate this Grant, without penalty, if you or a subrecipient that is a private entity –
 - i. Is determined to have violated a prohibition in paragraph (b) of this Grant Condition; or
 - ii. Has an employee who is determined by the agency official authorized to terminate the Grant to have violated a prohibition in paragraph (b) of this Grant Condition through conduct that is either –
 - a) Associated with performance under this Grant; or
 - b) Imputed to you or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR Part 180, “OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement),” as implemented by our agency at 2 CFR Part 1200.
- c. *Provision applicable to a recipient other than a private entity.* We as the Federal awarding agency may unilaterally terminate this Grant, without penalty, if a subrecipient that is a private entity –
 - 1. Is determined to have violated an applicable prohibition in paragraph (a) of this Grant Condition; or
 - 2. Has an employee who is determined by the agency official authorized to terminate the Grant to have violated an applicable prohibition in paragraph (a) of this Grant Condition through conduct that is either –
 - i. Associated with performance under this Grant; or
 - ii. Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR Part 180, “OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement),” as implemented by our agency at 2 CFR Part 1200.
- d. *Provisions applicable to any recipient.*
 - 1. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in paragraph (a) of this Grant Condition.
 - 2. Our right to terminate unilaterally that is described in paragraph (a) or (b) of this Grant Condition:
 - i. Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended [22 U.S.C. § 7104(g)], and
 - ii. Is in addition to all other remedies for noncompliance that are available to us under this Grant.

3. You must include the requirements of paragraph (a) of this Grant Condition in any subgrant you make to a private entity.
- e. *Definitions.* For purposes of this Grant Condition:
 1. "Employee" means either:
 - i. An individual employed by you or a subrecipient who is engaged in the performance of the project or program under this Grant; or
 - ii. Another person engaged in the performance of the project or program under this Grant and not compensated by you including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.
 2. "Force labor" means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.
 3. "Private entity":
 - i. Means any entity other than a State, local government, Indian tribe, or foreign public entity, as those terms are defined in 2 CFR § 175.25.
 - ii. Includes:
 - a) A nonprofit organization, including any nonprofit institute of higher education, hospital, or tribal organization other than one included in the definition of Indian tribe at 2 CFR § 175.25(b).
 - b) A for-profit organization.
 4. "Severe forms of trafficking in persons," "commercial sex act," and "coercion" have the meanings given at section 103 of the TVPA, as amended (22 U.S.C. § 7102).
23. **BIL Funded Work Included in a PFC Application.** Within 120 days of acceptance of this Grant Agreement, the Sponsor must submit to the FAA an amendment to any approved Passenger Facility Charge (PFC) application that contains an approved PFC project also covered under this Grant Agreement as described in the project application. The airport sponsor may not make any expenditure under this Grant Agreement until project work addressed under this Grant Agreement is removed from an approved PFC application by amendment.
24. **Exhibit "A" Property Map.** The Exhibit "A" Property Map dated October 07, 2013, is incorporated herein by reference or is submitted with the project application and made part of this Grant Agreement.
25. **Employee Protection from Reprisal.**
 - a. Prohibition of Reprisals.
 1. In accordance with 41 U.S.C. § 4712, an employee of a Sponsor, grantee, subgrantee, contractor, or subcontractor may not be discharged, demoted, or otherwise discriminated

against as a reprisal for disclosing to a person or body described in subparagraph (a)(2) below, information that the employee reasonably believes is evidence of:

- i. Gross mismanagement of a Federal grant;
 - ii. Gross waste of Federal funds;
 - iii. An abuse of authority relating to implementation or use of Federal funds;
 - iv. A substantial and specific danger to public health or safety; or
 - v. A violation of law, rule, or regulation related to a Federal grant.
2. Persons and bodies covered. The persons and bodies to which a disclosure by an employee is covered are as follows:
- i. A member of Congress or a representative of a committee of Congress;
 - ii. An Inspector General;
 - iii. The Government Accountability Office;
 - iv. A Federal employee responsible for contract or grant oversight or management at the relevant agency;
 - v. A court or grand jury;
 - vi. A management official or other employee of the Sponsor, contractor, or subcontractor who has the responsibility to investigate, discover, or address misconduct; or
 - vii. An authorized official of the Department of Justice or other law enforcement agency.

b. Investigation of Complaints

- 1. Submission of Complaint. A person who believes that they have been subjected to a reprisal prohibited by paragraph (a) of this Condition may submit a complaint regarding the reprisal to the Office of Inspector General (OIG) for the U.S. Department of Transportation.
- 2. Time Limitation for Submittal of a Complaint. A complaint may not be brought under this subsection more than three years after the date on which the alleged reprisal took place.
- 3. Required Actions of the Inspector General. Actions, limitations, and exceptions of the OIG's office are established under 41 U.S.C. § 4712(b).

c. Remedy and Enforcement Authority.

- 1. Assumption of Rights to Civil Remedy. Upon receipt of an explanation of a decision not to conduct or continue an investigation by the OIG, the person submitting a complaint assumes
- 2. the right to a civil remedy under 41 U.S.C. § 4712(c)(2).

26. **Prohibited Telecommunications and Video Surveillance Services and Equipment.** The Sponsor agrees to comply with mandatory standards and policies relating to use and procurement of certain telecommunications and video surveillance services or equipment in compliance with the National Defense Authorization Act [Public Law 115-232 § 889(f)(1)] and 2 CFR § 200.216.

27. **Critical Infrastructure Security and Resilience.** The Sponsor acknowledges that it has considered and addressed physical and cybersecurity and resilience in their project planning, design, and oversight, as determined by the DOT and the Department of Homeland Security (DHS). For airports that do not have specific DOT or DHS cybersecurity requirements, the FAA encourages the voluntary adoption of the cybersecurity requirements from the Transportation Security Administration and Federal Security Director identified for security risk Category X airports.
28. **Title VI of the Civil Rights Act.** As a condition of a grant award, the Sponsor shall demonstrate that it complies with the provisions of Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq) and implementing regulations (49 CFR part 21), the Airport and Airway Improvement Act of 1982 (49 U.S.C. § 47123), the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794 et seq.), the Americans with Disabilities Act of 1990 (42 U.S.C. § 12101, et seq.), U.S. Department of Transportation and Federal Aviation Administration (FAA) Assurances, and other relevant civil rights statutes, regulations, or authorities. This may include, as applicable, providing a current Title VI Program Plan and a Community Participation Plan (alternatively may be called a Public Participation Plan) to the FAA for approval, in the format and according to the timeline required by the FAA, and other information about the communities that will be benefited and impacted by the project. A completed FAA Title VI Pre-Grant Award Checklist is also required for every grant application, unless excused by the FAA. The Sponsor shall affirmatively ensure that when carrying out any project supported by this grant that it complies with all federal nondiscrimination and civil rights laws based on race, color, national origin (including limited English proficiency), sex (including sexual orientation and gender identity), creed, age, disability, genetic information, or environmental justice in consideration for federal financial assistance. The Sponsor, who have not sufficiently demonstrated the conditions of compliance with civil rights requirements will be required to do so before receiving funds. The Department's and FAA's Office of Civil Rights may provide resources and technical assistance to recipients to ensure full and sustainable compliance with Federal civil rights requirements. Failure to comply with civil rights requirements will be considered a violation of the agreement or contract and be subject to any enforcement action as authorized by law.

SPECIAL CONDITIONS

29. **Leaded Fuel.** FAA Reauthorization Act of 2024 (P.L. 118-63) Section 770 “Grant Assurances” requires airports that made 100-octane low lead aviation gasoline (100LL) available, any time during calendar year 2022, to not prohibit or restrict the sale, or self-fueling, of such aviation gasoline. This requirement remains until the earlier of 2030, or the date on which the airport or any retail fuel seller at the airport makes available an FAA-authorized unleaded aviation gasoline replacement for 100LL meeting either an industry consensus standard or other standard that facilitates the safe use, production, and distribution of such unleaded aviation gasoline as deemed appropriate by the Administrator. The Sponsor understands and agrees, that any violations are subject to civil penalties.
30. **Protection of Runway Protection Zone - Airport Property.** The Sponsor agrees to prevent the erection or creation of any structure, place of public assembly, or other use in the Runway Protection Zone, as depicted on the Exhibit “A”: Property Map, except for Navigational Aids (NAVAIDS) that are fixed by their functional purposes or any other structure permitted by the FAA. The Sponsor further agrees that any existing structures or uses within the Runway Protection Zone will be cleared or discontinued by the Sponsor unless approved by the FAA.
31. **Protection of Runway Protection Zone - Easement.** The Sponsor, under the easement, agrees to take any and all steps necessary to ensure that the owner of the land within the designated Runway Protection Zone will not build any structure in the Runway Protection Zone that is an airport hazard or which might create glare or misleading lights or lead to the construction of residences, fuel handling and storage facilities, smoke generating activities, or places of public assembly, such as churches, schools, office buildings, shopping centers, and stadiums.
32. **Plans and Specifications Approval Based Upon Certification.** The FAA and the Sponsor agree that the FAA’s approval of the Sponsor’s Plans and Specification is based primarily upon the Sponsor’s certification to carry out the project in accordance with policies, standards, and specifications approved by the FAA. The Sponsor understands that:
 - a. The Sponsor’s certification does not relieve the Sponsor of the requirement to obtain prior FAA approval for modifications to any published FAA airport development grant standards or to notify the FAA of any limitations to competition within the project;
 - b. The FAA’s acceptance of a Sponsor’s certification does not limit the FAA from reviewing appropriate project documentation for the purpose of validating the certification statements; and
 - c. If the FAA determines that the Sponsor has not complied with their certification statements, the FAA will review the associated project costs to determine whether such costs are allowable under this Grant and associated grants.
33. **Mothers’ Rooms.** As a small, medium, or large hub airport, the sponsor certifies it is in compliance with 49 U.S.C. § 47107(w).
34. **Buy American Executive Orders.** The Sponsor agrees to abide by applicable Executive Orders in effect at the time this Grant Agreement is executed, including Executive Order 14005, Ensuring the Future Is Made in All of America by All of America’s Workers.

35. **Usable Unit of Development.** The FAA and the Sponsor agree this grant only funds a portion of the overall project. The FAA makes no commitment of funding beyond what is provided herein. In accepting this award, the airport Sponsor understands and agrees that the work described in this grant agreement must be incorporated into a safe, useful, and usable unit of development completed within a reasonable timeframe [49 USC § 47106(a)(4)]. This safe, useful, usable unit of development must be completed regardless of whether the sponsor receives any additional federal funding.

The Sponsor's acceptance of this Offer and ratification and adoption of the Project Application incorporated herein shall be evidenced by execution of this instrument by the Sponsor, as hereinafter provided, and this Offer and Acceptance shall comprise a Grant Agreement, constituting the contractual obligations and rights of the United States and the Sponsor with respect to the accomplishment of the Project and compliance with the Grant Assurances, terms, and conditions as provided herein. Such Grant Agreement shall become effective upon the Sponsor's acceptance of this Offer.

Please read the following information: By signing this document, you are agreeing that you have reviewed the following consumer disclosure information and consent to transact business using electronic communications, to receive notices and disclosures electronically, and to utilize electronic signatures in lieu of using paper documents. You are not required to receive notices and disclosures or sign documents electronically. If you prefer not to do so, you may request to receive paper copies and withdraw your consent at any time.

I declare under penalty of perjury that the foregoing is true and correct.¹

**UNITED STATES OF AMERICA
FEDERAL AVIATION ADMINISTRATION**

Rodney N. Joel

(Signature)

Rodney N. Joel

(Typed Name)

**Acting Director, Central Region Airports
Division**

(Title of FAA Official)

¹ Knowingly and willfully providing false information to the Federal government is a violation of 18 U.S.C. § 1001 (False Statements) and could subject you to fines, imprisonment, or both.

Part II - Acceptance

The Sponsor does hereby ratify and adopt all assurances, statements, representations, warranties, covenants, and agreements contained in the Project Application and incorporated materials referred to in the foregoing Offer, and does hereby accept this Offer and by such acceptance agrees to comply with all of the Grant Assurances, terms, and conditions in this Offer and in the Project Application.

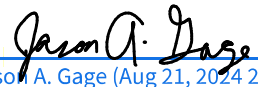
Please read the following information: By signing this document, you are agreeing that you have reviewed the following consumer disclosure information and consent to transact business using electronic communications, to receive notices and disclosures electronically, and to utilize electronic signatures in lieu of using paper documents. You are not required to receive notices and disclosures or sign documents electronically. If you prefer not to do so, you may request to receive paper copies and withdraw your consent at any time.

I declare under penalty of perjury that the foregoing is true and correct.²

Dated August 21, 2024

City of Springfield

(Name of Sponsor)


 Jason A. Gage (Aug 21, 2024 21:53 CDT)
 (Signature of Sponsor's Authorized Official)

By:

Jason A. Gage

(Typed Name of Sponsor's Authorized Official)

Title: City Manager

(Title of Sponsor's Authorized Official)

² Knowingly and willfully providing false information to the Federal government is a violation of 18 U.S.C. § 1001 (False Statements) and could subject you to fines, imprisonment, or both.

CERTIFICATE OF SPONSOR'S ATTORNEY

I, _____, acting as Attorney for the Sponsor do hereby certify:

That in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of the State of Missouri. Further, I have examined the foregoing Grant Agreement and the actions taken by said Sponsor and Sponsor's official representative, who has been duly authorized to execute this Grant Agreement, which is in all respects due and proper and in accordance with the laws of the said State; the Infrastructure Investment and Jobs Act (Public Law 117-58) of 2021 referred to as the Bipartisan Infrastructure Law (BIL), Division J, Title VIII; and the representations contained in the Project Application. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Please read the following information: By signing this document, you are agreeing that you have reviewed the following consumer disclosure information and consent to transact business using electronic communications, to receive notices and disclosures electronically, and to utilize electronic signatures in lieu of using paper documents. You are not required to receive notices and disclosures or sign documents electronically. If you prefer not to do so, you may request to receive paper copies and withdraw your consent at any time.

I declare under penalty of perjury that the foregoing is true and correct.³

Dated this day of _____

By: _____

(Signature of State's Attorney)

³ Knowingly and willfully providing false information to the Federal government is a violation of 18 U.S.C. § 1001 (False Statements) and could subject you to fines, imprisonment, or both.

ASSURANCES

AIRPORT SPONSORS

A. General.

1. These assurances shall be complied with in the performance of grant agreements for airport development, airport planning, and noise compatibility program grants for airport sponsors.
2. These assurances are required to be submitted as part of the project application by sponsors requesting funds under the provisions of Public Law 117-58, Division J, Title VIII, as amended. As used herein, the term "public agency sponsor" means a public agency with control of a public-use airport; the term "private sponsor" means a private owner of a public-use airport; and the term "sponsor" includes both public agency sponsors and private sponsors.
3. Upon acceptance of this grant offer by the sponsor, these assurances are incorporated in and become part of this Grant Agreement.

B. Duration and Applicability.

1. **Airport development or Noise Compatibility Program Projects Undertaken by a Public Agency Sponsor.**

The terms, conditions and assurances of this Grant Agreement shall remain in full force and effect throughout the useful life of the facilities developed or equipment acquired for an airport development or noise compatibility program project, or throughout the useful life of the project items installed within a facility under a noise compatibility program project, but in any event not to exceed twenty (20) years from the date of acceptance of a grant offer of Federal funds for the project. However, there shall be no limit on the duration of the assurances regarding Exclusive Rights and Airport Revenue so long as the airport is used as an airport. There shall be no limit on the duration of the terms, conditions, and assurances with respect to real property acquired with federal funds. Furthermore, the duration of the Civil Rights assurance shall be specified in the assurances.

2. **Airport Development or Noise Compatibility Projects Undertaken by a Private Sponsor.**

The preceding paragraph (1) also applies to a private sponsor except that the useful life of project items installed within a facility or the useful life of the facilities developed or equipment acquired under an airport development or noise compatibility program project shall be no less than ten (10) years from the date of acceptance of Federal aid for the project.

3. **Airport Planning Undertaken by a Sponsor.**

Unless otherwise specified in this Grant Agreement, only Assurances 1, 2, 3, 5, 6, 13, 18, 23, 25, 30, 32, 33, 34, and 37 in Section C apply to planning projects. The terms, conditions, and assurances of this Grant Agreement shall remain in full force and effect during the life of the project; there shall be no limit on the duration of the assurances regarding Exclusive Rights and Airport Revenue so long as the airport is used as an airport.

C. Sponsor Certification.

The sponsor hereby assures and certifies, with respect to this grant that:

1. General Federal Requirements

It will comply with all applicable Federal laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the application, acceptance, and use of Federal funds for this Grant including but not limited to the following:

FEDERAL LEGISLATION

- a. 49 U.S.C. subtitle VII, as amended.
- b. Davis-Bacon Act, as amended — 40 U.S.C. §§ 3141-3144, 3146, and 3147, et seq.¹
- c. Federal Fair Labor Standards Act — 29 U.S.C. § 201, et seq.
- d. Hatch Act — 5 U.S.C. § 1501, et seq.²
- e. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. § 4601, et seq.^{1, 2}
- f. National Historic Preservation Act of 1966 — Section 106 — 54 U.S.C. § 306108.¹
- g. Archeological and Historic Preservation Act of 1974 — 54 U.S.C. § 312501, et seq.¹
- h. Native Americans Grave Repatriation Act — 25 U.S.C. § 3001, et seq.
- i. Clean Air Act, P.L. 90-148, as amended — 42 U.S.C. § 7401, et seq.
- j. Coastal Zone Management Act, P.L. 92-583, as amended — 16 U.S.C. § 1451, et seq.
- k. Flood Disaster Protection Act of 1973 — Section 102(a) - 42 U.S.C. § 4012a.¹
- l. 49 U.S.C. § 303, (formerly known as Section 4(f))
- m. Rehabilitation Act of 1973 — 29 U.S.C. § 794.
- n. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252) (prohibits discrimination on the basis of race, color, national origin);
- o. Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 et seq.) (prohibits discrimination on the basis of disability).
- p. Age Discrimination Act of 1975 — 42 U.S.C. § 6101, et seq.
- q. American Indian Religious Freedom Act, P.L. 95-341, as amended.
- r. Architectural Barriers Act of 1968, as amended — 42 U.S.C. § 4151, et seq.¹
- s. Powerplant and Industrial Fuel Use Act of 1978 — Section 403 — 42 U.S.C. § 8373.¹
- t. Contract Work Hours and Safety Standards Act — 40 U.S.C. § 3701, et seq.¹
- u. Copeland Anti-kickback Act — 18 U.S.C. § 874.¹
- v. National Environmental Policy Act of 1969 — 42 U.S.C. § 4321, et seq.¹

- w. Wild and Scenic Rivers Act, P.L. 90-542, as amended – 16 U.S.C. § 1271, et seq.
- x. Single Audit Act of 1984 – 31 U.S.C. § 7501, et seq.²
- y. Drug-Free Workplace Act of 1988 – 41 U.S.C. §§ 8101 through 8105.
- z. The Federal Funding Accountability and Transparency Act of 2006, as amended (Pub. L. 109-282, as amended by section 6202 of Pub. L. 110-252).
- aa. Civil Rights Restoration Act of 1987, P.L. 100-259.
- bb. Build America, Buy America Act, P.L. 117-58, Title IX.

EXECUTIVE ORDERS

- a. Executive Order 11246 – Equal Employment Opportunity¹
- b. Executive Order 11990 – Protection of Wetlands
- c. Executive Order 11998 – Flood Plain Management
- d. Executive Order 12372 – Intergovernmental Review of Federal Programs
- e. Executive Order 12699 – Seismic Safety of Federal and Federally Assisted New Building Construction¹
- f. Executive Order 12898 – Environmental Justice
- g. Executive Order 13166 – Improving Access to Services for Persons with Limited English Proficiency
- h. Executive Order 13985 – Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government
- i. Executive Order 13988 - Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation
- j. Executive Order 14005 – Ensuring the Future is Made in all of America by All of America’s Workers
- k. Executive Order 14008 – Tackling the Climate Crisis at Home and Abroad

FEDERAL REGULATIONS

- a. 2 CFR Part 180 – OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement).
- b. 2 CFR Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. ^{4, 5}
- c. 2 CFR Part 1200 – Nonprocurement Suspension and Debarment.
- d. 14 CFR Part 13 – Investigative and Enforcement Procedures.
- e. 14 CFR Part 16 – Rules of Practice for Federally-Assisted Airport Enforcement Proceedings.
- f. 14 CFR Part 150 – Airport Noise Compatibility Planning.

- g. 28 CFR Part 35 – Nondiscrimination on the Basis of Disability in State and Local Government Services.
- h. 28 CFR § 50.3 – U.S. Department of Justice Guidelines for the Enforcement of Title VI of the Civil Rights Act of 1964.
- i. 29 CFR Part 1 – Procedures for Predetermination of Wage Rates.¹
- j. 29 CFR Part 3 – Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States.¹
- k. 29 CFR Part 5 – Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction (Also Labor Standards Provisions Applicable to Nonconstruction Contracts Subject to the Contract Work Hours and Safety Standards Act).¹
- l. 41 CFR Part 60 – Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor (Federal and Federally-assisted contracting requirements).¹
- m. 49 CFR Part 20 – New Restrictions on Lobbying.
- n. 49 CFR Part 21 – Nondiscrimination in Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964.
- o. 49 CFR Part 23 – Participation by Disadvantage Business Enterprise in Airport Concessions.
- p. 49 CFR Part 24 – Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs.^{1, 2}
- q. 49 CFR Part 26 – Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs.
- r. 49 CFR Part 27 – Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance.¹
- s. 49 CFR Part 28 – Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities Conducted by the Department of Transportation.
- t. 49 CFR Part 30 – Denial of Public Works Contracts to Suppliers of Goods and Services of Countries That Deny Procurement Market Access to U.S. Contractors.
- u. 49 CFR Part 32 – Governmentwide Requirements for Drug-Free Workplace (Financial Assistance).
- v. 49 CFR Part 37 – Transportation Services for Individuals with Disabilities (ADA).
- w. 49 CFR Part 38 – Americans with Disabilities Act (ADA) Accessibility Specifications for Transportation Vehicles.
- x. 49 CFR Part 41 – Seismic Safety.

FOOTNOTES TO ASSURANCE (C)(1)

¹ These laws do not apply to airport planning sponsors.

² These laws do not apply to private sponsors.

- ³ 2 CFR Part 200 contains requirements for State and Local Governments receiving Federal assistance. Any requirement levied upon State and Local Governments by this regulation shall apply where applicable to private sponsors receiving Federal assistance under Title 49, United States Code.
- ⁴ Cost principles established in 2 CFR part 200 subpart E must be used as guidelines for determining the eligibility of specific types of expenses.
- ⁵ Audit requirements established in 2 CFR part 200 subpart F are the guidelines for audits.

SPECIFIC ASSURANCES

Specific assurances required to be included in grant agreements by any of the above laws, regulations or circulars are incorporated by reference in this Grant Agreement.

2. Responsibility and Authority of the Sponsor.

a. Public Agency Sponsor:

It has legal authority to apply for this Grant, and to finance and carry out the proposed project; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

b. Private Sponsor:

It has legal authority to apply for this Grant and to finance and carry out the proposed project and comply with all terms, conditions, and assurances of this Grant Agreement. It shall designate an official representative and shall in writing direct and authorize that person to file this application, including all understandings and assurances contained therein; to act in connection with this application; and to provide such additional information as may be required.

3. Sponsor Fund Availability.

It has sufficient funds available for that portion of the project costs which are not to be paid by the United States. It has sufficient funds available to assure operation and maintenance of items funded under this Grant Agreement which it will own or control.

4. Good Title.

- a. It, a public agency or the Federal government, holds good title, satisfactory to the Secretary, to the landing area of the airport or site thereof, or will give assurance satisfactory to the Secretary that good title will be acquired.
- b. For noise compatibility program projects to be carried out on the property of the sponsor, it holds good title satisfactory to the Secretary to that portion of the property upon which Federal funds will be expended or will give assurance to the Secretary that good title will be obtained.

5. Preserving Rights and Powers.

- a. It will not take or permit any action which would operate to deprive it of any of the rights and powers necessary to perform any or all of the terms, conditions, and assurances in this Grant

Agreement without the written approval of the Secretary, and will act promptly to acquire, extinguish or modify any outstanding rights or claims of right of others which would interfere with such performance by the sponsor. This shall be done in a manner acceptable to the Secretary.

- b. Subject to the FAA Act of 2018, Public Law 115-254, Section 163, it will not sell, lease, encumber, or otherwise transfer or dispose of any part of its title or other interests in the property shown on Exhibit A to this application or, for a noise compatibility program project, that portion of the property upon which Federal funds have been expended, for the duration of the terms, conditions, and assurances in this Grant Agreement without approval by the Secretary. If the transferee is found by the Secretary to be eligible under Title 49, United States Code, to assume the obligations of this Grant Agreement and to have the power, authority, and financial resources to carry out all such obligations, the sponsor shall insert in the contract or document transferring or disposing of the sponsor's interest, and make binding upon the transferee all of the terms, conditions, and assurances contained in this Grant Agreement.
- c. For all noise compatibility program projects which are to be carried out by another unit of local government or are on property owned by a unit of local government other than the sponsor, it will enter into an agreement with that government. Except as otherwise specified by the Secretary, that agreement shall obligate that government to the same terms, conditions, and assurances that would be applicable to it if it applied directly to the FAA for a grant to undertake the noise compatibility program project. That agreement and changes thereto must be satisfactory to the Secretary. It will take steps to enforce this agreement against the local government if there is substantial non-compliance with the terms of the agreement.
- d. For noise compatibility program projects to be carried out on privately owned property, it will enter into an agreement with the owner of that property which includes provisions specified by the Secretary. It will take steps to enforce this agreement against the property owner whenever there is substantial non-compliance with the terms of the agreement.
- e. If the sponsor is a private sponsor, it will take steps satisfactory to the Secretary to ensure that the airport will continue to function as a public-use airport in accordance with these assurances for the duration of these assurances.
- f. If an arrangement is made for management and operation of the airport by any agency or person other than the sponsor or an employee of the sponsor, the sponsor will reserve sufficient rights and authority to ensure that the airport will be operated and maintained in accordance with Title 49, United States Code, the regulations and the terms, conditions and assurances in this Grant Agreement and shall ensure that such arrangement also requires compliance therewith.
- g. Sponsors of commercial service airports will not permit or enter into any arrangement that results in permission for the owner or tenant of a property used as a residence, or zoned for residential use, to taxi an aircraft between that property and any location on airport. Sponsors of general aviation airports entering into any arrangement that results in permission for the owner of residential real property adjacent to or near the airport must comply with the requirements of 49 U.S.C. § 47107(s) and the sponsor assurances.

6. Consistency with Local Plans.

The project is reasonably consistent with plans (existing at the time of submission of this application) of public agencies that are authorized by the State in which the project is located to plan for the development of the area surrounding the airport.

7. Consideration of Local Interest.

It has given fair consideration to the interest of communities in or near where the project may be located.

8. Consultation with Users.

In making a decision to undertake any airport development project under Title 49, United States Code, it has undertaken reasonable consultations with affected parties using the airport at which project is proposed.

9. Public Hearings.

In projects involving the location of an airport, an airport runway, or a major runway extension, it has afforded the opportunity for public hearings for the purpose of considering the economic, social, and environmental effects of the airport or runway location and its consistency with goals and objectives of such planning as has been carried out by the community and it shall, when requested by the Secretary, submit a copy of the transcript of such hearings to the Secretary. Further, for such projects, it has on its management board either voting representation from the communities where the project is located or has advised the communities that they have the right to petition the Secretary concerning a proposed project.

10. Metropolitan Planning Organization.

In projects involving the location of an airport, an airport runway, or a major runway extension at a medium or large hub airport, the sponsor has made available to and has provided upon request to the metropolitan planning organization in the area in which the airport is located, if any, a copy of the proposed amendment to the airport layout plan to depict the project and a copy of any airport master plan in which the project is described or depicted.

11. Pavement Preventive Maintenance.

With respect to a project approved after January 1, 1995, for the replacement or reconstruction of pavement at the airport, it assures or certifies that it has implemented an effective airport pavement maintenance-management program and it assures that it will use such program for the useful life of any pavement constructed, reconstructed or repaired with Federal financial assistance at the airport. It will provide such reports on pavement condition and pavement management programs as the Secretary determines may be useful.

12. Terminal Development Prerequisites.

For projects which include terminal development at a public use airport, as defined in Title 49, it has, on the date of submittal of the project grant application, all the safety equipment required for certification of such airport under 49 U.S.C. § 44706, and all the security equipment required by rule or regulation, and has provided for access to the passenger enplaning and deplaning area of such airport to passengers enplaning and deplaning from aircraft other than air carrier aircraft.

13. Accounting System, Audit, and Record Keeping Requirements.

- a. It shall keep all project accounts and records which fully disclose the amount and disposition by the recipient of the proceeds of this Grant, the total cost of the project in connection with which this Grant is given or used, and the amount or nature of that portion of the cost of the project supplied by other sources, and such other financial records pertinent to the project. The accounts and records shall be kept in accordance with an accounting system that will facilitate an effective audit in accordance with the Single Audit Act of 1984.
- b. It shall make available to the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, for the purpose of audit and examination, any books, documents, papers, and records of the recipient that are pertinent to this Grant. The Secretary may require that an appropriate audit be conducted by a recipient. In any case in which an independent audit is made of the accounts of a sponsor relating to the disposition of the proceeds of a grant or relating to the project in connection with which this Grant was given or used, it shall file a certified copy of such audit with the Comptroller General of the United States not later than six (6) months following the close of the fiscal year for which the audit was made.

14. Minimum Wage Rates.

It shall include, in all contracts in excess of \$2,000 for work on any projects funded under this Grant Agreement which involve labor, provisions establishing minimum rates of wages, to be predetermined by the Secretary of Labor under 40 U.S.C. §§ 3141-3144, 3146, and 3147, Public Building, Property, and Works), which contractors shall pay to skilled and unskilled labor, and such minimum rates shall be stated in the invitation for bids and shall be included in proposals or bids for the work.

15. Veteran's Preference.

It shall include in all contracts for work on any project funded under this Grant Agreement which involve labor, such provisions as are necessary to insure that, in the employment of labor (except in executive, administrative, and supervisory positions), preference shall be given to Vietnam era veterans, Persian Gulf veterans, Afghanistan-Iraq war veterans, disabled veterans, and small business concerns owned and controlled by disabled veterans as defined in 49 U.S.C. § 47112. However, this preference shall apply only where the individuals are available and qualified to perform the work to which the employment relates.

16. Conformity to Plans and Specifications.

It will execute the project subject to plans, specifications, and schedules approved by the Secretary. Such plans, specifications, and schedules shall be submitted to the Secretary prior to commencement of site preparation, construction, or other performance under this Grant Agreement, and, upon approval of the Secretary, shall be incorporated into this Grant Agreement. Any modification to the approved plans, specifications, and schedules shall also be subject to approval of the Secretary, and incorporated into this Grant Agreement.

17. Construction Inspection and Approval.

It will provide and maintain competent technical supervision at the construction site throughout the project to assure that the work conforms to the plans, specifications, and schedules approved by

the Secretary for the project. It shall subject the construction work on any project contained in an approved project application to inspection and approval by the Secretary and such work shall be in accordance with regulations and procedures prescribed by the Secretary. Such regulations and procedures shall require such cost and progress reporting by the sponsor or sponsors of such project as the Secretary shall deem necessary.

18. Planning Projects.

In carrying out planning projects:

- a. It will execute the project in accordance with the approved program narrative contained in the project application or with the modifications similarly approved.
- b. It will furnish the Secretary with such periodic reports as required pertaining to the planning project and planning work activities.
- c. It will include in all published material prepared in connection with the planning project a notice that the material was prepared under a grant provided by the United States.
- d. It will make such material available for examination by the public, and agrees that no material prepared with funds under this project shall be subject to copyright in the United States or any other country.
- e. It will give the Secretary unrestricted authority to publish, disclose, distribute, and otherwise use any of the material prepared in connection with this grant.
- f. It will grant the Secretary the right to disapprove the sponsor's employment of specific consultants and their subcontractors to do all or any part of this project as well as the right to disapprove the proposed scope and cost of professional services.
- g. It will grant the Secretary the right to disapprove the use of the sponsor's employees to do all or any part of the project.
- h. It understands and agrees that the Secretary's approval of this project grant or the Secretary's approval of any planning material developed as part of this grant does not constitute or imply any assurance or commitment on the part of the Secretary to approve any pending or future application for a Federal airport grant.

19. Operation and Maintenance.

- a. The airport and all facilities which are necessary to serve the aeronautical users of the airport, other than facilities owned or controlled by the United States, shall be operated at all times in a safe and serviceable condition and in accordance with the minimum standards as may be required or prescribed by applicable Federal, state, and local agencies for maintenance and operation. It will not cause or permit any activity or action thereon which would interfere with its use for airport purposes. It will suitably operate and maintain the airport and all facilities thereon or connected therewith, with due regard to climatic and flood conditions. Any proposal to temporarily close the airport for non-aeronautical purposes must first be approved by the Secretary. In furtherance of this assurance, the sponsor will have in effect arrangements for:
 1. Operating the airport's aeronautical facilities whenever required;

2. Promptly marking and lighting hazards resulting from airport conditions, including temporary conditions; and
 3. Promptly notifying aviators of any condition affecting aeronautical use of the airport. Nothing contained herein shall be construed to require that the airport be operated for aeronautical use during temporary periods when snow, flood, or other climatic conditions interfere with such operation and maintenance. Further, nothing herein shall be construed as requiring the maintenance, repair, restoration, or replacement of any structure or facility which is substantially damaged or destroyed due to an act of God or other condition or circumstance beyond the control of the sponsor.
- b. It will suitably operate and maintain noise compatibility program items that it owns or controls upon which Federal funds have been expended.

20. Hazard Removal and Mitigation.

It will take appropriate action to assure that such terminal airspace as is required to protect instrument and visual operations to the airport (including established minimum flight altitudes) will be adequately cleared and protected by removing, lowering, relocating, marking, or lighting or otherwise mitigating existing airport hazards and by preventing the establishment or creation of future airport hazards.

21. Compatible Land Use.

It will take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. In addition, if the project is for noise compatibility program implementation, it will not cause or permit any change in land use, within its jurisdiction, that will reduce its compatibility, with respect to the airport, of the noise compatibility program measures upon which Federal funds have been expended.

22. Economic Nondiscrimination.

- a. It will make the airport available as an airport for public use on reasonable terms and without unjust discrimination to all types, kinds and classes of aeronautical activities, including commercial aeronautical activities offering services to the public at the airport.
- b. In any agreement, contract, lease, or other arrangement under which a right or privilege at the airport is granted to any person, firm, or corporation to conduct or to engage in any aeronautical activity for furnishing services to the public at the airport, the sponsor will insert and enforce provisions requiring the contractor to:
 1. Furnish said services on a reasonable, and not unjustly discriminatory, basis to all users thereof, and
 2. Charge reasonable, and not unjustly discriminatory, prices for each unit or service, provided that the contractor may be allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers.

- c. Each fixed-based operator at the airport shall be subject to the same rates, fees, rentals, and other charges as are uniformly applicable to all other fixed-based operators making the same or similar uses of such airport and utilizing the same or similar facilities.
- d. Each air carrier using such airport shall have the right to service itself or to use any fixed-based operator that is authorized or permitted by the airport to serve any air carrier at such airport.
- e. Each air carrier using such airport (whether as a tenant, non-tenant, or subtenant of another air carrier tenant) shall be subject to such nondiscriminatory and substantially comparable rules, regulations, conditions, rates, fees, rentals, and other charges with respect to facilities directly and substantially related to providing air transportation as are applicable to all such air carriers which make similar use of such airport and utilize similar facilities, subject to reasonable classifications such as tenants or non-tenants and signatory carriers and non-signatory carriers. Classification or status as tenant or signatory shall not be unreasonably withheld by any airport provided an air carrier assumes obligations substantially similar to those already imposed on air carriers in such classification or status.
- f. It will not exercise or grant any right or privilege which operates to prevent any person, firm, or corporation operating aircraft on the airport from performing any services on its own aircraft with its own employees (including, but not limited to maintenance, repair, and fueling) that it may choose to perform.
- g. In the event the sponsor itself exercises any of the rights and privileges referred to in this assurance, the services involved will be provided on the same conditions as would apply to the furnishing of such services by commercial aeronautical service providers authorized by the sponsor under these provisions.
- h. The sponsor may establish such reasonable, and not unjustly discriminatory, conditions to be met by all users of the airport as may be necessary for the safe and efficient operation of the airport.
- i. The sponsor may prohibit or limit any given type, kind or class of aeronautical use of the airport if such action is necessary for the safe operation of the airport or necessary to serve the civil aviation needs of the public.

23. Exclusive Rights.

It will permit no exclusive right for the use of the airport by any person providing, or intending to provide, aeronautical services to the public. For purposes of this paragraph, the providing of the services at an airport by a single fixed-based operator shall not be construed as an exclusive right if both of the following apply:

- a. It would be unreasonably costly, burdensome, or impractical for more than one fixed-based operator to provide such services, and
- b. If allowing more than one fixed-based operator to provide such services would require the reduction of space leased pursuant to an existing agreement between such single fixed-based operator and such airport. It further agrees that it will not, either directly or indirectly, grant or permit any person, firm, or corporation, the exclusive right at the airport to conduct any aeronautical activities, including, but not limited to charter flights, pilot training, aircraft rental

and sightseeing, aerial photography, crop dusting, aerial advertising and surveying, air carrier operations, aircraft sales and services, sale of aviation petroleum products whether or not conducted in conjunction with other aeronautical activity, repair and maintenance of aircraft, sale of aircraft parts, and any other activities which because of their direct relationship to the operation of aircraft can be regarded as an aeronautical activity, and that it will terminate any exclusive right to conduct an aeronautical activity now existing at such an airport before the grant of any assistance under Title 49, United States Code.

24. Fee and Rental Structure.

It will maintain a fee and rental structure for the facilities and services at the airport which will make the airport as self-sustaining as possible under the circumstances existing at the particular airport, taking into account such factors as the volume of traffic and economy of collection. No part of the Federal share of an airport development, airport planning or noise compatibility project for which a Grant is made under Title 49, United States Code, the Airport and Airway Improvement Act of 1982, the Federal Airport Act or the Airport and Airway Development Act of 1970 shall be included in the rate basis in establishing fees, rates, and charges for users of that airport.

25. Airport Revenues.

- a. All revenues generated by the airport and any local taxes on aviation fuel established after December 30, 1987, will be expended by it for the capital or operating costs of the airport; the local airport system; or other local facilities which are owned or operated by the owner or operator of the airport and which are directly and substantially related to the actual air transportation of passengers or property; or for noise mitigation purposes on or off the airport. The following exceptions apply to this paragraph:
 1. If covenants or assurances in debt obligations issued before September 3, 1982, by the owner or operator of the airport, or provisions enacted before September 3, 1982, in governing statutes controlling the owner or operator's financing, provide for the use of the revenues from any of the airport owner or operator's facilities, including the airport, to support not only the airport but also the airport owner or operator's general debt obligations or other facilities, then this limitation on the use of all revenues generated by the airport (and, in the case of a public airport, local taxes on aviation fuel) shall not apply.
 2. If the Secretary approves the sale of a privately owned airport to a public sponsor and provides funding for any portion of the public sponsor's acquisition of land, this limitation on the use of all revenues generated by the sale shall not apply to certain proceeds from the sale. This is conditioned on repayment to the Secretary by the private owner of an amount equal to the remaining unamortized portion (amortized over a 20-year period) of any airport improvement grant made to the private owner for any purpose other than land acquisition on or after October 1, 1996, plus an amount equal to the federal share of the current fair market value of any land acquired with an airport improvement grant made to that airport on or after October 1, 1996.
 3. Certain revenue derived from or generated by mineral extraction, production, lease, or other means at a general aviation airport (as defined at 49 U.S.C. § 47102), if the FAA

determines the airport sponsor meets the requirements set forth in Section 813 of Public Law 112-95.

- b. As part of the annual audit required under the Single Audit Act of 1984, the sponsor will direct that the audit will review, and the resulting audit report will provide an opinion concerning, the use of airport revenue and taxes in paragraph (a), and indicating whether funds paid or transferred to the owner or operator are paid or transferred in a manner consistent with Title 49, United States Code and any other applicable provision of law, including any regulation promulgated by the Secretary or Administrator.

26. Reports and Inspections.

It will:

- a. submit to the Secretary such annual or special financial and operations reports as the Secretary may reasonably request and make such reports available to the public; make available to the public at reasonable times and places a report of the airport budget in a format prescribed by the Secretary;
- b. for airport development projects, make the airport and all airport records and documents affecting the airport, including deeds, leases, operation and use agreements, regulations and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request;
- c. for noise compatibility program projects, make records and documents relating to the project and continued compliance with the terms, conditions, and assurances of this Grant Agreement including deeds, leases, agreements, regulations, and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request; and
- d. in a format and time prescribed by the Secretary, provide to the Secretary and make available to the public following each of its fiscal years, an annual report listing in detail:
 - 1. all amounts paid by the airport to any other unit of government and the purposes for which each such payment was made; and
 - 2. all services and property provided by the airport to other units of government and the amount of compensation received for provision of each such service and property.

27. Use by Government Aircraft.

It will make available all of the facilities of the airport developed with Federal financial assistance and all those usable for landing and takeoff of aircraft to the United States for use by Government aircraft in common with other aircraft at all times without charge, except, if the use by Government aircraft is substantial, charge may be made for a reasonable share, proportional to such use, for the cost of operating and maintaining the facilities used. Unless otherwise determined by the Secretary, or otherwise agreed to by the sponsor and the using agency, substantial use of an airport by Government aircraft will be considered to exist when operations of such aircraft are in excess of those which, in the opinion of the Secretary, would unduly interfere with use of the landing areas by other authorized aircraft, or during any calendar month that:

- a. Five (5) or more Government aircraft are regularly based at the airport or on land adjacent thereto; or
- b. The total number of movements (counting each landing as a movement) of Government aircraft is 300 or more, or the gross accumulative weight of Government aircraft using the airport (the total movement of Government aircraft multiplied by gross weights of such aircraft) is in excess of five million pounds.

28. Land for Federal Facilities.

It will furnish without cost to the Federal Government for use in connection with any air traffic control or air navigation activities, or weather-reporting and communication activities related to air traffic control, any areas of land or water, or estate therein as the Secretary considers necessary or desirable for construction, operation, and maintenance at Federal expense of space or facilities for such purposes. Such areas or any portion thereof will be made available as provided herein within four months after receipt of a written request from the Secretary.

29. Airport Layout Plan.

- a. Subject to the FAA Reauthorization Act of 2018, Public Law 115-254, Section 163, it will keep up to date at all times an airport layout plan of the airport showing:
 - 1. boundaries of the airport and all proposed additions thereto, together with the boundaries of all offsite areas owned or controlled by the sponsor for airport purposes and proposed additions thereto;
 - 2. the location and nature of all existing and proposed airport facilities and structures (such as runways, taxiways, aprons, terminal buildings, hangars and roads), including all proposed extensions and reductions of existing airport facilities;
 - 3. the location of all existing and proposed non-aviation areas and of all existing improvements thereon; and
 - 4. all proposed and existing access points used to taxi aircraft across the airport's property boundary.

Such airport layout plans and each amendment, revision, or modification thereof, shall be subject to the approval of the Secretary which approval shall be evidenced by the signature of a duly authorized representative of the Secretary on the face of the airport layout plan. The sponsor will not make or permit any changes or alterations in the airport or any of its facilities which are not in conformity with the airport layout plan as approved by the Secretary and which might, in the opinion of the Secretary, adversely affect the safety, utility or efficiency of the airport.

- b. Subject to the FAA Reauthorization Act of 2018, Public Law 115-254, Section 163, if a change or alteration in the airport or the facilities is made which the Secretary determines adversely affects the safety, utility, or efficiency of any federally owned, leased, or funded property on or off the airport and which is not in conformity with the airport layout plan as approved by the Secretary, the owner or operator will, if requested, by the Secretary:
 - 1. eliminate such adverse effect in a manner approved by the Secretary; or

2. bear all costs of relocating such property (or replacement thereof) to a site acceptable to the Secretary and all costs of restoring such property (or replacement thereof) to the level of safety, utility, efficiency, and cost of operation existing before the unapproved change in the airport or its facilities except in the case of a relocation or replacement of an existing airport facility due to a change in the Secretary's design standards beyond the control of the airport sponsor.

30. Civil Rights.

It will promptly take any measures necessary to ensure that no person in the United States shall, on the grounds of race, color, and national origin (including limited English proficiency) in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4); creed and sex (including sexual orientation and gender identity) per 49 U.S.C. § 47123 and related requirements; age per the Age Discrimination Act of 1975 and related requirements; or disability per the Americans with Disabilities Act of 1990 and related requirements, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any program and activity conducted with, or benefiting from, funds received from this Grant.

- a. Using the definitions of activity, facility, and program as found and defined in 49 CFR §§ 21.23(b) and 21.23(e), the sponsor will facilitate all programs, operate all facilities, or conduct all programs in compliance with all non-discrimination requirements imposed by or pursuant to these assurances.
- b. Applicability
 1. Programs and Activities. If the sponsor has received a grant (or other federal assistance) for any of the sponsor's program or activities, these requirements extend to all of the sponsor's programs and activities.
 2. Facilities. Where it receives a grant or other federal financial assistance to construct, expand, renovate, remodel, alter, or acquire a facility, or part of a facility, the assurance extends to the entire facility and facilities operated in connection therewith.
 3. Real Property. Where the sponsor receives a grant or other Federal financial assistance in the form of, or for the acquisition of real property or an interest in real property, the assurance will extend to rights to space on, over, or under such property.
- c. Duration.

The sponsor agrees that it is obligated to this assurance for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the assurance obligates the sponsor, or any transferee for the longer of the following periods:

1. So long as the airport is used as an airport, or for another purpose involving the provision of similar services or benefits; or
2. So long as the sponsor retains ownership or possession of the property.

- d. Required Solicitation Language. It will include the following notification in all solicitations for bids, Requests For Proposals for work, or material under this Grant Agreement and in all proposals for agreements, including airport concessions, regardless of funding source:

“The **(City of Springfield)**, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders or offerors that it will affirmatively ensure that for any contract entered into pursuant to this advertisement, [select businesses, or disadvantaged business enterprises or airport concession disadvantaged business enterprises] will be afforded full and fair opportunity to submit bids in response to this invitation and no businesses will be discriminated against on the grounds of race, color, national origin (including limited English proficiency), creed, sex (including sexual orientation and gender identity), age, or disability in consideration for an award.”

- e. Required Contract Provisions.
1. It will insert the non-discrimination contract clauses requiring compliance with the acts and regulations relative to non-discrimination in Federally-assisted programs of the Department of Transportation (DOT), and incorporating the acts and regulations into the contracts by reference in every contract or agreement subject to the non-discrimination in Federally-assisted programs of the DOT acts and regulations.
 2. It will include a list of the pertinent non-discrimination authorities in every contract that is subject to the non-discrimination acts and regulations.
 3. It will insert non-discrimination contract clauses as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a sponsor.
 4. It will insert non-discrimination contract clauses prohibiting discrimination on the basis of race, color, national origin (including limited English proficiency), creed, sex (including sexual orientation and gender identity), age, or disability as a covenant running with the land, in any future deeds, leases, license, permits, or similar instruments entered into by the sponsor with other parties:
 - a. For the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. For the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
 - f. It will provide for such methods of administration for the program as are found by the Secretary to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the acts, the regulations, and this assurance.
 - g. It agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the acts, the regulations, and this assurance.

31. Disposal of Land.

- a. For land purchased under a grant for airport noise compatibility purposes, including land serving as a noise buffer, it will dispose of the land, when the land is no longer needed for such purposes, at fair market value, at the earliest practicable time. That portion of the proceeds of such disposition which is proportionate to the United States' share of acquisition of such land will be, at the discretion of the Secretary, (1) reinvested in another project at the airport, or (2) transferred to another eligible airport as prescribed by the Secretary. The Secretary shall give preference to the following, in descending order:

1. Reinvestment in an approved noise compatibility project;
2. Reinvestment in an approved project that is eligible for grant funding under 49 U.S.C. § 47117(e);
3. Reinvestment in an approved airport development project that is eligible for grant funding under 49 U.S.C. § 47114, 47115, or 47117, or under Public Law 117-58, Division J, Title VIII; or
4. Transfer to an eligible sponsor of another public airport to be reinvested in an approved noise compatibility project at that airport.

If land acquired under a grant for noise compatibility purposes is leased at fair market value and consistent with noise buffering purposes, the lease will not be considered a disposal of the land. Revenues derived from such a lease may be used for an approved airport development project that would otherwise be eligible for grant funding or any permitted use of airport revenue.

- b. For land purchased under a grant for airport development purposes (other than noise compatibility), it will, when the land is no longer needed for airport purposes, dispose of such land at fair market value or make available to the Secretary an amount equal to the United States' proportionate share of the fair market value of the land. That portion of the proceeds of such disposition which is proportionate to the United States' share of the cost of acquisition of such land will, upon application to the Secretary, be reinvested or transferred to another eligible airport as prescribed by the Secretary. The Secretary shall give preference to the following, in descending order:

1. Reinvestment in an approved noise compatibility project;
2. Reinvestment in an approved project that is eligible for grant funding under 49 U.S.C. § 47117(e);
3. Reinvestment in an approved airport development project that is eligible for grant funding under 49 U.S.C. §§ 47114, 47115, or 47117, or under Public Law 117-58, Division J, Title VIII; or
4. Transfer to an eligible sponsor of another public airport to be reinvested in an approved noise compatibility project at that airport.

- c. Land shall be considered to be needed for airport purposes under this assurance if (1) it may be needed for aeronautical purposes (including runway protection zones) or serve as noise buffer

land, and (2) the revenue from interim uses of such land contributes to the financial self-sufficiency of the airport. Further, land purchased with a grant received by an airport operator or owner before December 31, 1987, will be considered to be needed for airport purposes if the Secretary or Federal agency making such grant before December 31, 1987, was notified by the operator or owner of the uses of such land, did not object to such use, and the land continues to be used for that purpose, such use having commenced no later than December 15, 1989.

- d. Disposition of such land under (a), (b), or (c) will be subject to the retention or reservation of any interest or right therein necessary to ensure that such land will only be used for purposes which are compatible with noise levels associated with operation of the airport.

32. Engineering and Design Services.

If any phase of such project has received Federal funds under Chapter 471 subchapter 1 of Title 49 U.S.C., or Public Law 117-58, Division J, Title VIII it will award each contract, or sub-contract for program management, construction management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, mapping or related services in the same manner as a contract for architectural and engineering services is negotiated under Chapter 11 of Title 40 U.S.C., or an equivalent qualifications-based requirement prescribed for or by the sponsor of the airport.

33. Foreign Market Restrictions.

It will not allow funds provided under this Grant to be used to fund any project which uses any product or service of a foreign country during the period in which such foreign country is listed by the United States Trade Representative as denying fair and equitable market opportunities for products and suppliers of the United States in procurement and construction.

34. Policies, Standards, and Specifications.

It will carry out any project funded under a Bipartisan Infrastructure Law grant in accordance with policies, standards, and specifications approved by the Secretary including, but not limited to, current FAA Advisory Circulars (<https://www.faa.gov/airports/aip/media/aip-pfc-checklist.pdf>) for BIL projects as of August 05, 2024.

35. Relocation and Real Property Acquisition.

- a. It will be guided in acquiring real property, to the greatest extent practicable under State law, by the land acquisition policies in Subpart B of 49 CFR Part 24 and will pay or reimburse property owners for necessary expenses as specified in Subpart B.
- b. It will provide a relocation assistance program offering the services described in Subpart C of 49 CFR Part 24 and fair and reasonable relocation payments and assistance to displaced persons as required in Subpart D and E of 49 CFR Part 24.
- c. It will make available within a reasonable period of time prior to displacement, comparable replacement dwellings to displaced persons in accordance with Subpart E of 49 CFR Part 24.

36. Access By Intercity Buses.

The airport owner or operator will permit, to the maximum extent practicable, intercity buses or other modes of transportation to have access to the airport; however, it has no obligation to fund special facilities for intercity buses or for other modes of transportation.

37. Disadvantaged Business Enterprises.

The sponsor shall not discriminate on the basis of race, color, national origin, sex, in the award and performance of any DOT-assisted contract covered by 49 CFR Part 26, or in the award and performance of any concession activity contract covered by 49 CFR Part 23. In addition, the sponsor shall not discriminate on the basis of race, color, national origin or sex in the administration of its Disadvantaged Business Enterprise (DBE) and Airport Concessions Disadvantaged Business Enterprise (ACDBE) programs or the requirements of 49 CFR Parts 23 and 26. The sponsor shall take all necessary and reasonable steps under 49 CFR Parts 23 and 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts, and/or concession contracts. The sponsor's DBE and ACDBE programs, as required by 49 CFR Parts 26 and 23, and as approved by DOT, are incorporated by reference in this agreement. Implementation of these programs is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the sponsor of its failure to carry out its approved program, the Department may impose sanctions as provided for under Parts 26 and 23 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. § 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. §§ 3801-3809, 3812).

38. Hangar Construction.

If the airport owner or operator and a person who owns an aircraft agree that a hangar is to be constructed at the airport for the aircraft at the aircraft owner's expense, the airport owner or operator will grant to the aircraft owner for the hangar a long term lease that is subject to such terms and conditions on the hangar as the airport owner or operator may impose.

39. Competitive Access.

- a. If the airport owner or operator of a medium or large hub airport (as defined in 49 U.S.C. § 47102) has been unable to accommodate one or more requests by an air carrier for access to gates or other facilities at that airport in order to allow the air carrier to provide service to the airport or to expand service at the airport, the airport owner or operator shall transmit a report to the Secretary that:
 1. Describes the requests;
 2. Provides an explanation as to why the requests could not be accommodated; and
 3. Provides a time frame within which, if any, the airport will be able to accommodate the requests.
- b. Such report shall be due on either February 1 or August 1 of each year if the airport has been unable to accommodate the request(s) in the six month period prior to the applicable due date.

Application for Federal Assistance SF-424

*1. Type of Submission:

- ☐ Preapplication
☒ Application
☐ Changed/Corrected Application

*2. Type of Application

- ☒ New
☐ Continuation
☐ Revision

* If Revision, select appropriate letter(s):

* Other (Specify)

*3. Date Received:

08/05/2024

4. Applicant Identifier:

SGF

5a. Federal Entity Identifier:

FAA 3-29-0077-072

*5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

*a. Legal Name: City of Springfield, MO; Springfield-Branson National Airport

*b. Employer/Taxpayer Identification Number (EIN/TIN):

44-6000286

*c. UEI:

DMFJL5LWA8L4

d. Address:

*Street 1: 840 Boonville Avenue; 2300 N. Airport Boulevard

Street 2:

*City: Springfield

County/Parish: Greene

*State: Province: MO

*Country: USA

*Zip / Postal Code 65802-3832

e. Organizational Unit:

Department Name:

Airport

Division Name:

Springfield-Branson National Airport

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: Mr. *First Name: Brian

Middle Name:

*Last Name: Weiler

Suffix:

Title: Director of Aviation

Organizational Affiliation:

*Telephone Number: 417-868-0500 ext. 82001

Fax Number: (417) 868-0501

*Email: bweiler@flyspringfield.com

Application for Federal Assistance SF-424

***9. Type of Applicant 1: Select Applicant Type:**

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Pick an applicant type

Type of Applicant 3: Select Applicant Type:

Pick an applicant type

*Other (Specify)

***10. Name of Federal Agency:**

Federal Aviation Administration

11. Catalog of Federal Domestic Assistance Number:

20.106

CFDA Title:

Airport Improvement Program

***12. Funding Opportunity Number:**

FAA-ARP-BIL-G-23-002

*Title:

FY 2024 Notice of Funding Opportunity: Bipartisan Infrastructure Law (BIL) Airport Terminal Program (ATP) Grants

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

City of Springfield, County of Greene, Missouri

***15. Descriptive Title of Applicant's Project:**

Passenger Boarding Bridge Replacement.

Removal of existing boarding bridges at Gates 3, 5, 6, 7 and 8. Removal of existing Portable Conditioned Air (PCA) units and replacement with new PCAs at Gates 1, 2, 4, 9 and 10. Reconfiguration of existing apron/gate markings.

Attach supporting documents as specified in agency instructions.

Application for Federal Assistance SF-424**16. Congressional Districts Of:**

*a. Applicant: MO-007

*b. Program/Project: MO-007

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:

*a. Start Date: 09/01/2023

*b. End Date: 09/01/2025

18. Estimated Funding (\$):

*a. Federal	\$ 7,379,636
*b. Applicant	\$ 506,677
*c. State	\$ 0
*d. Local	\$ 0
*e. Other	\$ 0
*f. Program Income	\$ 0
*g. TOTAL	\$ 7,886,313

***19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- ☒ a. This application was made available to the State under the Executive Order 12372 Process for review on 07/31/2024.
- ☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- ☐ c. Program is not covered by E.O. 12372.

***20. Is the Applicant Delinquent On Any Federal Debt?**☐ Yes ☒ No

If "Yes", explain:

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U. S. Code, Title 218, Section 1001)

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: Mr. *First Name: Brian

Middle Name: _____

*Last Name: Weiler

Suffix: _____

*Title: Director of Aviation

*Telephone Number: 417-868-0500 ext. 82001

Fax Number: 417-868-0501

* Email: bweiler@flyspringfield.com

*Signature of Authorized Representative: **Brian C. Weiler**Digitally signed by Brian C. Weiler
Date: 2024.08.05 09:50:24 -05'00'

*Date Signed:



U.S. Department
of Transportation
**Federal Aviation
Administration**

FAA Form 5100-100, Application for Federal Assistance (Development and Equipment Projects)

Paperwork Reduction Act Burden Statement

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The OMB Control Number for this information collection is 2120-0569. Public reporting for this collection of information is estimated to be approximately 28 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing and reviewing the collection of information. All responses to this collection of information are required under 49 U.S.C. Section 47105 to retain a benefit and to meet the reporting requirements of 2 CFR 200; no assurance of confidentiality is provided. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, Federal Aviation Administration, 10101 Hillwood Parkway, Fort Worth, TX 76177-1524.

INSTRUCTIONS FOR FORM 5100-100

PART I – Application for Federal Assistance

Part I of the Application for Federal Assistance consists of a completed Standard Form (SF) 424. The remaining parts of Form 5100-100 (Parts II, III and IV) represent continuation pages that the Sponsor must attach to the associated SF-424 form. The signature of the Sponsor's authorized representative on the SF-424 form represents acceptance of the representations and certifications made within the corresponding FAA 5100-100 form.

PART II – Project Approval Information

This information is necessary for the Federal Aviation Administration to evaluate this request for Federal assistance. Responses do not require an explanation unless explicitly requested by the question.

SECTION A. STATUTORY CONDITIONS

Item 1 – Indicate whether the Sponsor maintains an active registration in the Federal System for Award Management (SAM). Pursuant to 2 CFR §25.200(b), a Sponsor must maintain an active registration in the Central Contractor Registration repository (housed within SAM) with current information at the time of the application and during the active period of the Federal award.

Item 2 – Indicate whether the Sponsor can commence the project within the same fiscal year the grant is made or within 6 months of when the grant is made, whichever is later. Attach explanation for negative responses. This information is considered when allocating discretionary funds. (49 U.S.C. § 47115(d)(2))

Application for Federal Assistance (Development and Equipment Projects)

PART II – PROJECT APPROVAL INFORMATION

Part II - SECTION A	
The term "Sponsor" refers to the applicant name provided in box 8 of the associated SF-424 form.	
Item 1. Does Sponsor maintain an active registration in the System for Award Management (www.SAM.gov)?	☒ Yes ☐ No
Item 2. Can Sponsor commence the work identified in the application in the fiscal year the grant is made or within six months after the grant is made, whichever is later?	☒ Yes ☐ No ☐ N/A
Item 3. Are there any foreseeable events that would delay completion of the project? If yes, provide attachment to this form that lists the events.	☐ Yes ☒ No ☐ N/A
Item 4. Will the project(s) covered by this request have impacts or effects on the environment that require mitigating measures? If yes, attach a summary listing of mitigating measures to this application and identify the name and date of the environmental document(s).	☐ Yes ☒ No ☐ N/A
Item 5. Is the project covered by this request included in an approved Passenger Facility Charge (PFC) application or other Federal assistance program? If yes, please identify other funding sources by checking all applicable boxes.	
☐ The project is included in an <i>approved</i> PFC application. If included in an approved PFC application, does the application <i>only</i> address AIP matching share? ☐ Yes ☐ No	
☐ The project is included in another Federal Assistance program. Its CFDA number is below.	
Item 6. Will the requested Federal assistance include Sponsor indirect costs as described in 2 CFR Appendix VII to Part 200, States and Local Government and Indian Tribe Indirect Cost Proposals?	
☐ Yes ☒ No ☐ N/A	
If the request for Federal assistance includes a claim for allowable indirect costs, select the applicable indirect cost rate the Sponsor proposes to apply:	
☐ De Minimis rate of 10% as permitted by 2 CFR § 200.414.	
☐ Negotiated Rate equal to	% as approved by _____ (the Cognizant Agency) on _____ (Date) (2 CFR part 200, appendix VII).
<i>Note: Refer to the instructions for limitations of application associated with claiming Sponsor indirect costs.</i>	

PART II - SECTION B

Certification Regarding Lobbying

The declarations made on this page are under the signature of the authorized representative as identified in box 21 of form SF-424, to which this form is attached. The term "Sponsor" refers to the applicant name provided in box 8 of the associated SF-424 form.

The Authorized Representative certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the Sponsor, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the Authorized Representative shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The Authorized Representative shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

PART II – SECTION C

The Sponsor hereby represents and certifies as follows:

1. Compatible Land Use – The Sponsor has taken the following actions to assure compatible usage of land adjacent to or in the vicinity of the airport:

Approved Master Plan, Airport Layout Plan

2. Defaults – The Sponsor is not in default on any obligation to the United States or any agency of the United States Government relative to the development, operation, or maintenance of any airport, except as stated herewith:

None

3. Possible Disabilities – There are no facts or circumstances (including the existence of effective or proposed leases, use agreements or other legal instruments affecting use of the Airport or the existence of pending litigation or other legal proceedings) which in reasonable probability might make it impossible for the Sponsor to carry out and complete the Project or carry out the provisions of the Grant Assurances, either by limiting its legal or financial ability or otherwise, except as follows:

None

4. Consistency with Local Plans – The project is reasonably consistent with plans existing at the time of submission of this application) of public agencies that are authorized by the State in which the project is located to plan for the development of the area surrounding the airport.

Yes

5. Consideration of Local Interest – It has given fair consideration to the interest of communities in or near where the project may be located.

Yes

6. Consultation with Users – In making a decision to undertake an airport development project under Title 49, United States Code, it has consulted with airport users that will potentially be affected by the project (§ 47105(a)(2)).

Yes

7. Public Hearings – In projects involving the location of an airport, an airport runway or a major runway extension, it has afforded the opportunity for public hearings for the purpose of considering the economic, social, and environmental effects of the airport or runway location and its consistency with goals and objectives of such planning as has been carried out by the community and it shall, when requested by the Secretary, submit a copy of the transcript of such hearings to the Secretary. Further, for such projects, it has on its management board either voting representation from the communities where the project is located or has advised the communities that they have the right to petition the Secretary concerning a proposed project.

NA

8. Air and Water Quality Standards – In projects involving airport location, a major runway extension, or runway location it will provide for the Governor of the state in which the project is located to certify in writing to the Secretary that the project will be located, designed, constructed, and operated so as to comply with applicable and air and water quality standards. In any case where such standards have not been approved and where applicable air and water quality standards have been promulgated by the Administrator of the Environmental Protection Agency, certification shall be obtained from such Administrator. Notice of certification or refusal to certify shall be provided within sixty days after the project application has been received by the Secretary.

NA

PART II – SECTION C (Continued)

9. Exclusive Rights – There is no grant of an exclusive right for the conduct of any aeronautical activity at any airport owned or controlled by the Sponsor except as follows:

All improvements are on currently owned parcels as shown on the Airport's published Exhibit A, originally dated 5/1/2011, under AIP Project(s) 3-29-0077-44/46/47 and updated 10/7/2013

10. Land – (a) The sponsor holds the following property interest in the following areas of land, which are to be developed or used as part of or in connection with the Airport subject to the following exceptions, encumbrances, and adverse interests, all of which areas are identified on the aforementioned property map designated as Exhibit "A". [1]

Exhibit A dated 10/7/2013

The Sponsor further certifies that the above is based on a title examination by a qualified attorney or title company and that such attorney or title company has determined that the Sponsor holds the above property interests.

(b) The Sponsor will acquire within a reasonable time, but in any event prior to the start of any construction work under the Project, the following property interest in the following areas of land on which such construction work is to be performed, all of which areas are identified on the aforementioned property map designated as Exhibit "A". [1]

NA

(c) The Sponsor will acquire within a reasonable time, and if feasible prior to the completion of all construction work under the Project, the following property interest in the following areas of land which are to be developed or used as part of or in connection with the Airport as it will be upon completion of the Project, all of which areas are identified on the aforementioned property map designated as Exhibit "A". [1]

NA

¹ State the character of property interest in each area and list and identify for each all exceptions, encumbrances, and adverse interests of every kind and nature, including liens, easements, leases, etc. The separate areas of land need only be identified here by the area numbers shown on the property map.

PART III – BUDGET INFORMATION – CONSTRUCTION

SECTION A – GENERAL
1. Assistance Listing Number:
2. Functional or Other Breakout:

SECTION B – CALCULATION OF FEDERAL GRANT			
Cost Classification	Latest Approved Amount (Use only for revisions)	Adjustment + or (-) Amount (Use only for revisions)	Total Amount Required
1. Administration expense			
2. Preliminary expense			
3. Land, structures, right-of-way			
4. Architectural engineering basic fees			96,333
5. Other Architectural engineering fees			7,000
6. Project inspection fees			218,715
7. Land development			
8. Relocation Expenses			
9. Relocation payments to Individuals and Businesses			
10. Demolition and removal			
11. Construction and project improvement			7,564,265
12. Equipment			
13. Miscellaneous			
14. Subtotal (Lines 1 through 13)			\$ 7,886,313
15. Estimated Income (if applicable)			
16. Net Project Amount (Line 14 minus 15)			
17. Less: Ineligible Exclusions (Section C, line 23 g.)			0
18. Subtotal (Lines 16 through 17)			\$ 7,886,313
19. Federal Share requested of Line 18			7,379,636
20. Grantee share			506,677
21. Other shares			
22. TOTAL PROJECT (Lines 19, 20 & 21)			\$ 7,886,313

SECTION C – EXCLUSIONS	
23. Classification (Description of non-participating work)	Amount Ineligible for Participation
a.	
b.	
c.	
d.	
e.	
f.	
g. Total	

SECTION D – PROPOSED METHOD OF FINANCING NON-FEDERAL SHARE	
24. Grantee Share – Fund Categories	Amount
a. Securities	
b. Mortgages	
c. Appropriations (by Applicant)	506,677
d. Bonds	
e. Tax Levies	
f. Non-Cash	
g. Other (Explain):	
h. TOTAL - Grantee share	\$ 506,677
25. Other Shares	Amount
a. State	0
b. Other	0
c. TOTAL - Other Shares	\$ 0
26. TOTAL NON-FEDERAL FINANCING	\$ 506,677

SECTION E – REMARKS (Attach sheets if additional space is required)
Plans and specs dated June 2024 are incorporated herein by reference.

PART IV – PROGRAM NARRATIVE
(Suggested Format)

PROJECT: Passenger Boarding Bridge Replacement

AIRPORT: Springfield-Branson National Airport

1. Objective:

The grant application covers the design, construction and construction administration costs necessary to accomplish the replacement of five existing passenger boarding bridges, and five existing PCA units on the five boarding bridges to remain. Reconfiguration/optimization of the gate markings will also be included.

2. Benefits Anticipated:

The outcome of the project will result boarding bridges that will be safe and serviceable, more energy efficient PCA units, while also reducing regular maintenance costs and downtime. Gate markings reconfiguration will result in a more efficient utilization of the ten PBBs, spreading usage more equally across the equipment, and allowing for a more flexible accommodations for additional aircraft and/or airlines in the future.

3. Approach: (See approved Scope of Work in Final Application)

Design Phase Engineering - Design and bidding phase services

Construction Phase Engineering - Provide on-site construction observation, construction materials testing (as necessary) and project closeout in accordance with FAA requirements.

Project Construction Costs - Low, competitive bid costs required to complete the construction of the improvements shown in the design documents.

4. Geographic Location:

Springfield-Branson National Airport, Springfield, Greene County, Missouri

5. If Applicable, Provide Additional Information:

6. Sponsor's Representative: (include address & telephone number)

Mr. Brian Weiler, Director of Aviation
2300 N. Airport Boulevard, Suite 100, Springfield, MO 65802
Phone - 417-868-0500 ext. 82001

Grant App and Proration Calculator

Grant App and Proration Calculator

Grant App and Proration Calculator



U.S. Department
of Transportation
**Federal Aviation
Administration**

FAA Form 5100-135, Certification and Disclosure Regarding Potential Conflicts of Interest – Airport Improvement Program Sponsor Certification

Paperwork Reduction Act Statement

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The OMB Control Number for this information collection is 2120-0569. Public reporting for this collection of information is estimated to be approximately 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing and reviewing the collection of information. All responses to this collection of information are required under 49 U.S.C. Section 47105 to retain a benefit and to meet the reporting requirements of 2 CFR 200. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, Federal Aviation Administration, 10101 Hillwood Parkway, Fort Worth, TX 76177-1524.

Certification and Disclosure Regarding Potential Conflicts of Interest

Airport Improvement Program Sponsor Certification

Sponsor: City of Springfield, Missouri

Airport: Springfield-Branson National Airport

Project Number: AIP 3-29-0077-072-2024

Description of Work: Passenger Boarding Bridge Replacement

Application

Title 2 CFR § 200.112 and § 1201.112 address Federal Aviation Administration (FAA) requirements for conflict of interest. As a condition of eligibility under the Airport Improvement Program (AIP), sponsors must comply with FAA policy on conflict of interest. Such a conflict would arise when any of the following have a financial or other interest in the firm selected for award:

- a) The employee, officer or agent,
- b) Any member of his immediate family,
- c) His or her partner, or
- d) An organization which employs, or is about to employ, any of the above.

Selecting "Yes" represents sponsor or sub-recipient acknowledgement and confirmation of the certification statement. Selecting "No" represents sponsor or sub-recipient disclosure that it cannot fully comply with the certification statement. If "No" is selected, provide support information explaining the negative response as an attachment to this form. This includes whether the sponsor has established standards for financial interest that are not substantial or unsolicited gifts are of nominal value (2 CFR § 200.318(c)). The term "will" means Sponsor action taken at appropriate time based on the certification statement focus area, but no later than the end of the project period of performance.

Certification Statements

1. The sponsor or sub-recipient maintains a written standards of conduct governing conflict of interest and the performance of their employees engaged in the award and administration of contracts (2 CFR § 200.318(c)). To the extent permitted by state or local law or regulations, such standards of conduct provide for penalties, sanctions, or other disciplinary actions for violations of such standards by the sponsor's and sub-recipient's officers, employees, or agents, or by contractors or their agents.

☒ Yes ☐ No

2. The sponsor's or sub-recipient's officers, employees or agents have not and will not solicit or accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to sub-agreements (2 CFR § 200.318(c)).

☒ Yes ☐ No

3. The sponsor or sub-recipient certifies that it has disclosed and will disclose to the FAA any known potential conflict of interest (2 CFR § 1200.112).

☒ Yes ☐ No

Attach documentation clarifying any above item marked with "no" response.

Sponsor's Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and have the explanation for any item marked "no" is correct and complete.

Executed on this day of July , 2024 .

Name of Sponsor: City of Springfield, Missouri

Name of Sponsor's Authorized Official: Brian C. Weiler, A.A.E.

Title of Sponsor's Authorized Official: Director of Aviation

Signature of Sponsor's Authorized Official: Brian C. Weiler

Digitally signed by Brian C.
Weiler
Date: 2024.08.05 07:40:16
-05'00'

I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.



U.S. Department
of Transportation
**Federal Aviation
Administration**

FAA Form 5100-130, Drug-Free Workplace – Airport Improvement Program Sponsor Certification

Paperwork Reduction Act Burden Statement

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The OMB Control Number for this information collection is 2120-0569. Public reporting for this collection of information is estimated to be approximately 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing and reviewing the collection of information. All responses to this collection of information are required under 49 U.S.C. Section 47105 to retain a benefit and to meet the reporting requirements of 2 CFR 200. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, Federal Aviation Administration, 10101 Hillwood Parkway, Fort Worth, TX 76177-1524.

Drug-Free Workplace Airport Improvement Program Sponsor Certification

Sponsor: City of Springfield, Missouri

Airport: Springfield-Branson National Airport

Project Number: AIP 3-29-0077-072-2024

Description of Work: Passenger Boarding Bridge Replacement

Application

49 USC § 47105(d) authorizes the Secretary to require certification from the sponsor that it will comply with the statutory and administrative requirements in carrying out a project under the Airport Improvement Program (AIP). General requirements on the drug-free workplace within federal grant programs are described in 2 CFR part 182. Sponsors are required to certify they will be, or will continue to provide, a drug-free workplace in accordance with the regulation. The AIP project grant agreement contains specific assurances on the Drug-Free Workplace Act of 1988.

Certification Statements

Except for certification statements below marked as not applicable (N/A), this list includes major requirements of the construction project. Selecting "Yes" represents sponsor acknowledgement and confirmation of the certification statement. The term "will" means Sponsor action taken at appropriate time based on the certification statement focus area, but no later than the end of the project period of performance. This list is not comprehensive and does not relieve the sponsor from fully complying with all applicable statutory and administrative standards. The source of the requirement is referenced within parenthesis.

1. A statement has been or will be published prior to commencement of project notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the sponsor's workplace, and specifying the actions to be taken against employees for violation of such prohibition (2 CFR § 182.205).

☒ Yes ☐ No ☐ N/A

2. An ongoing drug-free awareness program (2 CFR § 182.215) has been or will be established prior to commencement of project to inform employees about:
 - a. The dangers of drug abuse in the workplace;
 - b. The sponsor's policy of maintaining a drug-free workplace;
 - c. Any available drug counseling, rehabilitation, and employee assistance programs; and
 - d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

☒ Yes ☐ No ☐ N/A

3. Each employee to be engaged in the performance of the work has been or will be given a copy of the statement required within item 1 above prior to commencement of project (2 CFR § 182.210).

☒ Yes ☐ No ☐ N/A

4. Employees have been or will be notified in the statement required by item 1 above that, as a condition employment under the grant (2 CFR § 182.205(c)), the employee will:

- a. Abide by the terms of the statement; and
- b. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

☒ Yes ☐ No ☐ N/A

5. The Federal Aviation Administration (FAA) will be notified in writing within 10 calendar days after receiving notice under item 4b above from an employee or otherwise receiving actual notice of such conviction (2 CFR § 182.225). Employers of convicted employees must provide notice, including position title of the employee, to the FAA (2 CFR § 182.300).

☒ Yes ☐ No ☐ N/A

6. One of the following actions (2 CFR § 182.225(b)) will be taken within 30 calendar days of receiving a notice under item 4b above with respect to any employee who is so convicted:

- a. Take appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; and
- b. Require such employee to participate satisfactorily in drug abuse assistance or rehabilitation programs approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.

☒ Yes ☐ No ☐ N/A

7. A good faith effort will be made, on a continuous basis, to maintain a drug-free workplace through implementation of items 1 through 6 above (2 CFR § 182.200).

☒ Yes ☐ No ☐ N/A

Site(s) of performance of work (2 CFR § 182.230):

Location 1

Name of Location: Springfield-Branson National Airport

Address: 2300 N. Airport Boulevard, Springfield, MO 65802

Location 2 (if applicable)

Name of Location:

Address:

Location 3 (if applicable)

Name of Location:

Address:

Attach documentation clarifying any above item marked with a "No" response.

Sponsor's Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and additional documentation for any item marked "no" is correct and complete.

Executed on this day of July , 2024 .

Name of Sponsor: City of Springfield, Missouri

Name of Sponsor's Authorized Official: Brian C. Weiler, A.A.E.

Title of Sponsor's Authorized Official: Director of Aviation

Brian C. Weiler

Digitally signed by Brian C.
Weiler
Date: 2024.08.05 07:37:59
-05'00'

Signature of Sponsor's Authorized Official: _____

I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.



U.S. Department
of Transportation
**Federal Aviation
Administration**

FAA Form 5100-134, Selection of Consultants – Airport Improvement Program Sponsor Certification

Paperwork Reduction Act Statement

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The OMB Control Number for this information collection is 2120-0569. Public reporting for this collection of information is estimated to be approximately 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing and reviewing the collection of information. All responses to this collection of information are required under 49 U.S.C. Section 47105 to retain a benefit and to meet the reporting requirements of 2 CFR 200. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, Federal Aviation Administration, 10101 Hillwood Parkway, Fort Worth, TX 76177-1524.

Selection of Consultants

Airport Improvement Program Sponsor Certification

Sponsor: City of Springfield, Missouri

Airport: Springfield-Branson National Airport

Project Number: AIP 3-29-0077-072-2024

Description of Work: Passenger Boarding Bridge Replacement

Application

49 USC § 47105(d) authorizes the Secretary to require certification from the sponsor that it will comply with the statutory and administrative requirements in carrying out a project under the Airport Improvement Program (AIP). General requirements for selection of consultant services within federal grant programs are described in 2 CFR §§ 200.317-200.326. Sponsors may use other qualifications-based procedures provided they are equivalent to standards of Title 40 chapter 11 and FAA Advisory Circular 150/5100-14, Architectural, Engineering, and Planning Consultant Services for Airport Grant Projects.

Certification Statements

Except for certification statements below marked as not applicable (N/A), this list includes major requirements of the construction project. Selecting "Yes" represents sponsor acknowledgement and confirmation of the certification statement. The term "will" means Sponsor action taken at appropriate time based on the certification statement focus area, but no later than the end of the project period of performance. This list is not comprehensive and does not relieve the sponsor from fully complying with all applicable statutory and administrative standards. The source of the requirement is referenced within parenthesis.

1. Sponsor acknowledges their responsibility for the settlement of all contractual and administrative issues arising out of their procurement actions (2 CFR § 200.318(k)).
☒ Yes ☐ No ☐ N/A
2. Sponsor procurement actions ensure or will ensure full and open competition that does not unduly limit competition (2 CFR § 200.319).
☒ Yes ☐ No ☐ N/A
3. Sponsor has excluded or will exclude any entity that develops or drafts specifications, requirements, or statements of work associated with the development of a request-for-qualifications (RFQ) from competing for the advertised services (2 CFR § 200.319).
☒ Yes ☐ No ☐ N/A

4. The advertisement describes or will describe specific project statements-of-work that provide clear detail of required services without unduly restricting competition (2 CFR § 200.319).
☒ Yes ☐ No ☐ N/A
5. Sponsor has publicized or will publicize a RFQ that:
a. Solicits an adequate number of qualified sources (2 CFR § 200.320(d)); and
b. Identifies all evaluation criteria and relative importance (2 CFR § 200.320(d)).
☒ Yes ☐ No ☐ N/A
6. Sponsor has based or will base selection on qualifications, experience, and disadvantaged business enterprise participation with price not being a selection factor (2 CFR § 200.320(d)).
☒ Yes ☐ No ☐ N/A
7. Sponsor has verified or will verify that agreements exceeding \$25,000 are not awarded to individuals or firms suspended, debarred or otherwise excluded from participating in federally assisted projects (2 CFR § 180.300).
☒ Yes ☐ No ☐ N/A
8. A/E services covering multiple projects: Sponsor has agreed to or will agree to:
a. Refrain from initiating work covered by this procurement beyond five years from the date of selection (AC 150/5100-14); and
b. Retain the right to conduct new procurement actions for projects identified or not identified in the RFQ (AC 150/5100-14).
☒ Yes ☐ No ☐ N/A
9. Sponsor has negotiated or will negotiate a fair and reasonable fee with the firm they select as most qualified for the services identified in the RFQ (2 CFR § 200.323).
☒ Yes ☐ No ☐ N/A
10. The Sponsor's contract identifies or will identify costs associated with ineligible work separately from costs associated with eligible work (2 CFR § 200.302).
☒ Yes ☐ No ☐ N/A
11. Sponsor has prepared or will prepare a record of negotiations detailing the history of the procurement action, rationale for contract type and basis for contract fees (2 CFR § 200.318(i)).
☒ Yes ☐ No ☐ N/A
12. Sponsor has incorporated or will incorporate mandatory contract provisions in the consultant contract for AIP-assisted work (49 U.S.C. Chapter 471 and 2 CFR part 200 Appendix II)
☒ Yes ☐ No ☐ N/A

13. For contracts that apply a time-and-material payment provision (also known as hourly rates, specific rates of compensation, and labor rates), the Sponsor has established or will establish:

- a. Justification that there is no other suitable contract method for the services (2 CFR §200.318(j));
- b. A ceiling price that the consultant exceeds at their risk (2 CFR §200.318(j)); and
- c. A high degree of oversight that assures consultant is performing work in an efficient manner with effective cost controls in place 2 CFR §200.318(j)).

☒ Yes ☐ No ☐ N/A

14. Sponsor is not using or will not use the prohibited cost-plus-percentage-of-cost (CPPC) contract method. (2 CFR § 200.323(d)).

☒ Yes ☐ No ☐ N/A

Attach documentation clarifying any above item marked with "no" response.

Sponsor's Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and additional documentation for any item marked "no" is correct and complete.

I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.

Executed on this day of July , 2024 .

Name of Sponsor: City of Springfield, Missouri

Name of Sponsor's Authorized Official: Brian C. Weiler, A.A.E.

Title of Sponsor's Authorized Official: Director of Aviation

Signature of Sponsor's Authorized Official: Brian C. Weiler Digitally signed by Brian C. Weiler
Date: 2024.08.05 07:39:41 -05'00'

I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.



U.S. Department
of Transportation
**Federal Aviation
Administration**

FAA Form 5100-132, Project Plans and Specifications – Airport Improvement Program Sponsor Certification

Paperwork Reduction Act Statement

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Project Plans and Specifications

Airport Improvement Program Sponsor Certification

Sponsor: City of Springfield, Missouri

Airport: Springfield-Branson National Airport

Project Number: AIP 3-29-0077-072-2024

Description of Work: Passenger Boarding Bridge Replacement

Application

49 USC § 47105(d) authorizes the Secretary to require certification from the sponsor that it will comply with the statutory and administrative requirements in carrying out a project under the Airport Improvement Program (AIP). Labor and civil rights standards applicable to AIP are established by the Department of Labor (www.dol.gov/). AIP Grant Assurance C.1—General Federal Requirements identifies applicable federal laws, regulations, executive orders, policies, guidelines and requirements for assistance under AIP. A list of current advisory circulars with specific standards for procurement, design or construction of airports, and installation of equipment and facilities is referenced in standard airport sponsor Grant Assurance 34 contained in the grant agreement.

Certification Statements

Except for certification statements below marked as not applicable (N/A), this list includes major requirements of the construction project. Selecting "Yes" represents sponsor acknowledgement and confirmation of the certification statement. The term "will" means Sponsor action taken at appropriate time based on the certification statement focus area, but no later than the end of the project period of performance. This list is not comprehensive and does not relieve the sponsor from fully complying with all applicable statutory and administrative standards. The source of the requirement is referenced within parenthesis.

1. The plans and specifications were or will be prepared in accordance with applicable federal standards and requirements, so that no deviation or modification to standards set forth in the advisory circulars, or FAA-accepted state standard, is necessary other than those explicitly approved by the Federal Aviation Administration (FAA) (14 USC § 47105).
☒ Yes ☐ No ☐ N/A

2. Specifications incorporate or will incorporate a clear and accurate description of the technical requirement for the material or product that does not contain limiting or proprietary features that unduly restrict competition (2 CFR §200.319).
☒ Yes ☐ No ☐ N/A

3. The development that is included or will be included in the plans is depicted on the current airport layout plan as approved by the FAA (14 USC § 47107).
☒ Yes ☐ No ☐ N/A
4. Development and features that are ineligible or unallowable for AIP funding have been or will be omitted from the plans and specifications (FAA Order 5100.38, par. 3-43).
☒ Yes ☐ No ☐ N/A
5. The specification does not use or will not use "brand name" or equal to convey requirements unless sponsor requests and receives approval from the FAA to use brand name (FAA Order 5100.38, Table U-5).
☒ Yes ☐ No ☐ N/A
6. The specification does not impose or will not impose geographical preference in their procurement requirements (2 CFR §200.319(b) and FAA Order 5100.38, Table U-5).
☒ Yes ☐ No ☐ N/A
7. The use of prequalified lists of individuals, firms or products include or will include sufficient qualified sources that ensure open and free competition and that does not preclude potential entities from qualifying during the solicitation period (2 CFR §319(d)).
☒ Yes ☐ No ☐ N/A
8. Solicitations with bid alternates include or will include explicit information that establish a basis for award of contract that is free of arbitrary decisions by the sponsor (2 CFR § 200.319(a)(7)).
☒ Yes ☐ No ☐ N/A
9. Concurrence was or will be obtained from the FAA if Sponsor incorporates a value engineering clause into the contract (FAA Order 5100.38, par. 3-57).
☐ Yes ☐ No ☒ N/A
10. The plans and specifications incorporate or will incorporate applicable requirements and recommendations set forth in the federally approved environmental finding (49 USC §47106(c)).
☒ Yes ☐ No ☐ N/A
11. The design of all buildings comply or will comply with the seismic design requirements of 49 CFR § 41.120. (FAA Order 5100.38d, par. 3-92)
☒ Yes ☐ No ☐ N/A
12. The project specification include or will include process control and acceptance tests required for the project by as per the applicable standard:
- a. Construction and installation as contained in Advisory Circular (AC) 150/5370-10.
☒ Yes ☐ No ☐ N/A

b. Snow Removal Equipment as contained in AC 150/5220-20.

☐ Yes ☐ No ☒ N/A

c. Aircraft Rescue and Fire Fighting (ARFF) vehicles as contained in AC 150/5220-10.

☐ Yes ☐ No ☒ N/A

13. For construction activities within or near aircraft operational areas(AOA):

a. The Sponsor has or will prepare a construction safety and phasing plan (CSPP) conforming to Advisory Circular 150/5370-2.

b. Compliance with CSPP safety provisions has been or will be incorporated into the plans and specifications as a contractor requirement.

c. Sponsor will not initiate work until receiving FAA's concurrence with the CSPP (FAA Order 5100.38, Par. 5-29).

☒ Yes ☐ No ☐ N/A

14. The project was or will be physically completed without federal participation in costs due to errors and omissions in the plans and specifications that were foreseeable at the time of project design (49 USC §47110(b)(1) and FAA Order 5100.38d, par. 3-100).

☒ Yes ☐ No ☐ N/A

Attach documentation clarifying any above item marked with "No" response.

Sponsor's Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and additional documentation for any item marked "no" is correct and complete.

Executed on this day of July , 2024 .

Name of Sponsor: City of Springfield, Missouri

Name of Sponsor's Authorized Official: Brian C. Weiler, A.A.E.

Title of Sponsor's Authorized Official: Director of Aviation

Signature of Sponsor's Authorized Official: Brian C. Weiler

Digitally signed by Brian C.
Weiler
Date: 2024.08.05 07:39:09
-05'00'

I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.



U.S. Department
of Transportation
**Federal Aviation
Administration**

FAA Form 5100-131, Equipment and Construction Contracts – Airport Improvement Sponsor Certification

Paperwork Reduction Act Burden Statement

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The OMB Control Number for this information collection is 2120-0569. Public reporting for this collection of information is estimated to be approximately 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing and reviewing the collection of information. All responses to this collection of information are required under 49 U.S.C. Section 47105 to retain a benefit and to meet the reporting requirements of 2 CFR 200. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, Federal Aviation Administration, 10101 Hillwood Parkway, Fort Worth, TX 76177-1524.

Equipment and Construction Contracts Airport Improvement Sponsor Certification

Sponsor: City of Springfield, Missouri

Airport: Springfield-Branson National Airport

Project Number: AIP 3-29-0077-072-2024

Description of Work: Passenger Boarding Bridge Replacement

Application

49 USC § 47105(d) authorizes the Secretary to require certification from the sponsor that it will comply with the statutory and administrative requirements in carrying out a project under the Airport Improvement Program (AIP). General procurement standards for equipment and construction contracts within Federal grant programs are described in 2 CFR §§ 200.317-200.326. Labor and Civil Rights Standards applicable to the AIP are established by the Department of Labor (www.dol.gov) AIP Grant Assurance C.1—General Federal Requirements identifies all applicable Federal Laws, regulations, executive orders, policies, guidelines and requirements for assistance under the AIP. Sponsors may use state and local procedures provided the procurement conforms to these federal standards.

This certification applies to all equipment and construction projects. Equipment projects may or may not employ laborers and mechanics that qualify the project as a “covered contract” under requirements established by the Department of Labor requirements. Sponsor shall provide appropriate responses to the certification statements that reflect the character of the project regardless of whether the contract is for a construction project or an equipment project.

Certification Statements

Except for certification statements below marked as not applicable (N/A), this list includes major requirements of the construction project. Selecting “Yes” represents sponsor acknowledgement and confirmation of the certification statement. The term “will” means Sponsor action taken at appropriate time based on the certification statement focus area, but no later than the end of the project period of performance. This list is not comprehensive and does not relieve the sponsor from fully complying with all applicable statutory and administrative standards. The source of the requirement is referenced within parenthesis.

1. A written code or standard of conduct is or will be in effect prior to commencement of the project that governs the performance of the sponsor’s officers, employees, or agents in soliciting, awarding and administering procurement contracts (2 CFR § 200.318).

☒ Yes ☐ No ☐ N/A

2. For all contracts, qualified and competent personnel are or will be engaged to perform contract administration, engineering supervision, construction inspection, and testing (Grant Assurance C.17).
☒ Yes ☐ No ☐ N/A
3. Sponsors that are required to have a Disadvantage Business Enterprise (DBE) program on file with the FAA have included or will include clauses required by Title VI of the Civil Rights Act and 49 CFR Part 26 for Disadvantaged Business Enterprises in all contracts and subcontracts.
☒ Yes ☐ No ☐ N/A
4. Sponsors required to have a DBE program on file with the FAA have implemented or will implement monitoring and enforcement measures that:
- a. Ensure work committed to Disadvantaged Business Enterprises at contract award is actually performed by the named DBEs (49 CFR § 26.37(b));
 - b. Include written certification that the sponsor has reviewed contract records and has monitored work sites for performance by DBE firms (49 CFR § 26.37(b)); and
 - c. Provides for a running tally of payments made to DBE firms and a means for comparing actual attainments (i.e. payments) to original commitments (49 CFR § 26.37(c)).
- ☒ Yes ☐ No ☐ N/A
5. Sponsor procurement actions using the competitive sealed bid method (2 CFR § 200.320(c)). was or will be:
- a. Publicly advertised, allowing a sufficient response time to solicit an adequate number of interested contractors or vendors;
 - b. Prepared to include a complete, adequate and realistic specification that defines the items or services in sufficient detail to allow prospective bidders to respond;
 - c. Publicly opened at a time and place prescribed in the invitation for bids; and
 - d. Prepared in a manner that result in a firm fixed price contract award to the lowest responsive and responsible bidder.
- ☒ Yes ☐ No ☐ N/A
6. For projects the Sponsor proposes to use the competitive proposal procurement method (2 CFR § 200.320(d)), Sponsor has requested or will request FAA approval prior to proceeding with a competitive proposal procurement by submitting to the FAA the following:
- a. Written justification that supports use of competitive proposal method in lieu of the preferred sealed bid procurement method;
 - b. Plan for publicizing and soliciting an adequate number of qualified sources; and
 - c. Listing of evaluation factors along with relative importance of the factors.
- ☐ Yes ☐ No ☒ N/A
7. For construction and equipment installation projects, the bid solicitation includes or will include the current federal wage rate schedule(s) for the appropriate type of work classifications (2 CFR Part 200, Appendix II).
☒ Yes ☐ No ☐ N/A

8. Concurrence was or will be obtained from the Federal Aviation Administration (FAA) prior to contract award under any of the following circumstances (Order 5100.38D):

- a. Only one qualified person/firm submits a responsive bid;
- b. Award is to be made to other than the lowest responsible bidder; and
- c. Life cycle costing is a factor in selecting the lowest responsive bidder.

☐ Yes ☐ No ☒ N/A

9. All construction and equipment installation contracts contain or will contain provisions for:

- a. Access to Records (§ 200.336)
- b. Buy American Preferences (Title 49 U.S.C. § 50101)
- c. Civil Rights - General Provisions and Title VI Assurances(41 CFR part 60)
- d. Federal Fair Labor Standards (29 U.S.C. § 201, et seq)
- e. Occupational Safety and Health Act requirements (20 CFR part 1920)
- f. Seismic Safety – building construction (49 CFR part 41)
- g. State Energy Conservation Requirements - as applicable(2 CFR part 200, Appendix II)
- h. U.S. Trade Restriction (49 CFR part 30)
- i. Veterans Preference (49 USC § 47112(c))

☒ Yes ☐ No ☐ N/A

10. All construction and equipment installation contracts exceeding \$2,000 contain or will contain the provisions established by:

- a. Davis-Bacon and Related Acts (29 CFR part 5)
- b. Copeland "Anti-Kickback" Act (29 CFR parts 3 and 5)

☒ Yes ☐ No ☐ N/A

11. All construction and equipment installation contracts exceeding \$3,000 contain or will contain a contract provision that discourages distracted driving (E.O. 13513).

☒ Yes ☐ No ☐ N/A

12. All contracts exceeding \$10,000 contain or will contain the following provisions as applicable:

- a. Construction and equipment installation projects - Applicable clauses from 41 CFR Part 60 for compliance with Executive Orders 11246 and 11375 on Equal Employment Opportunity;
- b. Construction and equipment installation - Contract Clause prohibiting segregated facilities in accordance with 41 CFR part 60-1.8;
- c. Requirement to maximize use of products containing recovered materials in accordance with 2 CFR § 200.322 and 40 CFR part 247; and
- d. Provisions that address termination for cause and termination for convenience (2 CFR Part 200, Appendix II).

☒ Yes ☐ No ☐ N/A

13. All contracts and subcontracts exceeding \$25,000: Measures are in place or will be in place (e.g. checking the System for Award Management) that ensure contracts and subcontracts are not awarded to individuals or firms suspended, debarred, or excluded from participating in federally assisted projects (2 CFR parts 180 and 1200).

☒ Yes ☐ No ☐ N/A

14. Contracts exceeding the simplified acquisition threshold (currently \$250,000) include or will include provisions, as applicable, that address the following:

- a. Construction and equipment installation contracts - a bid guarantee of 5%, a performance bond of 100%, and a payment bond of 100% (2 CFR § 200.325);
- b. Construction and equipment installation contracts - requirements of the Contract Work Hours and Safety Standards Act (40 USC 3701-3708, Sections 103 and 107);
- c. Restrictions on Lobbying and Influencing (2 CFR part 200, Appendix II);
- d. Conditions specifying administrative, contractual and legal remedies for instances where contractor or vendor violate or breach the terms and conditions of the contract (2 CFR §200, Appendix II); and
- e. All Contracts - Applicable standards and requirements issued under Section 306 of the Clean Air Act (42 USC 7401-7671q), Section 508 of the Clean Water Act (33 USC 1251-1387, and Executive Order 11738.

☒ Yes ☐ No ☐ N/A

Attach documentation clarifying any above item marked with "No" response.

Sponsor's Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and additional documentation for any item marked "no" is correct and complete.

Executed on this day of July , 2024 .

Name of Sponsor: City of Springfield, Missouri

Name of Sponsor's Authorized Official: Brian C. Weiler, A.A.E.

Title of Sponsor's Authorized Official: Director of Aviation

Signature of Sponsor's Authorized Official: Brian C. Weiler

Digitally signed by Brian C. Weiler
Date: 2024.08.05 07:38:34 -05'00'

I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.



U.S. Department
of Transportation
**Federal Aviation
Administration**

FAA Form 5100-129, Construction Project Final Acceptance – Airport Improvement Program Sponsor Certification

Paperwork Reduction Act Burden Statement

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The OMB Control Number for this information collection is 2120-0569. Public reporting for this collection of information is estimated to be approximately 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing and reviewing the collection of information. All responses to this collection of information are required under 49 U.S.C. Section 47105 to retain a benefit and to meet the reporting requirements of 2 CFR 200. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, Federal Aviation Administration, 10101 Hillwood Parkway, Fort Worth, TX 76177-1524.

Construction Project Final Acceptance Airport Improvement Program Sponsor Certification

Sponsor: City of Springfield, Missouri

Airport: Springfield-Branson National Airport

Project Number: AIP 3-29-0077-072-2024

Description of Work: Passenger Boarding Bridge Replacement

Application

49 USC § 47105(d), authorizes the Secretary to require me certification from the sponsor that it will comply with the statutory and administrative requirements in carrying out a project under the Airport Improvement Program. General standards for final acceptance and close out of federally funded construction projects are in 2 CFR § 200.343 – Closeout and supplemented by FAA Order 5100.38. The sponsor must determine that project costs are accurate and proper in accordance with specific requirements of the grant agreement and contract documents.

Certification Statements

Except for certification statements below marked not applicable (N/A), this list includes major requirements of the construction project. Selecting “Yes” represents sponsor acknowledgment and confirmation of the certification statement. The term “will” means Sponsor action taken at appropriate time based on the certification statement focus area, but no later than the end of the project period of performance. This list is not comprehensive and does not relieve the sponsor from fully complying with all applicable statutory and administrative standards. The source of the requirement is referenced within parenthesis.

1. The personnel engaged in project administration, engineering supervision, project inspection, and acceptance testing were or will be determined to be qualified and competent to perform the work (Grant Assurance).
☒ Yes ☐ No ☐ N/A
2. Construction records, including daily logs, were or will be kept by the resident engineer/construction inspector that fully document contractor's performance in complying with:
 - a. Technical standards (Advisory Circular (AC) 150/5370-12);
 - b. Contract requirements (2 CFR part 200 and FAA Order 5100.38); and
 - c. Construction safety and phasing plan measures (AC 150/5370-2).☒ Yes ☐ No ☐ N/A
3. All acceptance tests specified in the project specifications were or will be performed and documented. (AC 150/5370-12).
☒ Yes ☐ No ☐ N/A

4. Sponsor has taken or will take appropriate corrective action for any test result outside of allowable tolerances (AC 150/5370-12).
☒ Yes ☐ No ☐ N/A
5. Pay reduction factors required by the specifications were applied or will be applied in computing final payments with a summary made available to the FAA (AC 150/5370-10).
☐ Yes ☐ No ☒ N/A
6. Sponsor has notified, or will promptly notify the Federal Aviation Administration (FAA) of the following occurrences:
- a. Violations of any federal requirements set forth or included by reference in the contract documents (2 CFR part 200);
 - b. Disputes or complaints concerning federal labor standards (29 CFR part 5); and
 - c. Violations of or complaints addressing conformance with Equal Employment Opportunity or Disadvantaged Business Enterprise requirements (41 CFR Chapter 60 and 49 CFR part 26).
- ☒ Yes ☐ No ☐ N/A
7. Weekly payroll records and statements of compliance were or will be submitted by the prime contractor and reviewed by the sponsor for conformance with federal labor and civil rights requirements as required by FAA and U.S. Department of Labor (29 CFR Part 5).
☒ Yes ☐ No ☐ N/A
8. Payments to the contractor were or will be made in conformance with federal requirements and contract provisions using sponsor internal controls that include:
- a. Retaining source documentation of payments and verifying contractor billing statements against actual performance (2 CFR § 200.302 and FAA Order 5100.38);
 - b. Prompt payment of subcontractors for satisfactory performance of work (49 CFR § 26.29);
 - c. Release of applicable retainage upon satisfactory performance of work (49 CFR § 26.29); and
 - d. Verification that payments to DBEs represent work the DBE performed by carrying out a commercially useful function (49 CFR §26.55).
- ☒ Yes ☐ No ☐ N/A
9. A final project inspection was or will be conducted with representatives of the sponsor and the contractor present that ensure:
- a. Physical completion of project work in conformance with approved plans and specifications (Order 5100.38);
 - b. Necessary actions to correct punch list items identified during final inspection are complete (Order 5100.38); and
 - c. Preparation of a record of final inspection and distribution to parties to the contract (Order 5100.38);
- ☒ Yes ☐ No ☐ N/A
10. The project was or will be accomplished without material deviations, changes, or modifications from approved plans and specifications, except as approved by the FAA (Order 5100.38).
☒ Yes ☐ No ☐ N/A

11. The construction of all buildings have complied or will comply with the seismic construction requirements of 49 CFR § 41.120.

☒ Yes ☐ No ☐ N/A

12. For development projects, sponsor has taken or will take the following close-out actions:

- a. Submit to the FAA a final test and quality assurance report summarizing acceptance test results, as applicable (Grant Condition);
- b. Complete all environmental requirements as established within the project environmental determination (Order 5100.38); and
- c. Prepare and retain as-built plans (Order 5100.38).

☒ Yes ☐ No ☐ N/A

13. Sponsor has revised or will revise their airport layout plan (ALP) that reflects improvements made and has submitted or will submit an updated ALP to the FAA no later than 90 days from the period of performance end date. (49 USC § 47107 and Order 5100.38).

☐ Yes ☐ No ☒ N/A

Attach documentation clarifying any above item marked with "No" response.

Sponsor's Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and additional documentation for any item marked "no" is correct and complete.

Executed on this day of July , 2024 .

Name of Sponsor: City of Springfield, Missouri

Name of Sponsor's Authorized Official: Brian C. Weiler, A.A.E.

Title of Sponsor's Authorized Official: Director of Aviation

Brian C. Weiler

Digitally signed by Brian C.
Weiler
Date: 2024.08.05 07:37:11
-05'00'

Signature of Sponsor's Authorized Official: _____

I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.



U.S. Department
of Transportation
**Federal Aviation
Administration**

FAA Form 5100-145, FAA Title VI Pre-Grant Award Checklist

Paperwork Reduction Act Statement

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The OMB Control Number for this information collection is 2120-0569. Public reporting for this collection of information is estimated to be approximately 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, completing and reviewing the collection of information.

All responses to this collection of information are required under 49 U.S.C. Section 47105 to retain a benefit and to meet the reporting requirements of 2 CFR 200. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, Federal Aviation Administration, 10101 Hillwood Parkway, Fort Worth, TX 76177-1524

Instructions for Form 5100-145, FAA Title VI Pre-Grant Award Checklist

This Checklist must be completed and submitted by the sponsor as a part of each FAA grant application.

"Yes" responses mean that the sponsor is currently in compliance or has a corrective action plan approved by the FAA Office of Civil Rights (FAA) to come into compliance. "No" responses mean there is a potential compliance issue. Compliance issues will be brought to the attention of the FAA to determine if corrective actions are necessary. If there are any questions, please contact ACR-4-TitleVI@faa.gov.

References to "Title VI" in this checklist include Title VI of the Civil Rights Act of 1964 and related authorities that expand or clarify nondiscrimination protections in FAA assisted programs, identified in [FAA Order 1400.11](#)

[https://www.faa.gov/regulations_policies/orders_notices/index.cfm/go/document.current/documentNumber/1400.11].

FAA Title VI Pre-Grant Award Checklist

Submission information

Submission date (Pick a date): 05/23/2024

Name of airport sponsor: Springfield-Branson National Airport

Submitter's name: Dave Schaumburg, AAE

Title: Assistant Director of Aviation

Phone number: 417-868-0500

Section 1: Questions Concerning Prior Approval of Title VI Program

By selecting "Yes" below, the sponsor certifies that the following documents were provided to, and approved by, the FAA Office of Civil Rights, and documentation of FAA's approval has been received by the sponsor. The FAA Office reviewing this grant application will confirm the FAA's approval of the documents in this Section prior to approving the grant application.

A sponsor that has **both** a Title VI* Plan and a Community Participation Plan, **both** of which are approved by the FAA and current, and has already received approval for the information outlined in this Checklist, does not need to complete the remaining questions in Sections 2 and 3 of this Checklist.

This information is required based on [DOT Order 1000.12C, Ch. II, Secs. 3 and 4](https://www.transportation.gov/mission/us-department-transportation-title-vi-program) [https://www.transportation.gov/mission/us-department-transportation-title-vi-program].

Criterion	Notes	Response	Comments
1.1 The sponsor has a written Title VI Plan, approved by the FAA Office of Civil Rights, and subsequently adopted by the recipient, and documentation of the approval and adoption.	Sponsors must develop and adopt a Title VI Plan that outlines the recipient's measures to ensure compliance with Title VI. A current Title VI Plan on file with the FAA is sufficient if the Plan is no more than 3 years old. If the sponsor does not have an approved Title VI Plan, select "No" and complete Sections 2 and 3 of this Checklist.	☒ Yes ☐ No	
1.2 The sponsor has a written Community Participation Plan (CPP), or an equivalent public participation plan (PPP), and documented approval or concurrence of the plan from the FAA Office of Civil Rights.	Sponsors must satisfy CPP requirements as a condition of receiving an award of federal financial assistance. To the extent the sponsor has already prepared a PPP as part of planning or other requirements of FAA or DOT, that plan or plans may satisfy the CPP requirement so long as the plan has incorporated the Title VI requirements as provided in DOT Order 1000.12C, Ch. II, Sec. 4(a-j). If the sponsor does not have an approved CPP or PPP, select "No" and answer question 3.5 in Section 3 of this Checklist.	☒ Yes ☐ No	

If the answers to 1.1 and 1.2 above are both "Yes," do *not* complete Sections 2 and 3.

Section 2: Questions Concerning Applicant Data

By selecting "Yes" below, the sponsor certifies that the following documents have been collected in its records prior to submitting this grant application and will be timely made available to FAA staff, including from the FAA Offices of Airports, Chief Counsel, and Civil Rights, upon request. "Timely available" usually means within 1 week or less, depending on the scope and circumstances. The data should already be available in a format that can be forwarded, as-is. No further data collection or summarization efforts should be necessary to respond to the request. This information is required by DOT Order 1000.12C, Ch. II, Sec. 2; 49 CFR 21.9; and FAA Order 1400.11.

Criterion	Notes	Response	Comments
2.1 The sponsor has, on file, demographic information for the surrounding community and communities otherwise affected by the sponsor's facilities and operations, including any airport noise and relocations.	At a minimum, data is required for race, color, national origin, and limited English proficiency (LEP) populations. The collected data must include the most current U.S. Census Bureau data, where available, such as American Community Survey data. EJSscreen [www.epa.gov/ejscreen] is a useful resource for assessing project areas.	☐ Yes ☐ No	
2.2 The sponsor has, on file, demographic information for beneficiaries. For example, if the applicant is an airport operator, it has collected information for its airport customers.	In most cases, this type of information is available through voluntary disclosures by customers, lessees, community meeting attendees, and businesses seeking opportunities with the applicant. If not applicable or after reasonable efforts, no information was collected, respond, "Yes."	☐ Yes ☐ No	

Criterion	Notes	Response	Comments
2.3 The sponsor has, on file, demographic information for their staff.	In most cases, this type of information is available through voluntary disclosures. See also 49 CFR § 21.5(c). If not applicable or after reasonable efforts, no information was collected, respond, "Yes."	☐ Yes ☐ No	
2.4 The sponsor has, on file, demographic information for individuals who are members of planning or advisory boards overseeing the applicant's programs, including its airport operations (if applicable).	Airport sponsors, the most common FAA grant applicants, commonly have appointed boards or are overseen directly by elected bodies, such as city councils. In addition, input for specific projects or sponsor priorities is often provided by standing appointed committees. If not already available, the information can be requested on a voluntary basis. If not applicable or after reasonable efforts, no information was collected, respond, "Yes."	☐ Yes ☐ No	

Section 3: Questions about the Sponsor's Programs

By choosing "Yes" below, the sponsor certifies that the related statements are true.
This information is required by DOT Order 1000.12C, Ch. II, Secs. 2, 3, and 4.

Criterion	Notes	Response	Comments
3.1 The sponsor's programs, including any airport operations, have been evaluated for potential impact based on race, color, national origin (including limited English proficiency (LEP)), or low-income status as part of an environmental review process consistent with FAA requirements.	Relevant requirements include Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d, et seq.) ("Title VI"), DOT's Title VI regulations at 49 CFR part 21, Executive Order 12898, and DOT Order on Environmental Justice (Order 5610.2C). See Title VI of the Civil Rights Act of 1964 [www.justice.gov/crt/fcs/TitleVI]; 49 CFR part 21 [www.ecfr.gov] DOT Order on Environmental Justice [www.transportation.gov/transportation-policy/environmental-justice]	☐ Yes ☐ No	
3.2 The sponsor has evaluated Checklist Section 2 data to identify any potential disparities based on race, color, or national origin (including LEP), as part of an analysis to identify potential discriminatory effects, consistent with FAA requirements.	Relevant requirements include Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d, et seq.) ("Title VI"), DOT's Title VI regulations at 49 CFR part 21, Executive Order 12898, and DOT Order on Environmental Justice (Order 5610.2C).	☐ Yes ☐ No	

Criterion	Notes	Response	Comments
3.3 The sponsor has performed a "Four-Factor" LEP analysis for the sponsor's programs, including its airport operations (if applicable). Plans and procedures and resources are in place to meet the identified LEP needs, consistent with the analysis.	A "Yes" response means yes to both parts of the question. The LEP analysis must be consistent with Executive Order 13166 and DOT Policy Guidance Concerning Recipients' Responsibilities to LEP Persons (70 FR 74087, December 14, 2005). See DOT's LEP Guidance [https://www.transportation.gov/civil-rights/civil-rights-awareness-enforcement/dots-lep-guidance].	☐ Yes ☐ No	
3.4 If the sponsor is an airport sponsor, the FAA Unlawful Discrimination Poster is displayed at its public airport facilities. If the sponsor is not an airport sponsor, it uses other effective methods to inform its customers, clients, beneficiaries, etc., that it will not discriminate based on race, color, national origin (including LEP), age, sex (including sexual orientation and gender identity), or creed, and of how to file a complaint of discrimination under Title VI against the applicant.	For airport sponsors, areas where the posters should be displayed include, as applicable, airport terminals, fixed base operator facilities, and at businesses that are open to the public and operating on airport property, such as hotels. For larger facilities, posters should be placed so that people can reasonably be expected to see them, no matter where they are in the facility. The poster is available at Airport Civil Rights Program – National Airport Policy and Compliance [https://www.faa.gov/about/office_org/headquarters_offices/acr/com_civ_support/national_airport_policy_compliance/]. If applicant is not an airport, the method used to inform the public must be ongoing and documented.	☐ Yes ☐ No	

Criterion	Notes	Response	Comments
3.5 The sponsor's practices for obtaining proactive and meaningful public participation to ensure that (1) beneficiaries, as well as contractors and sub-recipients (if applicable), are adequately informed about how programs, projects, and other activities will potentially affect them, and (2) diverse views are heard and considered throughout all stages of consultation, planning, and decision-making processes.	To demonstrate compliance with Title VI, the sponsor must specifically be able to show how it affords all members of the community equal opportunity to provide input, regardless of race, color, national origin (including LEP), sex (including sexual orientation and gender identity), creed, or age, in accordance with Title VI, 49 U.S.C. § 47123, Executive Orders 12898 and 13166, DOT Order 5610.2C, and the DOT LEP guidance at 70 FR 74087. Please skip this question if the sponsor has an FAA-approved community participation plan.	☐ Yes ☐ No	
3.6 Detailed information for all of the sponsor's Title VI lawsuits, investigations, and complaints filed or pending within the last 2 years been uploaded to the FAA Civil Rights Connect System or sent to ACR-4-TitleVI@faa.gov, with receipt acknowledged.	Sponsors must provide the FAA with both the initial notifications for the individual lawsuits, investigation, and complaints, and status updates. The updates are required until at least the time of grant closeout. The updates must include at least the outcome of the lawsuits, investigation, and complaint, and confirmation for resolution of identified deficiencies. See Appendix C to 49 CFR 21, Sub-part (b)(3) [available through www.ecfr.gov]. "Title VI lawsuits, investigations, and complaints" include those alleging discrimination based on race, color, national origin (including LEP), sex (including sexual orientation and gender identity), creed or age.	☐ Yes ☐ No	

Criterion	Notes	Response	Comments
3.7 Detailed information for all Title VI oversight activities (including audits, compliance reviews, and assessments for the sponsor) performed or pending within the last 2 years, has been sent to ACR-4-TitleVI@faa.gov, with receipt acknowledged. This requirement does not apply to oversight activities conducted by FAA.	Sponsors must provide the FAA with both the initial notifications for the individual audits, compliance reviews, and assessment, and status updates. The updates are required until at least the time of grant closeout. The updates must include at least the outcome of the audits, compliance reviews, and assessment, and confirmation for resolution of identified deficiencies. See Appendix C to 49 CFR 21, Sub-part (b)(3) [available through www.ecfr.gov].	☐ Yes ☐ No	
3.8 Detailed information for any pending grant applications with Federal agencies other than FAA identified in the grant application.	The information should be included in narrative fields of the pending application.	☐ Yes ☐ No	

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit B

Budget Adjustment
020

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
51130	01	46010	416010	103442	000000	5,357,143.00	BIL ATP GRANT REVENUE
Net Revenue Adjustment						5,357,143.00	

Expenditures:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
51150	01	44050	509110	103442	00000	281,954.90	5% GRANT MATCH CONSTRUCTION EXPENSE
51130	01	44050	509110	103442	00000	5,357,143.00	GRANT FUNDED CONSTRUCITON EXPENSE
Net Expenditure Adjustment						5,639,097.90	

Fund Balance Appropriation:

Fund	Title	Amount
51150	01 Airport	(281,954.90)

Explanation: Amend the budget of the Airport Board for fiscal year 2024-2025 in the amount of \$5,639,097.90 for passenger boarding bridge construction expenses, \$5,357,143 in grant revenues, and appropriation of \$281,954.90 from Airport reserves.

Requested By:

Approved By:

Authorization:

Department Head _____ Date _____

Director of Finance _____ Date _____

City Manager _____ Date _____

Council Bill No. _____
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____



EXPLANATION TO COUNCIL BILL 2024-180 (HOSMER)

FILED: 08/23/2024

ORIGINATING DEPARTMENT: Human Resources

TITLE: A general ordinance amending the Springfield City Code, Section 2-92, known as the “Salary Ordinance,” relating to salary grades for various job titles within the City service as contained in the Professional, Administrative and Technical Non-Union Schedule by adding two new job titles and deleting one job title.

PURPOSE: To amend the Springfield City Code, Section 2.92, known as the ‘Salary Ordinance,’ relating to salary grades for various job titles within the City service as contained in the Classifications of the Professional, Administrative, and Technical (“PAT”) Non-Union Schedule by adding two (2) new job titles, and deleting one job title.

BACKGROUND INFORMATION: This Ordinance contains recommendations related to routine job title additions due to needs in the Police Department and at the Springfield-Branson Airport. In both cases the Human Resources Department completed job studies. The recommended job title addition for the Police Department is Police Services Operations Manager, PAT-9, and addresses the need for a new job title based on changes in the Police Records Division. The recommended job title addition for the Springfield-Branson Airport is General Aviation Coordinator, PAT-6, and addresses the need for a new job title based on the Airport’s seven-day-a-week General Aviation operations. The recommended job title deletion for the Airport is General Aviation Customer Service Coordinator, PAT-6. There are no current employees in the General Aviation Customer Service Coordinator position.

REMARKS: The recommendations related to these job titles are consistent with Council’s policies. No budget adjustment is necessary as the Police Department job title addition is a reclassification of a position already approved in the budget and the Airport’s approved budget includes a Full-Time Equivalent position for a proposed General Aviation Customer Service Coordinator and that FTE will be transferred to the new General Aviation Coordinator job title.

It is respectfully requested that Council give consideration and approval to these changes.

Submitted By: Darla Morrison, Director of Human Resources

Authorized for inclusion on the agenda pursuant to City Code section 2-33:
Jason Gage, City Manager 8/28/2024



Attachments: 1. Salary Ord

One-rdg. _____
P. Hrngs. _____
Pgs. 4
Filed: 09-03-24

Sponsored by: Hosmer

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-180

GENERAL ORDINANCE _____

AN ORDINANCE

AMENDING the Springfield City Code, Section 2-92, known as the "Salary Ordinance," relating to salary grades for various job titles within the City service as contained in the Professional, Administrative and Technical Non-Union Schedule by adding two new job titles and deleting one job title.

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

NOTE: **Bold** language is being added and ~~stricken~~ language is being deleted.

Section 1 – Springfield City Code, Section 2-92, known as the "Salary Ordinance," relating to various salary grades for various job titles within the City service as contained in the Professional, Administrative and Technical Non-Union Schedule is hereby amended by adding and deleting the following job titles:

Proposed Job Title and Salary Grade
(Title to be Added)

Classification:

Salary Grade:

Police Services Operations Manager
General Aviation Coordinator

PAT-9
PAT-6

Proposed Job Title and Salary Grade
(Title to be Deleted)

~~General Aviation Customer Service Coordinator~~

~~PAT-6~~

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

34 Passed at meeting: _____

35

36

37

Mayor

38

39

Attest: _____, City Clerk

40

41

Filed as Ordinance: _____

42

43

44

Approved as to form: , Assistant City Attorney

45

46

47

Approved for Council action , City Manager



EXPLANATION TO COUNCIL BILL 2024-181 (LEE)

FILED: 08/23/2024

ORIGINATING DEPARTMENT: Human Resources

TITLE: A special ordinance approving the Third Amendment to the July 1, 2022, Collective Bargaining Agreement between the City of Springfield, Missouri and the International Brotherhood of Electrical Workers AFL-CIO Union Number 753, the Exclusive Representative of a certain Bargaining Unit within the Crafts, Trades, and Labor employee group; and authorizing the City Manager, or designee, to execute the Third Amendment.

PURPOSE: To approve the Third Amendment to the July 1, 2022, Collective Bargaining Agreement between the City and the International Brotherhood of Electrical Workers, Local No. 753 ("IBEW Local No. 753"), affiliated with the AFL-CIO, the Exclusive Representative of a certain Bargaining Unit within the Crafts, Trades and Labor ("CTL") Employee Group; and authorize the City Manager, or designee, on behalf of the City, to execute and deliver the Third Amendment to the Exclusive Representative.

BACKGROUND INFORMATION: In light of Missouri Supreme Court rulings, the City, without affecting or superseding the authority of the Missouri State Board of Mediation, established a framework for certain regular employees of the City to engage in collective bargaining. Pursuant to City Code Section 2-94, and Article XV: Wages of the July 1, 2022 Collective Bargaining Agreement between the City and IBEW Local No. 753 (the "CBA"), the City and IBEW Local No. 753, as the Exclusive Representative of a certain Bargaining Unit within the CTL Employee Group, conferred and discussed the proposed change to the CBA.

The Third Amendment attached to the Council Bill as "Exhibit 1," amends Article XV: "Wages", Section 2 of the CBA to include the Aircraft Services Trainer position for eligibility for guaranteed overtime when said employees are "held over" due to flight delays and are required to work beyond their assigned regular shift that is scheduled to end at midnight. Said employees will be compensated for guaranteed overtime when they are "held over" between the hours of midnight and 4:00 a.m.

The remainder of Article XV: Wages shall remain unchanged.

The terms of the Third Amendment to the CBA were voluntarily agreed to with the City and IBEW Local No. 753 through the collective bargaining process.

REMARKS: The recommendations and explanations contained herein are consistent with City Council's policies. All costs associated with this Council bill are included in the



proposed FY2025 budget. It is respectfully requested that City Council approve this Third Amendment to the IBEW CTL Collective Bargaining Agreement and authorize the City Manager, or designee, to execute the Third Amendment.

Submitted By: Darla Morrison, Director of Human Resources

Authorized for inclusion on the agenda pursuant to City Code section 2-33:

Jason Gage, City Manager 8/30/2024

- Attachments:**
1. Ord 3rd Am to IBEW CTL CBA (Aircraft Serv Trainer)
 2. Ex. 1 3rd Am to IBEW CTL CBA (Aircraft Serv Trainers)

One-rdg. _____
P. Hrngs. _____
Pgs. 6
Filed: 09-03-24

Sponsored by: Lee

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-181

SPECIAL ORDINANCE _____

AN ORDINANCE

1 APPROVING the Third Amendment to the July 1, 2022, Collective Bargaining
2 Agreement between the City of Springfield, Missouri and the
3 International Brotherhood of Electrical Workers AFL-CIO Union
4 Number 753, the Exclusive Representative of a certain Bargaining
5 Unit within the Crafts, Trades, and Labor employee group; and
6 authorizing the City Manager, or designee, to execute the Third
7 Amendment.
8
9

10 WHEREAS, the City of Springfield, Missouri ("City") and the International
11 Brotherhood of Electrical Workers AFL-CIO Union Number 753 ("IBEW"), are parties to
12 a July 1, 2022, Collective Bargaining Agreement ("CBA") regarding a bargaining unit
13 within the City's Crafts, Trades, and Labor employee group; and
14

15 WHEREAS, the City established a team (the "City's team") for the purposes of
16 acting as the City's exclusive agent in collective bargaining; and
17

18 WHEREAS, the IBEW and the City have reached a tentative agreement to enter
19 into a Third Amendment to the CBA to amend Article XV: "Wages," Section 2, "Fiscal
20 Year 2025 Wage Reopener Agreement," paragraph (f), in order to make the Aircraft
21 Services Trainer position eligible for certain guaranteed overtime; and
22

23 WHEREAS, the Third Amendment is subject to approval by City Council; and
24

25 WHEREAS, the proposed Third Amendment to the CBA is now submitted to City
26 Council for consideration and approval.
27

28 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
29 SPRINGFIELD, MISSOURI, as follows, that:
30

31 Section 1 – That the Third Amendment to the Collective Bargaining Agreement
32 between the City of Springfield, Missouri and the International Brotherhood of Electrical
33 Workers AFL-CIO Union Number 753, the Exclusive Representative of a certain

34 Bargaining Unit within the Crafts, Trades, and Labor employee group a true and
35 accurate copy of said Third Amendment being attached hereto and incorporated as
36 "Exhibit 1," be and the same is hereby approved.
37

38 Section 2 – That the City Manager, or designee, is hereby authorized and
39 directed to execute said Third Amendment by and on behalf of the City of Springfield.
40

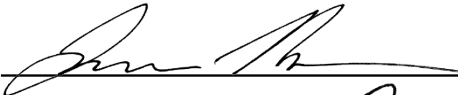
41 Section 3 – This Ordinance shall be in full force and effect from and after
42 passage.
43

44 Passed at meeting: _____
45

46 _____
47 Mayor
48

49 Attest: _____, City Clerk
50

51 Filed as Ordinance: _____
52

53
54 Approved as to form:  Assistant City Attorney
55

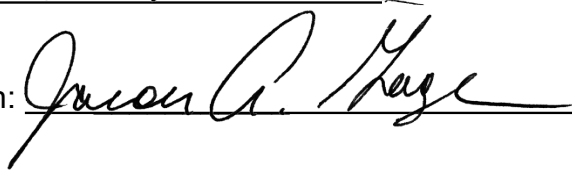
56
57 Approved for Council action: , City Manager

Exhibit 1

Third Amendment To The July 1, 2022, Collective Bargaining Agreement Between The City Of Springfield, Missouri, And The International Brotherhood Of Electrical Workers AFL-CIO Union Number 753, Exclusive Representative Of The Bargaining Unit Employees In The Crafts, Trades, And Labor Employee Group

This Third Amendment (“Third Amendment”) is to the July 1, 2022, collective bargaining agreement (CBA) between the City of Springfield, Missouri (“City”), and the International Brotherhood Of Electrical Workers AFL-CIO Union Number 753 (“IBEW”), exclusive representative of the bargaining unit employees in the Crafts, Trades, and Labor employee group.

Whereas, the City and IBEW are parties to a July 1, 2022, CBA regarding the bargaining unit defined in the CBA, and the CBA was previously amended by First and Second Amendments;

Whereas, the City and IBEW engaged in negotiations and reached a tentative agreement to amend Article XV: Wages by amending Section 2, “Fiscal Year 2025 Wage Reopener Agreement,” paragraph (f), with the remainder of said Section 2 to remain unchanged; and

NOW therefore, in consideration of the foregoing, and contingent upon approval and authorization from City Council and execution by both parties, the parties agree to amend Article XV “Wages,” Section 2, “Fiscal Year 2025 Wage Reopener Agreement,” paragraph (f), of the CBA as set forth below (additions are listed in *italics*, deletions are ~~stricken~~):

Article XV: Wages

...

Section 2, Fiscal Year 2025 Wage Reopener Agreement

...

- f. Effective July 14, 2024, any Aircraft Services Specialist who is required to work beyond a regular shift that is scheduled to end at midnight, shall be paid guaranteed overtime for any time worked between midnight and 4:00 a.m. *Effective September 24, 2024, any Aircraft Services Trainer who is required to work beyond a regular shift that is scheduled to end at midnight, shall be paid guaranteed overtime for any time worked between midnight and 4:00 a.m.*

Brian Brawley, Business Manager
IBEW, Local 753

Jason Gage, City Manager
City of Springfield

Date

Date

Certification that this Third Amendment to the July 1, 2022, IBEW CBA is within the purpose of any appropriation to which it is to be charged and that there is an unencumbered balance to the credit of such appropriation sufficient to pay therefor:

David Holtmann, Director of
Finance

Approved as to form:

City Attorney or designee

EXPLANATION TO COUNCIL BILL 2024-182 (HORTON)

FILED: 08/21/2024

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A special ordinance granting an exception to the Comprehensive Housing Assistance Program (“CHAP”) boundary for the Maplewood Villas Phase II development located at 3905 West Maple Street; and authorizing the Department of Planning and Development to approve a \$525,000 loan for the Maplewood Villas Phase II development with a reduced interest rate from the rate established in the CHAP Rules.

PURPOSE: To create an exception to the Comprehensive Housing Assistance Program boundary for the Maplewood Villas Phase II development located at 3905 W. Maple Street; and authorizing the Department of Planning and Development to approve a \$525,000 loan for the Maplewood Villas Phase II development with a reduced interest rate from the rate established in the CHAP Rules. (Staff and Loan Committee recommend approval.)

BACKGROUND INFORMATION: The Comprehensive Housing Assistance Program (“CHAP”), administered by the Department of Planning and Development, provides loans for affordable housing construction and rehabilitation funded by CDBG and HOME program funds. The locally established program boundaries do not allow for projects west of West By-Pass. However, City’s Annual Action Plan for the United States Department of Housing and Urban Development allows City Council to authorize projects outside the CHAP boundaries.

The project, Maplewood Villas Phase II will be located at 3905 W. Maple Street. Maplewood Villas Phase II has been selected by the Missouri Housing Development Commission (“MHDC”) as a Low-Income Housing Tax Credit (“LIHTC”) project. The Kitchen, Inc is the developer. The development will be for households age 55 and over. It will consist of four one-story residential buildings containing thirty-two units. Eight units will be designated at 30 to 60 percent of Area Median Income (“AMI”) for formerly homeless veterans referred by The Kitchen, Inc., and the Veteran’s Administration. Twelve units will be designated for occupancy at 60 percent AMI under the LIHTC program. Eight units will be at 50 to 60 percent AMI under the LIHTC and HOME program requirements. Four units will be market rate.

The current interest rate for loans made under the CHAP is fixed at 5%. The Missouri Housing Development Commission (“MHDC”) HOME loans to finance affordable rental construction are made at a very low interest rate. To be comparable to MHDC and support the development of much needed affordable housing, the Loan Committee recommends a .75% fixed rate for this project.



Upon council approval of the boundary exception and the loan as well as completion of the HUD Environmental Review, the Department of Planning and Development will provide a HOME loan to fund the land acquisition and construction materials. As a project with HOME funds, the property will remain an affordable rental property for the 20-year compliance period.

REMARKS: This project will provide much needed affordable housing to serve Springfield's 55 plus population.

Submitted By: Melissa Barton, Community Development Loan Officer

Authorized for inclusion on the agenda pursuant to City Code section 2-33:
Maurice S. Jones, Deputy City Manager 8/29/2024

Attachments: 1. CHAP Exception Maplewood Villas

One-rdg. _____
P. Hrngs. _____
Pgs. 4
Filed: 09-03-24

Sponsored by: Horton

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-182

SPECIAL ORDINANCE _____

AN ORDINANCE

1 GRANTING an exception to the Comprehensive Housing Assistance Program
2 ("CHAP") boundary for the Maplewood Villas Phase II development
3 located at 3905 West Maple Street; and authorizing the Department
4 of Planning and Development to approve a \$525,000 loan for the
5 Maplewood Villas Phase II development with a reduced interest
6 rate from the rate established in the CHAP Rules.
7 _____
8

9 WHEREAS, the Comprehensive Housing Assistance Program ("CHAP"),
10 administered by the City of Springfield's Department of Planning and Development,
11 provides loans for affordable housing construction and rehabilitation funded by
12 Community Development Block Grant ("CDBG") and HOME Investment Partnerships
13 Program funds; and
14

15 WHEREAS, the locally established CHAP boundaries do not allow for projects
16 west of West By-Pass, but the City's Annual Action Plan for the United States
17 Department of Housing and Urban Development allows City Council to authorize
18 projects outside the CHAP boundaries; and
19

20 WHEREAS, the Missouri Housing Development Commission ("MHDC") has
21 selected the Maplewood Villas Phase II development, developed by The Kitchen, Inc.,
22 and located at 3905 West Maple Street, as a Low-Income Housing Tax Credit project;
23 and
24

25 WHEREAS, the Maplewood Villas Phase II development will include construction
26 of new, affordable housing for residents aged fifty-five (55) and over and for formerly
27 homeless veterans referred by The Kitchen, Inc., and the Veterans Administration; and
28

29 WHEREAS, the current interest rate for loans made under CHAP is fixed at five
30 percent (5%), and the current interest rate for loans made under the MHDC HOME is
31 much lower; and
32

33 WHEREAS, to support the development of necessary affordable housing, and to

34 provide an interest rate comparable to MHDC, the Loan Committee recommends a
35 0.75% fixed interest rate for the Maplewood Villas Phase II development.
36

37 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
38 SPRINGFIELD, MISSOURI, as follows, that:
39

40 Section 1 – An exception is granted to the Comprehensive Housing Assistance
41 Program boundary for the Maplewood Villas Phase II development located at 3905
42 West Maple Street.
43

44 Section 2 – The Director of Planning and Development is authorized to approve a
45 \$525,000 loan for the Maplewood Villas Phase II development at a fixed interest rate of
46 0.75%.
47

48 Section 3 – This Ordinance shall be in full force and effect from and after
49 passage.
50

51 Passed at meeting: _____
52

53 _____
54 Mayor
55

56 Attest: _____, City Clerk
57

58 Filed as Ordinance: _____
59

60 Approved as to form: Laura Vales, Assistant City Attorney
61

62 Approved for Council action: Jason A. Hays, City Manager
63
64



EXPLANATION TO COUNCIL BILL 2024-183 (CARROLL)

FILED: 08/20/2024

ORIGINATING DEPARTMENT: Public Works

TITLE: A special ordinance authorizing the City Manager, or designee, to enter into a Cost Apportionment Agreement with the Missouri Highways and Transportation Commission, Greene County, and Ozarks Transportation Organization to share costs associated with various quality of place and other aesthetic improvements over and under Interstate 44 between Kansas Expressway and Glenstone Avenue and on New Melville Road over Interstate 44; and amending the Fiscal Year 2024-2025 budget for the Department of Public Works in the amount of \$2,250,000 to appropriate \$2,200,000 of federal Surface Transportation Block Grant – Urban funds and \$50,000 of 1/8-cent Transportation Sales Tax fund balance reserves for this project.

PURPOSE: A special ordinance authorizing the City Manager, or designee, to enter into a Cost Apportionment Agreement with the Missouri Highways and Transportation Commission, Greene County, and Ozarks Transportation Organization to share costs associated with various quality of place and other aesthetic improvements over and under Interstate 44 between Kansas Expressway and Glenstone Avenue and on New Melville Road over Interstate 44; and amending the Fiscal Year 2024-2025 budget for the Department of Public Works in the amount of \$2,250,000 to appropriate \$2,200,000 of federal Surface Transportation Block Grant – Urban funds and \$50,000 of 1/8-cent Transportation Sales Tax fund balance reserves for this project.

BACKGROUND INFORMATION: While overall costs of the associated MHTC projects are estimated at \$36,993,627, this Cost Apportionment Agreement (“Exhibit 1”) addresses only the estimated \$3,302,006 costs for preliminary engineering, construction with contingencies, inspection and letting for Quality of Place/aesthetic improvements over and under I-44. The City will contribute \$2,000,000 of federal STBG-U funds, the OTO will contribute \$302,006 of federal Transportation Alternative Program (“TAP”) funds, and the County will contribute \$1,000,000 of local matching funds.

Additionally, the proposed Agreement includes language that the City is responsible for 100 percent of aesthetics costs in excess of \$485,213. Aesthetics overruns, if any, up to \$250,000 may be paid with 80 percent federal STBG-U funds (up to \$200,000) and 20 percent local matching funds from the 1/8-cent Transportation Sales Tax (up to \$50,000) that are being budgeted with this Council bill. Aesthetics overruns, if any, in excess of \$250,000 will be paid from the 1/8-cent Transportation Sales Tax from funds that are already budgeted. Aesthetics underruns, if any, will be shared by the City and County based on a pro rata share of the initial investment.



As this bill authorizes a contract with the state for the purpose of receiving grant money, we request that it be passed as a one-reading bill under City Charter Section 2.16(25).

Supports the following City Council Priorities:

- Quality of Place
- Public Safety
- Economic Vitality
- Fiscal Sustainability and Accountability

REMARKS: Public Works recommends approval of this Council bill and budget adjustment.

Submitted By: Martin Gugel, Interim Director of Building Development Services

Authorized for inclusion on the agenda pursuant to City Code section 2-33:

Maurice S. Jones, Deputy City Manager 8/29/2024

- Attachments:**
1. MHTC I-44 QofP Improvements_ord (1)
 2. MHTC I-44 QofP improvementsAgree_Exh1
 3. MHTC I-44 QofP improvementsBA_Exh2

One-rdg. _____
P. Hrngs. _____
Pgs. 17
Filed: 09-03-24

Sponsored by: Carroll

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-183

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AUTHORIZING the City Manager, or designee, to enter into a Cost Apportionment
2 Agreement with the Missouri Highways and Transportation
3 Commission, Greene County, and Ozarks Transportation Organization
4 to share costs associated with various quality of place and other
5 aesthetic improvements over and under Interstate 44 between Kansas
6 Expressway and Glenstone Avenue and on New Melville Road over
7 Interstate 44; and amending the Fiscal Year 2024-2025 budget for the
8 Department of Public Works in the amount of \$2,250,000 to
9 appropriate \$2,200,000 of federal Surface Transportation Block Grant
10 – Urban funds and \$50,000 of 1/8-cent Transportation Sales Tax fund
11 balance reserves for this project.
12 _____
13

14 WHEREAS, Interstate 44 (“I-44”) is under the jurisdiction of the Missouri
15 Highways and Transportation Commission (“MHTC”); and
16

17 WHEREAS, the sharing of costs and coordination of improvements provides time
18 and cost savings for taxpayers; and
19

20 WHEREAS, the cost for preliminary engineering, construction with contingencies,
21 inspection, and letting for quality of place and aesthetic improvements over and under I-
22 44 are estimated to be \$3,302,006; and
23

24 WHEREAS, the City will contribute \$2,000,000 of federal Surface Transportation
25 Block Grant – Urban (“STBG-U”) funds, Ozarks Transportation Organization (“OTO”)
26 will contribute \$302,006 of federal Transportation Alternative Program (“TAP”) funds,
27 and the County will contribute \$1,000,000 of local matching funds; and
28

29 WHEREAS, the City will be 100 percent responsible for aesthetic costs in excess
30 of \$485,213; and
31

32 WHEREAS, any aesthetic cost overruns up to \$250,000 may be paid with 80
33 percent federal STBG-U funds (up to \$200,000) and 20 percent local matching funds

from the 1/8-cent Transportation Sales Tax (up to \$50,000) that are being budgeted with this Ordinance; and

WHEREAS, any aesthetic cost overruns in excess of \$250,000 will be paid from the 1/8-cent Transportation Sales Tax from funds that are already budgeted; and

WHEREAS, any aesthetic cost underruns will be shared by the City and County based on a pro rata share of the initial investment.

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

Section 1 – City Council hereby authorizes the City Manager, or designee, to enter into a Cost Apportionment Agreement in substantial conformity with “Exhibit 1” attached hereto and incorporated herein by reference.

Section 2 – The budget of the Department of Public Works for Fiscal Year 2024-2025 is hereby amended in the accounts and in the amounts shown on Budget Adjustment No. 012, a copy of which is attached hereto and incorporated herein by reference as “Exhibit 2.”

Section 3 – City Council finds that the budget adjustment made above has been recommended by the City Manager.

Section 4 – The City Manager, or designee, is directed to cause the appropriate accounting entries to be made in the books and records of the City. In the event additional funding is provided under this grant by the grantor, the Director of Finance is hereby authorized to adjust this appropriation by an amount not to exceed 20 percent.

Section 5 – 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: Kyle Tolbert, Assistant City Attorney

Approved for Council action: Jason A. Hays, City Manager

CCO Form: DE07
Approved: 07/97 (DPP)
Revised: 12/21 (BDG)
Modified: 01/24 (MWH)

Cost Apportionment Agreement
Route: Interstate 44
County: Greene
Job No.: SU0076, 8S3156
eAgreement # 2023-12-82937

MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION COST APPORTIONMENT AGREEMENT

THIS AGREEMENT is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission") and the City of Springfield (hereinafter, "City"), Greene County (hereinafter "County"), and the Ozarks Transportation Organization (hereinafter "MPO"). The City, County and MPO are collectively referred to as "Entities".

WITNESSETH:

WHEREAS, the Commission owns and maintains Interstate 44 (I-44) in Greene County as part of the State Highway System;

WHEREAS, the parties desire the improvement or reconstruction of I-44, extending generally from west of Route 13 (Kansas Expressway) to Route H (Glenstone Avenue); and

WHEREAS, the Entities are willing to provide assistance in the construction or reconstruction of the improvements, including assistance with aesthetic improvements, subject to the terms and conditions herein.

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations in this Agreement, the parties agree as follows:

(1) PURPOSE: The purpose of this Agreement is to co-ordinate the participation by the Entities in the cost of the Commission's public improvements for I-44, in the County of Greene. The public improvement designated as Job Number SU0076 will involve construction of additional travel lanes on I-44 between Route 13 and Route H, multi-use path connections and underpass near Doling Park. The public improvement designated as Job Number 8S3156 will involve replacement of the Farm Road 127 (New Melville Road) bridge over I-44 and inclusion of bicycle and pedestrian accommodations on the new structure.

(2) LOCATION: The transportation improvement that is the subject of this Agreement is contemplated at the following location:

I-44, Greene County Missouri, Generally from Rte. 13 (Kansas Expressway) to Rte. H (Glenstone Avenue) in Springfield (SU0076); and also at bridge A0441, which carries Farm Road 127 (New Melville Road) over I-44 (8S3156).

The general location of the public improvement is shown on attachment marked "Exhibit A" and incorporated herein by reference.

(3) AMENDMENTS: Any change in this Agreement, whether by modification or supplementation, must be accomplished by a formal contract amendment signed and approved by the duly authorized representatives of the Entities and the Commission.

(4) USE OF RIGHT-OF-WAY: The City and County grant the right to use the right-of-way of public roads, streets, park lands, and alleys, as necessary for construction and maintenance of said public improvements.

(5) COMMISSION REPRESENTATIVE: The Commission's Southwest District Engineer is designated as the Commission's representative for the purpose of administering the provisions of this Agreement. The Commission's representative may designate by written notice other persons having the authority to act on behalf of the Commission in furtherance of the performance of this Agreement.

(6) PROJECT RESPONSIBILITIES: With regard to project responsibilities under this Agreement, the parties agree to contribute as follows:

(A) The Commission will be responsible for the preparation of detailed right-of-way and construction plans and project specifications. This includes design, letting of project, and inspection of project. The plans shall be prepared in accordance with and conform to Commission requirements.

(B) The Commission will acquire right-of-way as needed for the project in accordance with Commission requirements.

(C) The Commission will be responsible for letting the work for the herein improvement, which includes advertising the project for bids and awarding the construction contract. The Commission will solicit bids for the herein improvement in accordance with plans developed by the Commission, or as the plans may from time to time be modified in order to carry out the work as contemplated.

(D) The Commission will be responsible for construction of the herein improvements, which includes administration of the construction contract and inspection of the project work. The project shall be constructed in accordance with and conform to Commission requirements.

(E) The Commission will be responsible for the preparation of plans and project specifications for the aesthetic improvements in consultation with the City and County. The Commission will provide the aesthetic plans to the City and County for review and approval prior to letting the work.

(7) PAYMENT RESPONSIBILITIES: With regard to payment responsibilities under this Agreement, the parties agree to as follows:

(A) The Entities' payment responsibilities include a lump sum payment for both projects, SU0076 and 8S3156. In addition, the City and the County shall be responsible for one hundred percent (100%) of the cost for aesthetic improvements on both projects, SU0076 and 8S3156. The Commission will be responsible for the remainder of the project costs, comprised of adding lanes, pavement improvements and bridge improvements.

(i) SU0076 and 8S3156 Lump Sum Contribution: The City agrees the Commission may program up to one million, six hundred eleven thousand, eight hundred twenty-nine dollars (\$1,611,829) of Surface Transportation Block Grant (STBG)-Urban program funding allocated by the MPO. The County agrees to make a cash contribution of nine hundred two thousand, nine hundred fifty-eight dollars (\$902,958), no more and no less. The MPO agrees the Commission may program up to three hundred two thousand, six dollars (\$302,006) for Transportation Alternatives Program (TAP) Funds designated for the Springfield Urban Area.

(ii) SU0076 Aesthetics: The City agrees the Commission may program up to two hundred sixty-seven thousand, two hundred thirty-eight dollars (\$267,238) of STBG-Urban funding allocated by the MPO. The County agrees to make a cash contribution of sixty-six thousand, eight hundred nine dollars (\$66,809).

(iii) 8S3156 Aesthetics: The City agrees the Commission may program up to one hundred twenty thousand, nine hundred thirty-three dollars (\$120,933) of STBG-Urban funding allocated by the MPO. The County agrees to make a cash contribution of thirty thousand, two hundred thirty-three dollars (\$30,233).

(vi) Aesthetics Overruns and Underruns: The City is responsible for additional costs of aesthetics over three hundred thirty-four thousand, forty-seven dollars (\$334,047) on SU0076 and over one hundred fifty-one thousand, one hundred sixty-six dollars (\$151,166) on 8S3156. For any overrun costs, the City agrees that the Commission may program up to an additional two hundred thousand dollars (\$200,000) of STBG-Urban funding allocated by the MPO, above the amounts in the paragraph above, for no more than eighty percent (80%) of the overrun cost. The remainder of the overrun cost shall be paid by the City in local cash. Any local cash payment shall be made out to *Director of Revenue – State Road Fund*. Any cost savings for aesthetics under three hundred thirty-four thousand, forty-seven dollars (\$334,047) on SU0076 and one hundred fifty-one thousand, one hundred sixty-six dollars (\$151,166) on 8S3156 will be shared by the City and County on a pro rata share of the initial investment.

(v) County Cash Payment: In fulfillment of its obligations stated above, the County shall remit a check in the amount of one million dollars (\$1,000,000) no later than five (5) days prior to the Commission's advertisement of the project for bids. This check should be made payable to *Director of Revenue – State Road Fund*. If the

County fails to make the deposit, the Commission is under no obligation to continue with the project. The maximum County contribution to projects SU0076 and 8S3156 under this agreement is one million dollars (\$1,000,000).

(B) The Commission will be responsible for all other project costs other than the amounts listed above. The Commission's total estimated contribution for project 8S3156 is four million, three hundred seventeen thousand, nine hundred fifty-two dollars (\$4,317,952) and for project SU0076 is twenty-nine million, three hundred seventy-three thousand, six hundred sixty-nine dollars (\$29,373,669). The Commission will be responsible for all cost overruns and will received all cost savings, except for aesthetic improvements as noted in Paragraph 7(A) above.

(C) If, at the time of the letting, the lowest responsive bid for aesthetic improvements is higher than the estimated construction and inspection cost amount for aesthetics, the City, upon written notification from the Commission shall remit a check in the amount of its local cash share of the difference between the estimated amount and the lowest responsive bid no later than one (1) day prior to the date of the Commission meeting wherein the subject bid will be considered for award or a later date set by the Commission in its sole discretion. In the event the Commission, in its sole discretion, extends the day the Entities payment is due, it shall notify the City of the new due date in writing, which shall be binding immediately upon the City's receipt of the written notice. The check must be made payable to the *Director of Revenue – State Road Fund*. The Commission, in its sole discretion, reserves the right to take action at the said Commission meeting and either reject all bids if the City fails to make the payment by the due date, or award the contract to the lowest responsive bidder contingent upon receipt of the additional funds from the City by the extended due date. If the Commission makes a contingent award of the contract and the City fails to make the required deposit(s) by the extended due date, the contingency of the contract award by the Commission shall be deemed unsatisfied, the award of the contract shall be deemed null and void and the Commission shall be under no obligation to continue with the project.

(D) Project cost and payment details are shown on the attachment marked "Exhibit B" and incorporated herein by reference.

(8) COMMINGLING OF FUNDS: The Entities agree that all local funds deposited by the Entities, pursuant to this Agreement with the Commission, may be commingled by the Commission with other similar monies deposited from other sources. Any deposit may be invested at the discretion of the Commission in such investments allowed by its Investment Policy. If the amount deposited plus any applicable credited interest with the Commission shall be less than the actual obligation of the Entities for this project, the Entities, upon written notification by the Commission, shall tender the necessary monies to the Commission to completely satisfy its obligation. Upon completion of the project, any excess funds or interest credited to the Entities shall be refunded to the Entities based on its pro rata share of the investment.

(9) ASSIGNMENT: The Entities shall not assign, transfer or delegate any interest in this Agreement without the prior written consent of the Commission.

(10) LAW OF MISSOURI TO GOVERN: This Agreement shall be construed according to the laws of the State of Missouri. The Entities shall comply with all local, state and federal laws and regulations relating to the performance of this Agreement.

(11) APPROVAL OF FHWA AND AVAILABILITY OF FUNDS: This Agreement is entered into subject to the approval of the Federal Highway Administration and is further subject to the availability of federal and state funds for this construction.

(12) CANCELLATION: The Commission may cancel this Agreement at any time for a material breach of contractual obligations or for convenience by providing the Entities with written notice of cancellation. Should the Commission exercise its right to cancel this Agreement for such reasons, cancellation will become effective upon the date specified in the notice of cancellation sent to the Entities.

(13) VENUE: It is agreed by the parties that any action at law, suit in equity, or other judicial proceeding to enforce or construe this Agreement, or regarding its alleged breach, shall be instituted only in the Circuit Court of Cole County, Missouri.

(14) SOLE BENEFICIARY: This Agreement is made for the sole benefit of the parties hereto and nothing in this Agreement shall be construed to give any rights or benefits to anyone other than the Commission and the Entities.

(15) COMMISSION RIGHT OF WAY: All improvements made within the state-owned right-of-way shall become the Commission's property, and all future alterations, modifications, or maintenance thereof, will be the responsibility of the Commission, except as otherwise provided by this Agreement or a separate written agreement.

(16) NO INTEREST: By contributing to the cost of this project or improvement, the Entities gain no interest in the constructed roadway or improvements whatsoever. The Commission shall not be obligated to keep the constructed improvements or roadway in place if the Commission, in its sole discretion, determines removal or modification of the roadway or improvements, is in the best interests of the state highway system. In the event the Commission decides to remove the landscaping, roadway, or improvements, the Entities shall not be entitled to a refund of the funds contributed by the Entities pursuant to this Agreement.

(17) AUTHORITY TO EXECUTE: The signers of this Agreement warrant that they are acting officially and properly on behalf of their respective institutions and have been duly authorized, directed and empowered to execute this Agreement.

(18) SECTION HEADINGS: All section headings contained in this Agreement are for the convenience of reference only and are not intended to define or limit the scope of any provision of this Agreement.

(19) ADDITIONAL FUNDING: In the event the Commission obtains additional federal, state, local, private or other funds to construct the improvement being constructed pursuant to this Agreement that are not obligated at the time of execution of this Agreement, the Commission, in its sole discretion, may consider any request by the Entities for an off-set for the deposited funds, a reduction in obligation, or a return of, a refund of, or a release of any funds deposited by the Entities with the Commission pursuant to this Agreement. In the event the Commission agrees to grant the Entities' request for a refund, the Commission, in its sole discretion, shall determine the amount and the timing of the refund. Any and all changes in the parties' financial responsibilities resulting from the Commission's determination of the Entities' request for a refund pursuant to this provision must be accomplished by a formal contract amendment signed and approved by the duly authorized representative of the Entities and the Commission.

(20) NO ADVERSE INFERENCE: This Agreement shall not be construed more strongly against one party or the other. The parties to this Agreement had equal access to, input with respect to, and influence over the provisions of this Agreement. Accordingly, no rule of construction which requires that any allegedly ambiguous provision be interpreted more strongly against one party than the other shall be used in interpreting this Agreement.

(21) ENTIRE AGREEMENT: This Agreement represents the entire understanding between the parties regarding this subject and supersedes all prior written or oral communications between the parties regarding this subject.

(22) VOLUNTARY NATURE OF AGREEMENT: Each party to this Agreement warrants and certifies that it enters into this transaction and executes this Agreement freely and voluntarily and without being in a state of duress or under threats or coercion.

(23) NOTICES: Any notice or other communication required or permitted to be given hereunder shall be in writing and shall be deemed given three (3) days after delivery by United States mail, regular mail postage prepaid, or immediately after delivery in person, or by facsimile or electronic mail addressed as follows:

Commission to: Missouri Department of Transportation
Attn: Stacy Reese, District Engineer
3025 E. Kearney Street
Springfield, MO 65803
Email: stacy.reese@modot.mo.gov

City to: City of Springfield
Attn: Dan Smith, Director of Public Works
840 N. Boonville Avenue
Springfield, MO 65801
Email: dsmith@springfieldmo.gov

County to: Greene County Highway Department
Attn: Adam Humphrey, Administrator
2065 N. Clifton Avenue
Springfield, MO 65803
Email: ahumphrey@greenecountymo.gov

MPO to: Ozarks Transportation Organization
Attn: Sara Fields, Executive Director
2208 W. Chesterfield Boulevard Suite 101
Springfield, MO 65807
Email: sfields@ozarkstransportation.org

or to such other place as the parties may designate in accordance with this Agreement.

*Remainder of Page Intentionally Left Blank; Signatures and Execution Appear on
Following Pages*

IN WITNESS WHEREOF, the parties have entered into this Agreement on the date last written below.

Executed by the City on _____(DATE).

Executed by the County on _____(DATE).

Executed by the Commission on _____(DATE).

Executed by the MPO on _____(DATE).

MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION

CITY OF SPRINGFIELD

Title _____

By _____
Title _____

ATTEST:

ATTEST:

Secretary to the Commission

By _____
Title _____

Approved as to Form:

By _____
Title _____

Commission Counsel

By _____
Title _____

Approved as to Form:

Title: _____

Ordinance No _____

GREENE COUNTY

By _____

Title _____

By _____

Title _____

By _____

Title _____

ATTEST:

By _____

Title _____

Approved as to Form:

Title _____

AUDITOR CERTIFICATION

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 anticipated revenue appropriated for payment of same.

OZARKS TRANSPORTATION
ORGANIZATION

By _____

Title _____

ATTEST:

Title _____

EXHIBIT A

Location Map

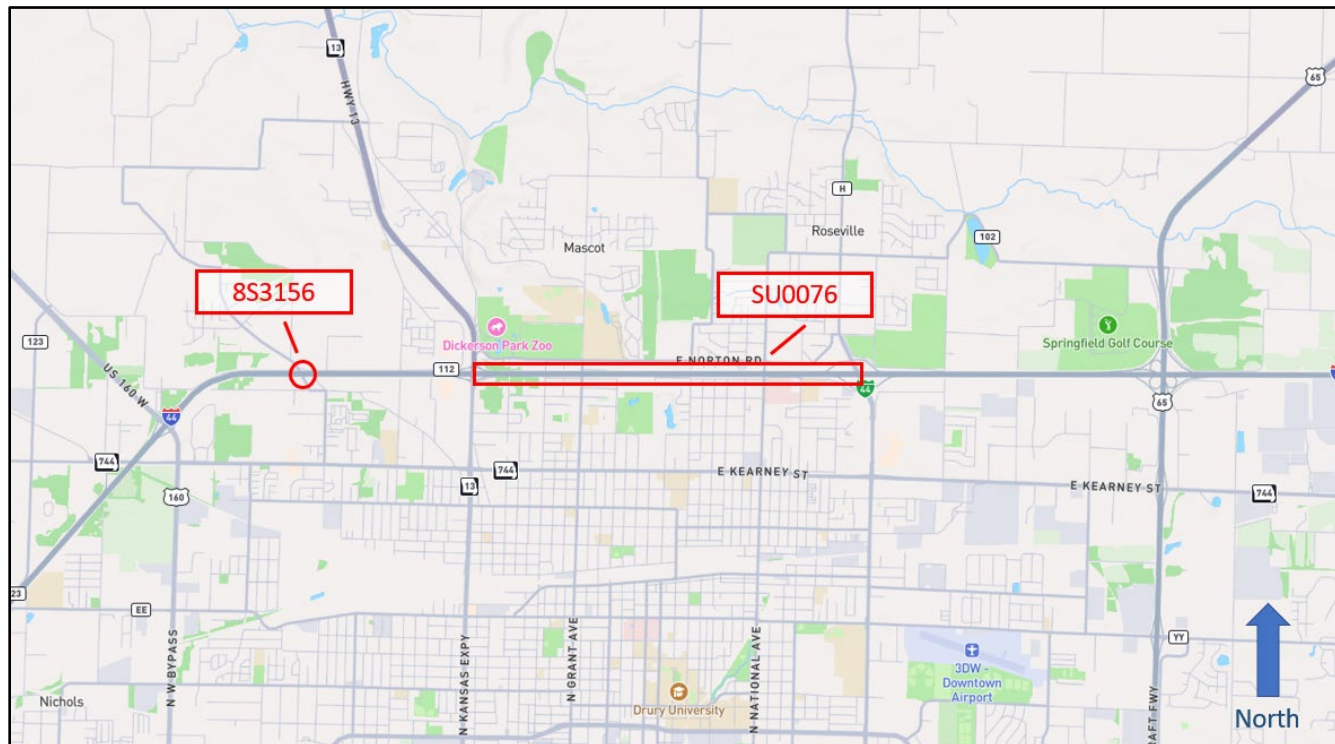


EXHIBIT B

Project Name:	I-44 Improvements				
MoDOT Job Number:	SU0076, 8S3156				
Description:	Add lanes and replace bridges from Rte. 13 (Kansas Expressway) to Rte. H (Glenstone Avenue) and Bridge replacement on Melville Road over I-44 in Springfield				
Cost Apportionment Terms Include:					
Lump Sum Contribution	Aesthetics - 100% Actual Cost				
Project Estimate					
	SU0076, 8S3156 Total Project Cost	SU0076 Aesthetic Improvements	8S3156 Aesthetic Improvements	SU0076 8S3156 Lump Sum Contribution	Cost- Apportionment Eligible
Preliminary Engineering	\$ 3,468,942	\$ 30,368	\$ 20,155	\$ -	\$ 50,523
Right-of-way	\$ 8,100	\$ -	\$ -	\$ -	\$ -
Right-of-way Incidentals	\$ 15,000	\$ -	\$ -	\$ -	\$ -
Utilities	\$ 909,000	\$ -	\$ -	\$ -	\$ -
Construction w/ Conting.	\$ 27,469,622	\$ 258,127	\$ 111,975	\$ 2,816,793	\$ 3,186,895
Non-contractuals	\$ 300,000	\$ -	\$ -	\$ -	\$ -
Inspection and Letting	\$ 4,822,963	\$ 45,552	\$ 19,036	\$ -	\$ 64,588
Total	\$ 36,993,627	\$ 334,047	\$ 151,166	\$ 2,816,793	\$ 3,302,006
Project Responsibilities					
Preliminary Engineering	MoDOT				
ROW Acquisition	MoDOT				
Letting	MoDOT				
Inspection	MoDOT				
Financial Responsibilities					
City of Springfield STBG - Aesthetics	\$ 388,171		Total Local Share		
Greene County - Aesthetics	\$ 97,042			\$ 3,302,006	
City of Springfield STBG - Lump Sum	\$ 1,611,829				
Greene County - Lump Sum	\$ 902,958				
OTO -TAP - Lump Sum	\$ 302,006				
MoDOT Engineering	\$ 8,176,794		Total MoDOT Share		
MoDOT RW and Construction Funds	\$ 25,514,827			\$ 33,691,621	

How are overruns and underruns handled?
City to pay for overruns with at least 20% local funds and 80% of overruns to be paid with City STBG-U, up to \$200,000 between both SU0076 and 8S3156. Underrun savings will be split between City and County per prorata share.

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit 2

Budget Adjustment
012

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
46040	20	73020	416010	000000	00000	\$2,200,000	Federal Surface Transportation Block Grant (STBG) Revenues through the Missouri Highways & Transportation Commission
Net Revenue Adjustment						\$2,200,000	

Expenditures:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
46040	20	73020	509110	000000	00000	\$1,611,829	I-44 Quality of Place Improvements between Kansas Expressway and Glenstone Avenue & New Melville Road Bridge Replacement over I-44
46040	20	73020	509110	000000	00000	267,238	I-44 Aesthetics Improvements between Kansas Expressway and Glenstone Avenue
46040	20	73020	509110	000000	00000	120,933	I-44 Aesthetics Improvements On New Melville Road Bridge Replacement over I-44
46040	20	73020	509110	000000	00000	200,000	I-44 Aesthetics Improvement Overruns, if any, between Kansas Expressway and Glenstone Ave & New Melville Road Bridge Replacement over I-44
40056	20	73020	509110	000000	00000	50,000	I-44 Aesthetics Improvements Overruns, if any, between Kansas Expressway and Glenstone Ave & New Melville Road Bridge Replacement over I-44
Net Expenditure Adjustment						\$2,250,000	

Fund Balance Appropriation:

Fund	Title	Amount
40056	20 1/8 Cent Transportation Sales Tax	(50,000)

Explanation: To amend the FY2024-25 Budget by appropriating \$2,200,000 of federal Surface Transportation Block Grant (STBG) Urban funds and \$50,000 of 1/8 Cent Transportation Sales Tax fund balance reserves for the I-44 & the New Melville Road Bridge Replacement Quality of Place and Aesthetics Improvements based on the Cost Apportionment Agreement with MoDOT, Greene County, and the Ozarks Transportation Organization (OTO).

Requested By:

Don Smith 9-3-2024
Department Head Date

Approved By:

D. J. Hill 9-3-2024
Director of Finance Date

Authorization:

Council Bill No. 2024-183
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____

City Manager Date



EXPLANATION TO COUNCIL BILL 2024-184 (LEE)

FILED: 08/20/2024

ORIGINATING DEPARTMENT: Public Works

TITLE: A special ordinance approving the 2024-2028 1/4-cent Capital Improvement Sales Tax ("CIST") and the 2025-2029 1/8-cent Transportation Sales Tax ("TST") projects and programs; and amending the Fiscal Year 2024-2025 budget of the City of Springfield, Missouri, in the amount of \$11,000,000 to appropriate CIST and TST reserves for the same.

PURPOSE: Approving the 2024-2028 1/4-cent Capital Improvement Sales Tax and the 2025-2029 1/8-cent Transportation Sales Tax projects and programs; and amending the budget of the Department of Public Works for Fiscal Year 2024-2025 in the amount of \$11,000,000 to appropriate reserves of the 1/4-cent Capital Improvement Sales Tax and the 1/8-cent Transportation Sales Tax.

BACKGROUND INFORMATION: The 1/4-cent Capital Improvement Sales tax was originally approved by Springfield voters in 1989 and renewed in 1992, 1995, 1998, 2001, 2004, 2007, 2010, 2013, and 2016 with a three (3) year "sunset" provision. The 1/8-cent Transportation Sales Tax was originally approved by Springfield voters in 1996 and renewed in 2000, 2004, 2008, 2012, and 2016 with a four (4) year "sunset" provision. In 2019, both taxes were renewed with a twenty year "sunset" provision. Projects funded by these taxes have typically included street improvements/resurfacing, storm water projects, signal system improvements, traffic-calming, turn lane safety and railroad crossing improvements, bridge repair/replacement, neighborhood programs, safety signs/markings, reforestation/landscaping, walkability projects including sidewalks, bike routes, trails, bus stop improvements, economic development and quality of life enhancement projects through shared funding, and other high-priority street, intersection, transportation and capital improvement projects. Fourteen (14) projects and programs are included in the 1/4-cent Capital Improvement Sales Tax Program for 2024-2028. Thirteen (13) projects and programs are included in the 1/8-cent Transportation Sales Tax Program for 2025-2029. The specific projects, programs, and estimated amounts for the next four years are shown on "Exhibit A."

The proceeds from the 1/4-cent Capital Improvement Sales Tax for the next four (4) years, estimated to be \$63,250,000, have been designated for high-priority capital improvement projects, contingency needs, and administrative expenses. The proceeds from the 1/8-cent Transportation Sales Tax for the next four (4) years, estimated to be \$32,250,000, have been designated for high-priority transportation projects, contingency needs, and administrative expenses. To facilitate efforts to design and begin contract negotiations for these projects, it is necessary to appropriate reserve funds for each tax for multi-year contracts.



This Council bill also authorizes the City Manager to take actions necessary to carry out the projects and programs, including entering into contracts with consultants and design professionals for services related to the 1/4-cent Capital Improvement Sales Tax and the 1/8-cent Transportation Sales Tax projects and to acquire the right of way and real property needed to complete the projects funded by the 1/4-cent Capital Improvement Sales Tax and the 1/8-cent Transportation Sales Tax.

Supports the following City Council Priorities:

- Quality of Place
- Fiscal Sustainability and Accountability
- Economic Vitality
- Public Safety

REMARKS: Public Works recommends approval of this Council bill and budget adjustment.

Submitted By: Martin Gugel, Interim Director of Building Development Services

Authorized for inclusion on the agenda pursuant to City Code section 2-33:
Maurice S. Jones, Deputy City Manager 9/4/2024

Attachments:

1. CIST TST Ord
2. 1-4Cent&1-8CentReservesProjects&ProgramsList_ExhA
3. 1-4Cent&1-8CentReserves2024-2028&2025-2029_BAExhB

One-rdg. _____
P. Hrngs. _____
Pgs. 7
Filed: 09-03-24

Sponsored by: Lee

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-184

SPECIAL ORDINANCE _____

AN ORDINANCE

1 APPROVING the 2024-2028 1/4-cent Capital Improvement Sales Tax ("CIST") and the
2 2025-2029 1/8-cent Transportation Sales Tax ("TST") projects and
3 programs; and amending the Fiscal Year 2024-2025 budget of the City
4 of Springfield, Missouri, in the amount of \$11,000,000 to appropriate
5 CIST and TST reserves for the same.
6 _____
7

8 WHEREAS, the 1/4-cent Capital Improvement Sales Tax ("CIST") was originally
9 approved by the qualified voters of the City in 1989; and
10

11 WHEREAS, the tax has been renewed by the qualified voters of the City on a
12 continual basis since that time, with its current iteration being approved by the voters on
13 April 2, 2019; and
14

15 WHEREAS, the 1/8-cent Transportation Sales Tax ("TST") was originally
16 approved by the qualified voters of the City in 1996; and
17

18 WHEREAS, the tax has been renewed by the qualified voters of the City on a
19 continual basis since that time, with its current iteration being approved by the voters on
20 November 5, 2019; and
21

22 WHEREAS, the most recent iteration of both taxes have extended the taxes'
23 terms, from 3 years for the CIST, and 4 years for the TST, to 20 years for each;
24 however, the taxes adopt projects and programs on a 4-year cycle; and
25

26 WHEREAS, the projects and programs supported by the taxes are selected
27 through a combination of public input, City department and partner agency assessed
28 need, prior public/partner agency commitment, and equitable geographic distribution;
29 and
30

31 WHEREAS, the projects and programs include deliverables such as design,
32 acquisition of real estate, and construction, as well as related administrative and
33 contingency costs; and

34 WHEREAS, the estimated generated revenues for the taxes available for the
35 2024-2028 CIST is \$63,250,000 and for the 2025-2029 TST is \$32,250,000; and
36

37 WHEREAS, fourteen (14) projects and programs are included in the 2024-2028
38 CIST projects and programs and thirteen (13) projects and programs are included in the
39 2025-2029 TST projects and programs; and
40

41 WHEREAS, City Council appropriated funds for the 2024-2028 CIST and the
42 2025-2029 TST projects and programs for Fiscal Year 2024-2025 in the Fiscal Year
43 2024-2025 budget; and
44

45 WHEREAS, City Council desires to authorize the City Manager, or designee, to
46 encumber funds in an amount not to exceed the balance of the 2024-2028 CIST and the
47 2025-2029 TST projects and programs, on the condition that the Director of Finance
48 certifies that an unencumbered balance to the credit of any such encumbrance is
49 sufficient to pay therefor, which may include CIST and TST budgeted revenues,
50 budgeted rollovers, and budgeted reserves; and
51

52 WHEREAS, City Council desires to authorize the City Manager, or designee, to
53 enter into contracts for the projects and programs specified in the 2024-2028 CIST and
54 the 2025-2029 TST projects and programs, subject to the conditions contained herein.
55

56 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
57 SPRINGFIELD, MISSOURI, as follows, that:
58

59 Section 1 – That the 2024-2028 1/4-cent Capital Improvement Sales Tax and the
60 2025-2029 1/8-cent Transportation Sales Tax projects and programs, a true and
61 accurate copy of said projects and programs being attached hereto and incorporated as
62 “Exhibit A,” be and the same is hereby approved.
63

64 Section 2 – That the City Manager, or designee, is hereby authorized to
65 encumber funds in an amount not to exceed the balance of the 2024-2028 1/4-cent
66 Capital Improvement Sales Tax and the 2025-2029 1/8-cent Transportation Sales Tax
67 projects and programs, on the condition that the Director of Finance certifies that an
68 unencumbered balance to the credit of any such encumbrance sufficient to pay therefor,
69 which may include 1/4-cent Capital Improvement Sales Tax and 1/8-cent Transportation
70 Sales Tax budgeted revenues, budgeted rollovers, and budgeted reserves.
71

72 Section 3 – That the City Manager, or designee, is hereby authorized to enter
73 into contracts for the projects and programs specified in the 2024-2028 1/4-cent Capital
74 Improvement Sales Tax and the 2025-2029 1/8-cent Transportation Sales Tax projects
75 and programs, subject to the conditions contained herein.
76

77 Section 4 – That the Fiscal Year 2024-2025 budget of the City of Springfield,
78 Missouri, is hereby amended in the accounts and in the amounts shown on Budget
79 Adjustment No. 21, a copy of which is attached hereto and incorporated by this

reference as "Exhibit B."

Section 5 – That City Council finds that the budget adjustment made above has been recommended by the City Manager.

Section 6 – That the City Manager, or designee, is hereby authorized and directed to cause the appropriate accounting entries to be made in the books and records of the City of Springfield, Missouri.

Section 7 – That the City Manager, or designee, is hereby authorized to take such action and execute such other documents as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

Section 8 – That this Ordinance shall be in full force and effect from and after its passage.

Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Ordinance _____

Approved as to form:  _____, Assistant City Attorney

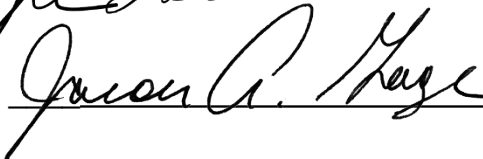
Approved for Council action:  _____, City Manager

EXHIBIT A

2024-2028 1/4 Cent Sales Tax Program (current 1/4 Cent program cycle ends 09/30/24)
2025-2029 1/8 Cent Sales Tax Program (current 1/8 Cent program cycle ends 03/31/25)

	(4 Years) 2024-2028 1/4 Cent	(4 Years) 2025-2029 1/8 Cent
<u>Draft of Projected Revenues & Proposed Projects</u>		
Projected 2024-2028 1/4 Cent Revenues	63,250,000	-
Projected 2025-2029 1/8 Cent Revenues	-	32,250,000
Reserves (Project Contingencies & Overhead) <i>(includes funding for one (1) existing PE FTE)</i>	(13,250,000)	(6,750,000)
Available for Capital Improvements & Transportation Improvements	50,000,000	25,500,000
<u>Traditional Programs:</u>		
Public/Private Shared Cost and Economic Development	2,800,000	1,900,000
Sidewalk/Curb/Gutter & Ramp Construction (includes school sidewalks)	6,225,000	-
Neighborhood Initiative Program	800,000	-
Metro/Safety Signs and Markings <i>(includes bike routes)</i>	1,500,000	-
Major Street Resurfacing/Rehabilitation	8,000,000	5,000,000
Traffic Signal/Traffic Calming Program	2,000,000	-
Minor Neighborhood Improvements (Pothole Funds)	800,000	-
Center City Development	400,000	-
Reforestation & Landscaping Improvements	3,200,000	-
Intelligent Transportation System (ITS) & Signal System Improvements	-	675,000
Turn Lane & Safety Improvements	-	1,000,000
Bridge Repair & Replacement	-	700,000
Walkability Program	-	2,250,000
Total Traditional Programs	25,725,000	11,525,000
<u>Design & Partial Right-of-Way (ROW) or Corridor Studies</u>		
Campbell Avenue - Primrose to Powell - Design & Partial Right-of-Way	500,000	1,750,000
Sunshine Street - Grant to Glenstone Corridor Study	-	1,000,000
Division - Glenstone to U.S. Highway 65 Design & Corridor Study	-	2,000,000
<u>Projects</u>		
Fremont Avenue - Erie to Independence Construction	6,325,000	175,000
Kansas Avenue - Maplewood to Walnut Lawn Construction	-	4,050,000
Campbell Avenue - Westview to Republic Construction	-	3,000,000
Scenic Avenue - Olive to Sunshine Construction	-	2,000,000
Jefferson Avenue Footbridge Imp. - Debt Service for estimated \$4 M Bonds (\$331,158 annually x 4 years)	1,324,632	-
<u>Storm Water Permit Compliance (Water Quality) & Flood Control Projects</u>	11,158,000	-
<u>Art Museum Improvements - Debt Service for estimated \$15 M Bonds (\$1,241,842 annually x 4 years)</u>	4,967,368	-
Total Projects	24,275,000	13,975,000
Total Traditional Programs & Projects	50,000,000	25,500,000

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit B

Budget Adjustment
021

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
Net Revenue Adjustment						\$0	

Expenditures:

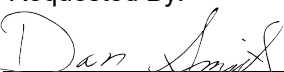
Fund	Dept	Org	Account	P&G	Location	Amount	Description
41100	20	73020	509110	100362	00000	5,000,000	1/4-Cent Reserves for 1/4-Cent Projects & Programs
41090	20	73020	509110	100362	00000	300,000	1/4-Cent Reserves for 1/4-Cent Projects & Programs
41040	20	73020	509110	100362	00000	700,000	1/4-Cent Reserves for 1/4-Cent Projects & Programs
40060	20	73020	509110	100362	00000	1,100,000	1/8-Cent Reserves for 1/8-Cent Projects & Programs
40059	20	73020	509110	100362	00000	2,500,000	1/8-Cent Reserves for 1/8-Cent Projects & Programs
40058	20	73020	509110	100362	00000	1,400,000	1/8-Cent Reserves for 1/8-Cent Projects & Programs
Net Expenditure Adjustment						\$11,000,000	

Fund Balance Appropriation:

Fund	Dept	Title	Amount
41100	20	1/4-Cent Capital Imp. Sales Tax	(\$5,000,000)
41090	20	1/4-Cent Capital Imp. Sales Tax	(\$300,000)
41040	20	1/4-Cent Capital Imp. Sales Tax	(\$700,000)
40060	20	1/8-Cent Transportation Sales Tax	(\$1,100,000)
40059	20	1/8-Cent Transportation Sales Tax	(\$2,500,000)
40058	20	1/8-Cent Transportation Sales Tax	(\$1,400,000)

Explanation: To amend the FY2024-25 budget by appropriating \$6,000,000 of 1/4-Cent Capital Improvement Sales Tax fund balance reserves and \$5,000,000 of 1/8-Cent Transportation Sales Tax fund balance reserves for funding 1/4-Cent Capital Improvement Sales Tax and 1/8-Cent Transportation Sales Tax projects and programs.

Requested By:


Department Head

9-03-2024
Date

Approved By:


Director of Finance

9-03-2024
Date

City Manager

Date

Authorization:

Council Bill No. 2024-184
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____



EXPLANATION TO COUNCIL BILL 2024-185 (HOSMER)

FILED: 08/20/2024

ORIGINATING DEPARTMENT: Environmental Services

TITLE: A special ordinance amending the Fiscal Year 2024-2025 budget for the Department of Environmental Services in the amount of \$1,600,000 to appropriate retained earnings from the Clean Water Fund for the Southwest Wastewater Treatment Plant Ozone Generator Restoration.

PURPOSE: To approve a budget adjustment to amend the Fiscal Year 2024-2025 Budget for the Department of Environmental Services in the amount of \$1,600,000 to appropriate retained earnings of the Clean Water Fund for the Southwest Wastewater Treatment Plant Ozone Generator Restoration.

BACKGROUND INFORMATION: 1. The Southwest Wastewater Treatment Plant ("SWTP") is mandated by the Missouri Department of Natural Resources (Permit No. MO-0049522) to disinfect wastewater before releasing it into Wilsons Creek. To comply with this requirement, the SWTP utilizes an ozone disinfection process.

2. The ozone generators currently in use were installed in 2012 and are designed to produce 5,600 pounds of ozone per day. In the spring of 2024, system capacity was tested, revealing that the system is functioning at roughly 70% of its intended capacity. This reduction is attributed to deteriorating dielectrics within the generators, making it increasingly challenging to meet disinfection standards, especially during wet weather events. These dielectrics have outlasted their expected lifespan of seven to ten years and now need replacing.

3. The Ozone Generator Restoration project involves repairing an existing asset and, as such, is not classified as a Capital Improvement Project. Environmental Services has received a proposal from Ozone Systems Services Group Inc., a service provider authorized by Mitsubishi, the manufacturer of the ozone generators, to carry out the necessary repairs.

REMARKS: The Department of Environmental Services recommends approval of this Council Bill and budget adjustment.

Submitted By: Ron Petering, Assistant Director of Environmental Services

Authorized for inclusion on the agenda pursuant to City Code section 2-33:

Maurice S. Jones, Deputy City Manager 8/28/2024



- Attachments:**
1. Ozone Generator Restoration _Ord
 2. 019 ES Fund Balance Appropriation for Clean Water SW
Wastewater Treatment Plant Ozone Generator Restoration
FY25

One-rdg. _____
P. Hrngs. _____
Pgs. 5
Filed: 09-03-24

Sponsored by: Hosmer

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-185

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Fiscal Year 2024-2025 budget for the Department of
2 Environmental Services in the amount of \$1,600,000 to appropriate
3 retained earnings from the Clean Water Fund for the Southwest
4 Wastewater Treatment Plant Ozone Generator Restoration.
5 _____
6

7 WHEREAS, the Southwest Wastewater Treatment Plant ("SWTP") is mandated
8 by the Missouri Department of Natural Resources (Permit No. MO-0049522) to disinfect
9 wastewater before releasing it into Wilsons Creek. The SWTP utilizes ozone
10 disinfection and the ozone generator is in need of certain repairs (hereinafter "Ozone
11 Generator Restoration Project"); and
12

13 WHEREAS, the Ozone Generator Restoration Project involves repairing an
14 existing asset and, as such, is not classified as a Capital Improvement Project (CIP);
15 and
16

17 WHEREAS, Environmental Services received a proposal for the necessary
18 repairs from Ozone Systems Services Group, Inc., a service provider authorized by
19 Mitsubishi, the manufacturer of the ozone generators.
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 Fiscal Year 2024-2025 budget of the Department of
25 Environmental Services of the City of Springfield is hereby amended in the accounts
26 and in the amounts as shown on Budget Adjustment No. 019, a copy of which is
27 attached hereto and incorporated herein by reference as "Exhibit A."
28

29 Section 2 – The City Council hereby finds that the budget adjustment made
30 above has been recommended by the City Manager.
31

32 Section 3 – The City Manager, or designee, is directed to cause the appropriate
33 accounting entries to be made in the books and records of the City.

34
35 Section 4 – This Ordinance shall be in full force and effect from and after
36 passage.

37
38 Passed at meeting: _____

39
40 _____
41 Mayor

42
43 Attest: _____, City Clerk

44
45 Filed as Ordinance: _____

46
47 Approved as to form: *Jim Millington*, Deputy City Attorney

48
49 Approved for Council action: *Jason A. Hage*, City Manager
50
51

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit A

Budget Adjustment
019

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
Net Revenue Adjustment						\$ -	

Expenditures:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
53010	08	33520	502760	101318	00000	\$1,600,000	Environmental Services Southwest Wastewater Treatment Plant Ozone Generator Restoration
Net Expenditure Adjustment						\$1,600,000	

Fund Balance Appropriation:

Fund	Title	Amount
53010	Clean Water Operating Fund	(1,600,000)

Explanation: To amend the FY2024-25 budget of the Department of Environmental Services by appropriating fund balance reserves totaling \$1,600,000 from the Clean Water Enterprise Fund for the Southwest Wastewater Treatment Plant Ozone Generator Restoration.

Requested By: Dan Smith 9-03-2024
Department Head Date

Approved By: [Signature] 9-03-2024
Director of Finance Date

City Manager Date

Authorization:
Council Bill No. 2024-185
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____



EXPLANATION TO COUNCIL BILL 2024-186 (CARROLL)

FILED: 08/28/2024

ORIGINATING DEPARTMENT: City Utilities

TITLE: A general ordinance approving the City Utilities' Fiscal Year 2025 Operating Budget for its Fiscal Year ending September 30, 2025.

PURPOSE: Approval of City Utilities' Fiscal Year 2025 Operating Budget

BACKGROUND INFORMATION: As required by the Springfield City Charter, Article 16.8: The Board of Public Utilities shall prepare and submit to the Council, not less than 30 days prior to the end of the Board's 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 City Utilities' current fiscal year and budget is Monday, September 30, 2024. The period included in City Utilities' Fiscal Year 2025 Operating Budget is October 1, 2024, through September 30, 2025.

Submitted By: Gary Gibson, President - Chief Executive Officer

Authorized for inclusion on the agenda pursuant to City Code section 2-33:
Jason Gage, City Manager 8/30/2024

Attachments:

1. 2025 Budget_Ord
2. Final Submission of CU FY2025 Operating Budget_ Exh 1

One-rdg. _____
P. Hrngs. _____
Pgs. 80
Filed: 09-03-24

Sponsored by: Carroll

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-186

GENERAL ORDINANCE _____

AN ORDINANCE

1 APPROVING The City Utilities' Fiscal Year 2025 Operating Budget for its Fiscal
2 Year ending September 30, 2025.
3 _____
4

5 WHEREAS, the Board of Public Utilities of the City of Springfield, Missouri, has
6 prepared and submitted to the Council a proposed budget showing its estimated
7 revenue for the coming fiscal year from all sources and its estimated expenditures for
8 operating expenses, for depreciation, for payment of all outstanding obligations, for
9 transfer to the City of payments in lieu of taxes, and all other estimated expenditures;
10 and
11

12 WHEREAS, said budget has been on file with the City Clerk of the City of
13 Springfield, Missouri, for 30 days prior to the end of the current fiscal year.
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 proposed budget for the fiscal year ending September 30, 2025,
19 approved by the Board of Public Utilities of the City of Springfield, Missouri, on August
20 22, 2024, a copy of the same being attached hereto and incorporated by reference as
21 “Exhibit1,” be deemed to be an appropriation of the money authorized for disbursement
22 thereby and should be and is hereby approved.
23

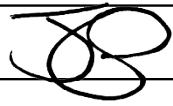
24 Section 2 – This Ordinance shall be in full force and effect from and after
25 passage.
26

27 Passed at meeting: _____
28

29 _____
30 Mayor
31

32 Attest: _____, City Clerk
33

34 Filed as Ordinance: _____

35
36 Approved as to form:  _____, City Attorney

37
38
39 Approved for Council action:  _____, City Manager

RESOLUTION

WHEREAS, the Board of Public Utilities of the City of Springfield, Missouri ("Board"), has the charter duty to take charge of, exercise control over and operate any public utilities owned, operated or acquired by the City of Springfield, Missouri ("City"), and all extensions thereof and appurtenances thereto belonging, under the name City Utilities of Springfield, Missouri ("City Utilities"), including the responsibility to prepare and submit to City Council an annual budget; and

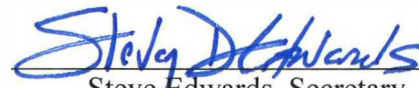
WHEREAS, City Utilities' staff has presented and received input on a draft proposed Fiscal Year 2025 Operating Budget (the "Budget") from the Board and City Council, as well as the public by virtue of a public hearing opportunity, and has now presented to the Board a final proposed Budget in the form attached hereto as Exhibit A in accordance with City Charter Section 16.8, together with a form of City Council ordinance (the "Ordinance") and explanation (the "Explanation") attached hereto as Exhibits B and C, respectively, proposing disbursement authority of \$895,437,900 for City Utilities' 2025 fiscal year.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC UTILITIES OF THE CITY OF SPRINGFIELD, MISSOURI, that City Utilities' 2025-2029 Operating Plan incorporated herein by reference, including the Budget in the form attached hereto as Exhibit A, be approved, and the Budget, Ordinance and Explanation be submitted to City Council for approval.

CERTIFICATE

The undersigned, Steve Edwards, Secretary of the Board of Public Utilities of the City of Springfield, Missouri, does hereby certify under his hand and seal of the Board that the foregoing is a true and correct copy of a resolution adopted by the Board at its regular meeting held on the 22nd day of August, 2024, pursuant to notice of time and place duly given to all members of the Board, at which meeting a quorum was present and voted throughout.

Dated this 22nd day of August, 2024.


Steve Edwards, Secretary





FY 2025
OPERATING BUDGET



July 25, 2024

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

We are pleased to present City Utilities' 2025 Operating Budget for your consideration and approval. The budget for the fiscal year beginning October 1, 2024, 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 it establishes the approval of the budget and disbursement authority as required by the City Charter.

This budget is presented by functional category, with all capital, fuel, and non-capital expenditures displayed for fiscal years 2023, 2024, and 2025, respectively. 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 Utility, and Statements of Operations for the individual business units.

A special Board meeting has been scheduled for Tuesday, August 13, 2024, at 3:00 p.m. for presentation of this budget.

A public hearing for the 2025 Operating Budget followed by a joint Board/City Council study session has been scheduled for Thursday, August 15, 2024, at 5:30 p.m.

On behalf of our management team and all the employees of City Utilities responsible for producing the 2025 Operating Budget, we would like to thank you for your support in 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 Amy Derdall or me for clarification or comment while considering this budget.

Respectfully,

Gary Gibson
President - CEO

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

OPERATING BUDGET

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Receipts Highlights	B
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Financial Statements	E

BOARD OF PUBLIC UTILITIES

Kristin Carter, Chair
Louise Knauer, Vice Chair
Steve Edwards, Secretary
Alina Lehnert, Assistant Secretary

Scott Bratcher
Steve Dooley
Gerry Lee
Heather Ramsey

Ben Shantz
Clif Smart
Jason Gage, ex-officio

CITY UTILITIES CITIZENS' ADVISORY COUNCIL

As of 6/30/2024

Matt Morris, Chair
Crystal Reynolds Roberts, Vice Chair

Roy Bright
Irwin Cohen
Mark Eck
Gordon Elliott
Mark Gambon
Skip Jansen
Isabelle Jimenez Walker
Ryan Mooney

Rob Rector
Joe Reynolds
Michele Rutayuga
Jeff Shore
Jay Titus
Phil Wannenmacher
Michael Zimmerman

CITY COUNCIL

Ken McClure	Mayor
Heather Hardinger	General A
Craig Hosmer	General B
Callie Carroll	General C
Derek Lee	General D
Monica Horton	Zone 1
Abe McGull	Zone 2
Brandon Jenson	Zone 3
Matthew Simpson	Zone 4

Budget Format

Pursuant to the Springfield City Charter, City Utilities is required to prepare an Operating Budget each year for consideration by the Board of Public Utilities and the City Council of Springfield, MO. Approval of the 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, and all other goods and services for capital and non-capital spending.

To ensure 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 water storage tank or may be related to the operations and maintenance of the Utility. Included in the 2025

Operating Budget are projects related to the purchase of fuels for natural gas, electric generation, and purchased power as well as projects related to the maintenance of water mains, natural 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 in the Operating Budget document.

Labor expenditures are assigned to the specific projects for actual and projected expenditures for the Operating Budget. There is no single project or line item included for labor.

Due to rounding, data tables presented in this Operating Budget document may not add to totals.

Planning Approach

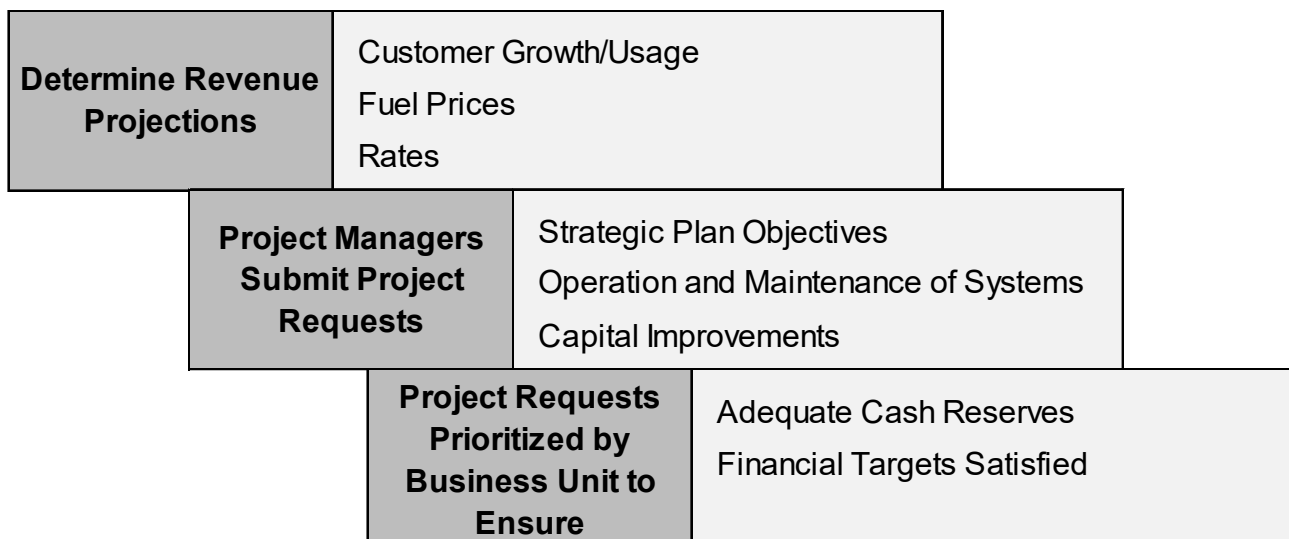
City Utilities' planning process is deliberate with a focus on sustainable financial strength while safely providing reliable services for our customers with affordable rates. The process is dynamic and incorporates the impact of changing variables such as customer demands, fuel prices, governmental regulatory changes, and the economic climate.

The annual planning process begins by evaluating and projecting economic assumptions and customer usage expectations. It progresses to the identification of the operating and maintenance needs of the utility systems, ensuring consistent, safe service for our customers.

Consideration of any addition or renewal of the infrastructure producing and delivering these services is then assessed. Regulatory and safety concerns are inherent throughout the process.

Ensuring quality and reliable services to meet the future needs of City Utilities' customers at competitive rates is ultimately the purpose of planning. The 2025-2029 Operating Plan demonstrates prudent operations and expenditures of customer dollars for City Utilities.

Planning Process



Budget Review Schedule

July 26, 2024	Distribution of the preliminary 2025-2029 Operating Plan
August 13, 2024 (3:00 - 5:00 PM)	Presentation of the preliminary 2025-2029 Operating Plan at a special-called Board Meeting
August 15, 2024 (5:30 PM)	Public Hearing and Board/City Council Joint Study Session on the preliminary 2025 Operating Budget
August 16, 2024 - August 21, 2024	Review comments, questions and/or study session with Board and City Council, as needed
August 22, 2024 (3:00 PM)	Board Approval of the 2025-2029 Operating Plan
August 23, 2024	Board-Approved 2025 Operating Budget filed with City Clerk
September 9, 2024 (6:30 PM)	First Reading and Public Hearing of Board-Approved 2025 Operating Budget by City Council
September 23, 2024 (6:30 PM)	Second Reading and Adoption of 2025 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 limited in amount and time when it may be expended.
Bond Funds	Funds required to be set aside out of revenues to protect bondholders and City Utilities in the event of fund shortfalls. Funds for Bonded Indebtedness are required for Debt Service Reserves and Sinking Funds.
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 contained within a fuel.
BUILD Grant	In 2019, the City of Springfield was awarded a \$21 million grant through the Better Utilizing Investments to Leverage Development (BUILD) Transportation Discretionary grant program by the Federal Department of Transportation. The City will use the funds to create an off-street pedestrian and bicycle pathway along Grant Avenue between Sunshine and College Streets.
Capital Expenditure	Expenditure on a long-term 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 Services	A summary of the monetary value that City Utilities provides to the City of Springfield and the customers of City Utilities for a given time period. This value includes the payment in lieu of taxes, right of way fees, utility relocations, free utility services provided to the City, and subsidization of the Transit System.
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. Expenditures are reimbursed monthly to the Operating Fund.
Contingency Item	Potential project not included in the funding solution and which may or may not be required (e.g., dependent on other actions).
Days Cash	Number of days of cash on hand (Working Capital) available to meet daily Utility operations. Excludes restricted funds. (1 Day of Cash = Annual 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, excluding depreciation and amortization, and including other income divided by Total Annual Debt Service. Measures how many times Utility's annual income will cover annual debt payments.
Degree Days	The difference between the daily temperature mean and 65°F. These are Heating Degree Days (HDD) if the mean temperature is below 65°F and Cooling Degree Days (CDD) if the mean temperature is above 65°F.
Dekatherm (Dth)	Unit of energy to measure natural gas. Equivalent to one million BTUs and the energy contained in about one thousand cubic feet of natural gas.
Designated Improvement Account (DIA)	Funds in the DIA may be used for the maintenance and repair, construction, acquisitions, extensions, and improvements to a system. DIA includes the Board approved contingency, pollution, and disaster funds.
Disbursement Authority	Amount of funds approved to be disbursed in a given year. Approved by City Council per the City Charter.
Expenditure	The actual outflow of funds paid for assets, labor, goods, materials, or services. Expenditures are the accounting entry where disbursements or accruals are recognized.

Glossary

Expense	Expenses represent the total cost of operations during a period regardless of the timing of the disbursement.
Fiscal Year	City Utilities' Fiscal Year is October 1 to September 30.
Fund Balance	The amount of money in a cash account at a specific point in time.
Integrated Marketplace (IM)	The SPP Integrated Marketplace is a wholesale electricity market. The marketplace aims to maximize cost-effectiveness, improve regional balancing of electricity supply and demand, and facilitate the integration of renewable resources.
Integrated Transmission Planning (ITP)	Iterative three-year SPP process including 20-year, 10-year, and near-term assessments of the energy transmission in SPP.
Kilowatt Hour (kWh)	Equivalent to 1,000 watts used over one hour.
Megawatt Hour (MWh)	Equivalent to 1 million watts used over one hour.
Miller Park	Miller Park is a 20-acre park located next to the Fellows Lake Marina. The park offers pavilions, a playground, a boat ramp, a small convenience store and rental of canoes, kayaks, and motorized boats. Miller Park is part of the Fellows Lake Recreational Area that has over 30 miles of Dirt 66 soft surface trails for hiking and mountain biking.
Non-Utility Receipts / Disbursements	Collections by City Utilities for the benefit of another entity. These collections or receipts, such as sales tax and sewer billings, create a non-utility disbursement when paid to the benefitting agency.
Off-System (Electric) Sales	Wholesale 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, common capital improvements, transit support, and debt payments.
Operating Fund	The general fund for the Utility. All receipts and disbursements, except for some specific financings and direct interest earnings, flow through the Operating Fund.
Operating Income	The amount of profit realized from a business's operations after subtracting operating expenses and depreciation. 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.
Pipeline and Hazardous Material Safety Administration (PHMSA) Grant	In 2023 and 2024, City Utilities was awarded a total of \$30 million in grants from the Pipeline and Hazardous Materials Safety Administration (PHMSA) through the Natural Gas Distribution Infrastructure Safety and Modernization (NGDISM) grant program. City Utilities will use the funds to replace aging infrastructure.
Receipt	Funds the organization receives as income or capital contributions and are either designated or undesignated.
Reprojected Budget	The current year's budget updated for actual results through a portion of the year and new revenues and fuels projections for the remainder of the fiscal year.
Reserve	An account used to set aside a portion of a fund balance as segregated for a specific future use.
Southwest Power Pool (SPP)	The Southwest Power Pool, based in Little Rock, AR, oversees the bulk electric grid and wholesale power market in the central United States on behalf of a diverse group of electric utilities and transmission companies.
Statement of Net Position (Balance Sheet)	A financial statement presenting the assets, liabilities, reserves and balances of specific funds as of a specific date.
Statement of Revenues, Expenses and Changes in Net Position (Income Statement)	A financial statement displaying the revenues less expenses of the organization for a given period of time, usually a month or year.

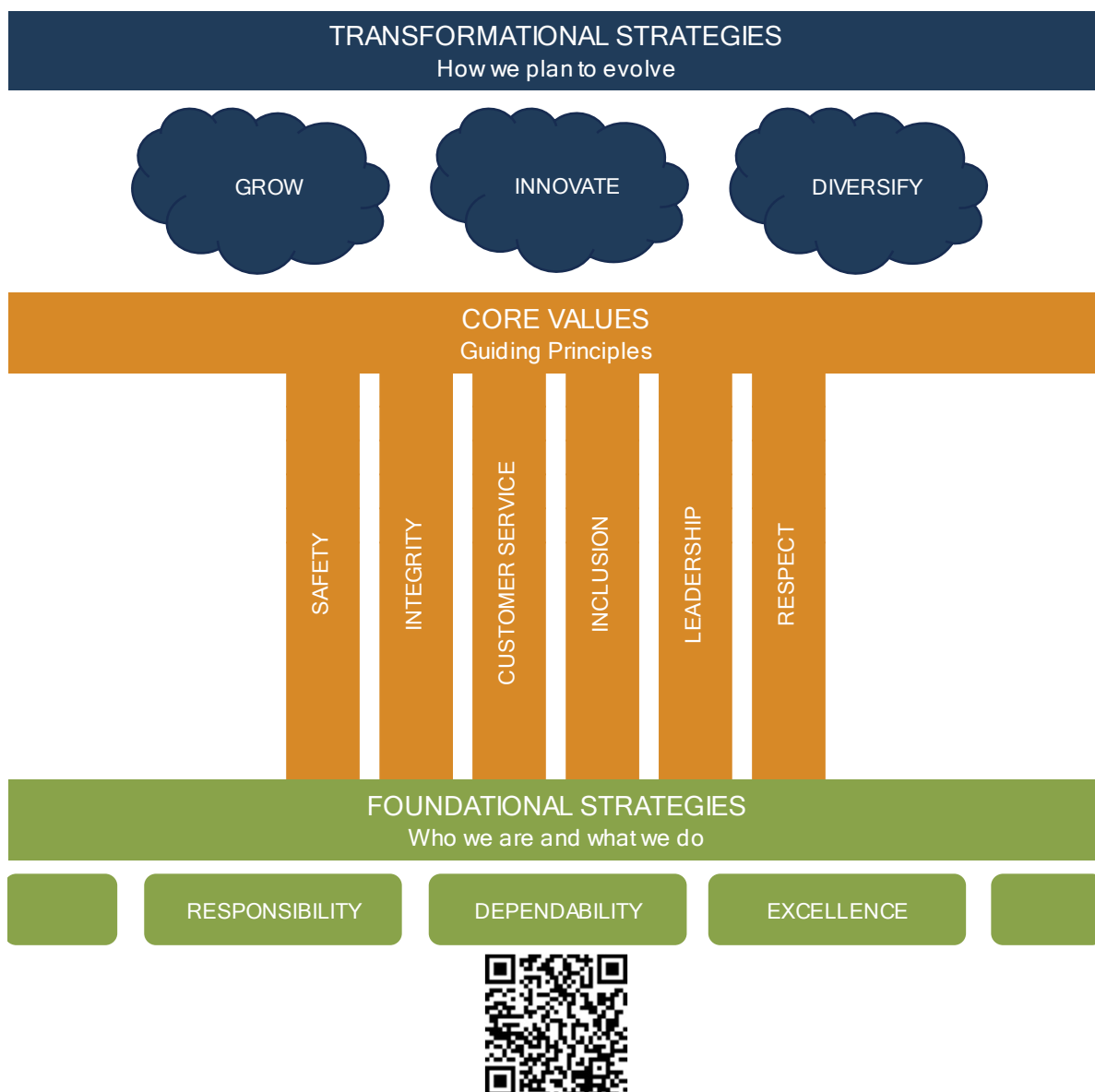
Glossary

The Energy Authority (TEA)	In 2000, City Utilities became an equity member of The Energy Authority (TEA). TEA provides public power utilities with access to advanced resources and technology systems so they can respond competitively in the changing energy markets. Through partnership with TEA, utilities benefit from an experienced organization that is singularly focused on deriving the maximum value of their assets from the market. City Utilities also receives resource management services from TEA.
Working Capital	The funds required to cover operation and maintenance expenses, purchase fuels and materials, fund capital investments, and debt service payments.

Strategic Plan

Vision: Deliver world-class services and exceptional value to our customers.

Mission: Advance the quality of life in our community through innovation, engagement, and stewardship.



The Board of Public Utilities approved a Strategic Plan on May 27, 2021. This includes new mission and vision statements, foundational strategies, transformational strategies, and core values. For more information follow the QR code above.

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2025 OPERATING BUDGET

EXECUTIVE SUMMARY

Financial Targets	2
Customer Growth and Use	3
Revenue Forecast	4
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Financial Results	8
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City Utilities' 2025 Operating Budget is the culmination of a planning process to meet customer needs while prudently managing resources. Decisions are aligned with the goals, strategies, and objectives of the Utility's Strategic Plan.

City Utilities continues to focus on providing value to customers. Electric, Natural Gas, and Water customer growth and usage forecasts assume normal weather conditions. The trend over the last several years of moderately low customer growth eroded by declining customer usage for Electric and Water is expected to continue over the next five years. Natural Gas is forecasted for moderately low customer growth with flat customer usage. Many factors influencing last year's Operating Plan are still relevant today. Continued inflation and energy price volatility remain potentially impactful to the results of operations. Changes in any number of geopolitical or market factors could impact fuel prices over the planning horizon. The key to our success going forward is to continue to find ways to be more efficient in our processes and proactively find ways to mitigate customer bill impacts due to market price volatility while meeting our customers' needs for safe and reliable electric, natural gas, water, transportation, and broadband services while focusing on promoting community economic development.

These factors played a key role in the development of the 2025 Operating Budget and will continue to drive City Utilities' planning process in the future.

This section provides an overview of the 2025 Operating Budget. Included is an overview of our financial targets, a summary of the major capital expenditures, projections for customer growth and usage, and the revenue forecast for each business unit. The disbursement authority calculation based on the expenditures in this budget is also included at the end of the summary.

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

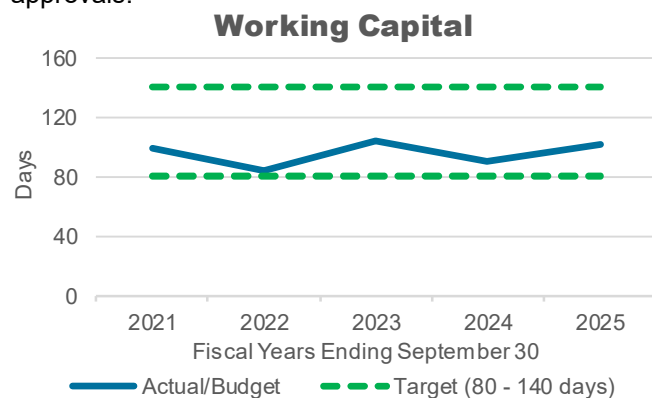
The Operating Plan is presented to the Board of Public Utilities for consideration and approval. Following approval by the Board of Public Utilities, the Operating Budget is presented to City Council for consideration and approval.

Financial Targets

Working Capital

Working Capital is the cash used to meet the budgeted and operational needs of the Utility throughout the year. These are the funds required to purchase fuels and materials, fund capital investments, cover operation and maintenance expenses, and debt service payments. For fiscal 2025, the average daily cash requirement is projected to be \$1,144,000. City Utilities' Working Capital target range is reviewed periodically and is based on three factors: Operational Cash Flow Model, Debt Service Adjustment, and Financial Stability. The target level is a range of 80 to 140 days of cash on hand, which 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 Working Capital less market value adjustment. Cash designated for future capital projects, contingencies, board designated reserves, or reserves required by bond ordinances is not included in Working Capital.

For the 2025 Operating Budget, City Utilities is projected to end the Fiscal Year with 101 days of Working Capital. Projections for the five-year Operating Plan show Working Capital will remain within the target range, ending 2029 at 123 days, pending rate increase approvals.



Operating Earnings

Operating Earnings less Operating Requirements is a calculation management uses to ensure each business unit is generating sufficient cash flow to cover the business unit's capital improvements, common capital improvements, Transit System support, and debt service payments. Operating Earnings, or cash flow from operations, is calculated as Operating Income excluding depreciation expense. The Operating Requirement for Electric, Natural Gas, Water, and SpringNet® includes capital expenditures and debt service. The Operating Requirement for Electric, Natural Gas, and Water also includes support of the Transit System.

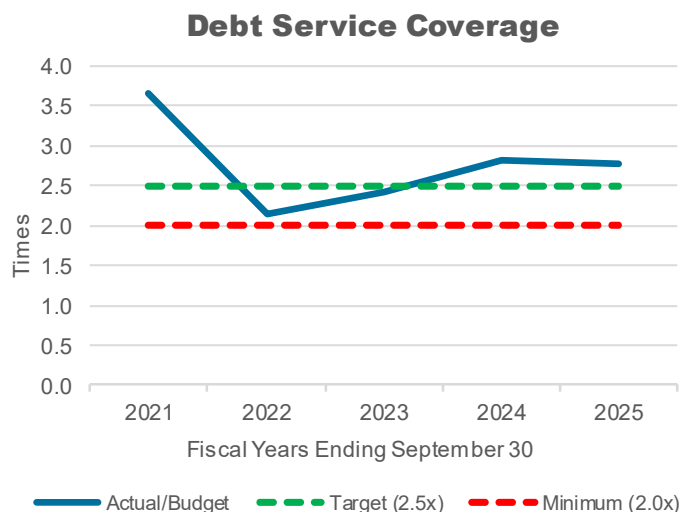
Any business unit with Operating Earnings projected to be below the Operating Requirement is scrutinized for budget reductions, additional revenue sources, or possible financing alternatives. It is common for Operating Earnings to be less than the Operating Requirement when large capital improvements are planned. This is considered acceptable if future years of the Operating Plan show the business unit will have Operating Earnings in excess of the Operating Requirement to cover the years with a shortfall.

For the 2025 Operating Budget, Electric and Water Operating Earnings will exceed the Operating Requirement. Natural Gas and SpringNet® Operating Earnings will be less than the Operating Requirement primarily due to large capital projects and inflation for labor, goods, and materials.

Debt Service Coverage

Debt Service Coverage (DSC) is the ratio of total income (excluding depreciation and amortization) to total debt service. This ratio is expressed as a measure of how many times the Utility's adjusted annual income will cover the annual debt payments.

City Utilities has set a target DSC, based on financial standards for strongly rated utilities, of 2.5 times debt service, with a minimum required level of 2.0. For the 2025 Operating Budget, DSC is projected to be 2.8.



* Debt Service Coverage Ratio is higher in fiscal 2021 due to increased electric off-system revenue during the winter weather event of February 2021.

Customer Growth and Use

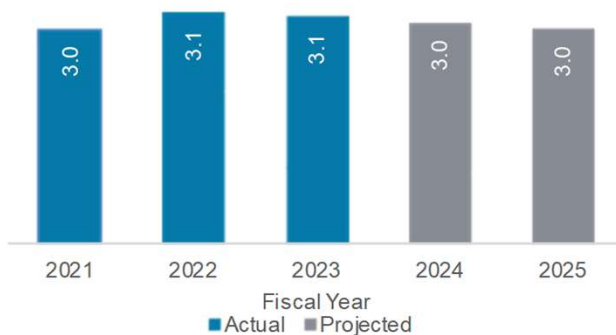
Electric, Natural Gas, and Water sales demonstrate the impact of customer growth and usage projections of system sales included in the Operating Budget. Sales projections are based on normal weather and fiscal 2024 projections include actual sales through February. These projections exclude interdepartmental revenues.

Electric

The number of electric customers is projected to increase by 837 (0.8%) residential customers and 165 (1.0%) nonresidential customers in fiscal 2025. Use per customer in 2025 is projected to decline slightly compared to 2024 projections due to energy efficiency improvements.

Electric Sales (Retail)

Millions of Megawatt Hours

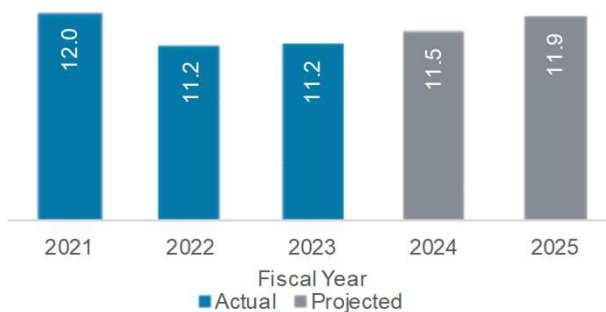


Natural Gas

The number of natural gas customers is projected to increase by 100 (0.1%) residential customers and 50 (0.6%) nonresidential customers in fiscal 2025. Use per customer in 2025 is projected to be higher than 2024 projections due to the overall warmer winter weather in 2024 and assumption of normal weather in 2025.

Natural Gas Sales

Millions of Dekatherms

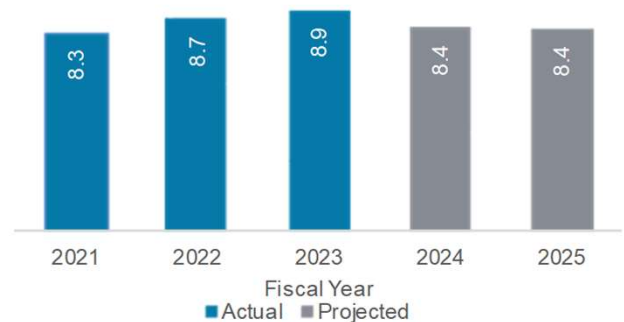


Water

The Water System continues to experience modest growth in customers. The number of water customers is projected to increase by 383 (0.5%) residential customers and 71 (0.8%) nonresidential customers in fiscal 2025. Water use per residential customer in 2025 is projected to continue to decline with changing customer habits and efficiencies.

Water Sales

Billions of Gallons

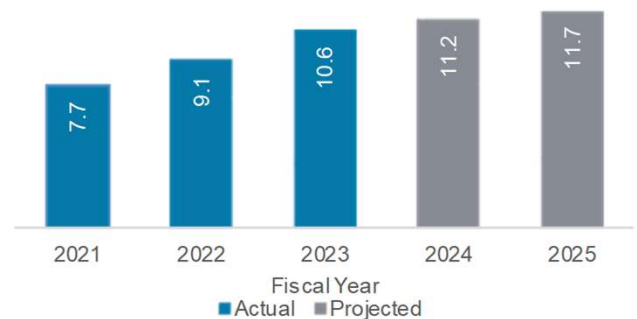


Transit

Transit ridership for fiscal 2025 is projected to increase slightly compared to 2024.

Transit Ridership

Hundred Thousands of Revenue Passengers



Revenue Forecast

Total receipts for the Utility are projected at \$656 million for fiscal 2025, an increase of \$33 million compared to the 2024 Reprojected Budget. Most of this expected increase is due to electric base rate increases and higher prices for purchased natural gas.

Electric receipts are expected to increase \$16 million from 2024 to 2025. The 2025 operating budget reflects the first full year of electric rate adjustments approved by the Board of Public Utilities and City Council in September 2023. Volumetric units sold are expected to decrease slightly from 2024 to 2025.

Natural Gas receipts are expected to increase \$14 million from 2024 to 2025 due to changes in fuel costs driven by higher prices on natural gas costs. Volumes sold are expected to remain flat.

Water revenues are expected to increase \$3 million from 2024 to 2025. The 2025 operating budget reflects the second of three water rate adjustments approved by the Board of Public Utilities and City Council in September 2022. Sales volumes are anticipated to decrease slightly from 2024 to 2025.

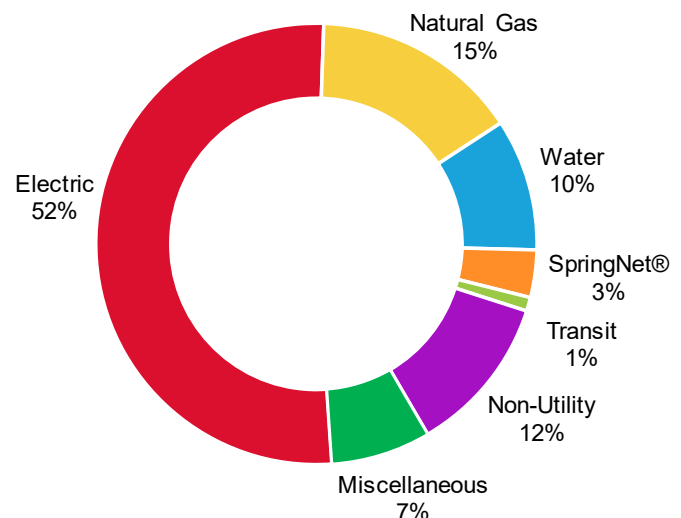
SpringNet® revenues are expected to decrease from fiscal 2024 to 2025. In the first quarter of 2024, SpringNet® entered into an agreement with Vertical Bridge Towers, LLC and site leases were acquired from SpringNet® with rights to market and expand site lease agreements.

Transit operating revenues are expected to decrease from 2024 to 2025 due to anticipated fare reductions. The Transit System is expected to continue receiving federal and state operating subsidies, including funds from the American Rescue Plan Act of 2021 (ARPA), which are also reflected in total Transit receipts.

Non-utility receipts are items City Utilities collects and remits to a third party. These items include sales taxes billed, wastewater billings for the City of Springfield, Missouri drinking water primacy fee, and donations to the Project SHARE program.

Miscellaneous billings include financing proceeds, interest income, customer contributions for service extensions, capital grants, and capital reimbursements from the Federal Transit Administration (FTA). Miscellaneous billings are projected to be similar in 2025 from 2024 with elevated capital grants. Natural Gas expects to receive \$6 million in capital grants from the Pipeline and Hazardous Materials Safety Administration (PHMSA) to support the replacement of natural gas mains and services. Water expects to receive \$9 million in capital grants from the Federal Emergency Management Agency (FEMA) for a backup generator at Blackman Water Treatment Plant (BWTP) for electric reliability.

2025 Receipts Budget



Revenues/Receipts			
(\$ in millions)	Actual	Reprojected	Budget
Utility Operating Revenues/Receipts:	2023	2024	2025
Electric	\$ 335	\$ 322	\$ 338
Natural Gas	129	86	100
Water	59	60	63
SpringNet®	23	23	23
Trunked Radio	1	1	1
Transit (including subsidies)	6	8	7
Non-Utility Receipts	67	73	76
Miscellaneous Billings	18	50	48
Total Receipts	\$ 638	\$ 623	\$ 656

Economic Assumptions

The 2025 Operating Budget includes economic assumptions to project expenditure levels. These include projections for inflation, fuel prices, borrowing costs, and investment returns. The assumptions for 2025 are 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 Operating Budget is 3.2% for 2025. During the planning and budgeting process, this rate may have been applied to current expenditure trends to forecast future expenditures, except where other known variables are likely to impact costs. Inflation rates may be used by project managers as a guideline to help forecast costs.

Economic Assumptions	
	Budget
Inflation Rate	3.2%
Interest Borrowing Rate (tax-exempt):	
15 year	3.4%
30 year	4.5%
Portfolio Interest Earnings Rate	4.0%

Fuels and Purchased Energy Assumptions

Assumptions for fuels, purchased energy costs, and purchased volumetric estimates are an integral part of the budgeting process. Fuels and purchased energy costs account for 29% of City Utilities' total 2025 budgeted expenditures. Most of these costs will be paid by City Utilities' customers through fuel cost adjustment mechanisms, which impact revenues and receipts.

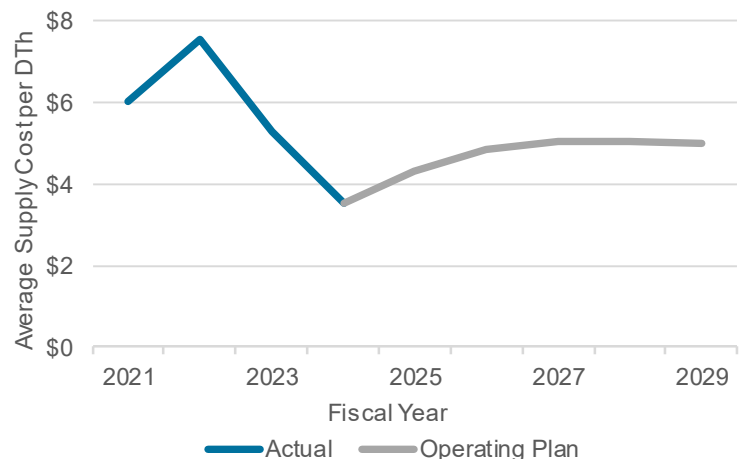
Current projections reflect the assumption that coal from the Powder River Basin in Wyoming will be consumed by John Twitty Energy Center (JTEC) coal-fired generating units. The average delivered cost of coal is projected to be \$2.57 per million British Thermal Units (BTU) with freight costs included.

Assuming normal weather, natural gas expenditures for 2025 are projected to be higher than 2024 due to forecasted higher prices. The 2025 budgeted cost of 16 million dekatherms of natural gas is \$70 million. This includes \$40 million for natural gas purchased for firm and curtailable customers and \$17 million for transportation capacity. Natural Gas for power generation is budgeted at \$13 million in fiscal 2025.

The budgeted cost of purchased energy for 2025 is \$58 million and includes renewable energy purchased power agreements and purchases from the SPP Integrated Marketplace. Purchases from SPP are driven by economic decisions to purchase energy when it is more economical than producing it.

Fuels and Purchased Energy	
	Budget
Coal:	
Tons Purchased	0.9 million
Cost of Coal Purchases	\$42 million
Delivered Price per Ton	\$45.74
Natural Gas:	
Dth Purchased	16.2 million
Cost of Natural Gas Purchases	\$70 million
Average Supply Cost per DTh	\$4.30
Purchased Energy:	
MWh Purchased	1.8 million
Cost of Purchased Energy	\$58 million
Average Price per MWh	\$32.25

Purchased Natural Gas Cost



Capital Improvements

Capital improvements are necessary to provide safe, reliable service to customers and help ensure flexibility of supply. Capital Improvements maintain and replace aging infrastructure promoting compliance with safety and reliability standards for our customers. In recent years, City Utilities modified its planning process to better prioritize projects in a manner best serving the needs of customers and strategic goals of the Utility. Projects are prioritized within business units in alignment with our Strategic Plan.

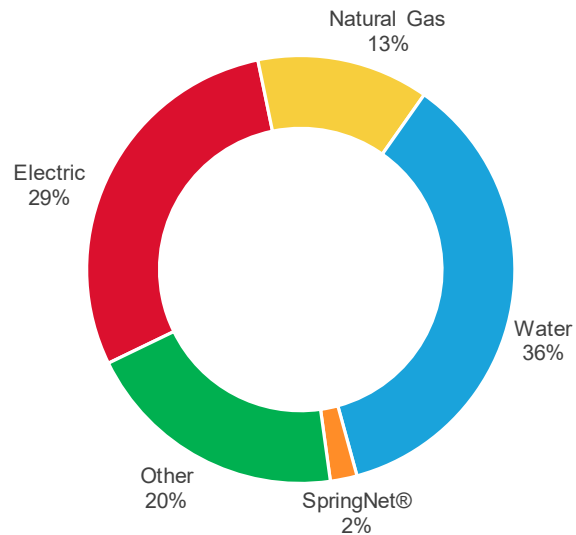
Capital expenditures for the 2025 Operating Budget have a projected cost of \$94 million. This is an increase of \$10 million compared to the 2024 Reprojected Budget. Due to the ongoing process of maintaining City Utilities' infrastructure, many of the capital projects are recurring in nature. Recurring projects include electric transformer and pole replacements, water main and service renewals, and natural gas main and service renewals.

Investment in renewing and replacing aging infrastructure continues to be a priority for the Utility. Capital improvements include \$8 million for water main and service renewals, \$8 million for natural gas main and service renewals, \$4 million for purchase and installation of distribution transformers, \$3 million for electric pole maintenance, and \$4 million for Electric, Natural Gas, Water, and SpringNet® infrastructure for municipal improvement projects.

Other planned capital spending supports the strategic goals of the Utility, including dependability, responsibility, excellence, grow, and innovate. Expenditures for other planned capital spending include \$12 million for a backup generator at BWTP (\$3 million net of grant receipts), \$8 million for a 161kV transmission line from Republic Substation to Partnership Industrial Center (PIC) West Substation, \$4 million for a rapid mix at the north basin for BWTP, and \$5 million to build a portion of Booster III to expand water service east of Springfield, along Highway 60 in conjunction with the City of Springfield's sewer expansion.

Capital Improvements, Section C, of the 2025 Operating Budget includes additional information on the capital budgeting process, descriptions of the capital projects, and the strategies that each project supports.

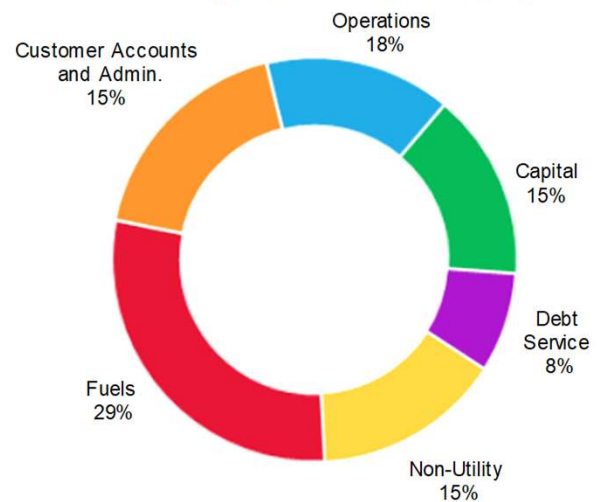
Capital Expenditures by Category



Expenditures

Total expenditures for the 2025 Operating Budget are projected at \$641 million, an increase of \$3 million from the 2024 Reprojected Budget. Increases in expenditures for capital additions and improvements are offset by a decrease in operational and maintenance costs, primarily driven by power generation maintenance, from fiscal 2025 as compared to 2024.

2025 Expenditures by Category



Project Expenditures			
(\$ in millions)	Actual 2023	Reprojected 2024	Budget 2025
Fuels	\$ 213	\$ 189	\$ 185
Operations:¹			
Power Generation	31	38	26
Electric T and D	30	28	30
Natural Gas T and D	9	8	8
Water Supply and Treatment	7	8	7
Water Distribution	6	5	6
Transit	6	6	6
Facilities	6	7	8
Vehicles and Equipment	3	3	3
SpringNet®	7	7	7
Information Technology	11	14	13
General Operations	5	6	6
Sub-total Operations	122	130	119
Customer Accounts and Admin.:¹			
Human Resources	57	63	67
Finance	7	8	8
Administrative Support	6	7	7
Customer Support	13	13	13
Sub-total Customer and Admin.	83	91	95
Capital Improvements	57	83	94
Debt Service	52	52	52
Non-Utility	89	93	96
Total Project Expenditures	\$ 616	\$ 638	\$ 641

¹ Expenditures for "Operations" and "Customer Accounts and Admin." consist of operations, maintenance, labor, and administrative costs. Expenditures for "Customer Accounts and Admin." includes cost of benefits for labor in "Operations" and "Capital Improvements."

Disbursement Authority

Disbursement Authority		
	Reprojected 2024	Budget 2025
Total Expenditures	\$634,798,589	\$640,437,900
Business Volatility and Fuels Contingency	74,701,362	55,000,000
Future Power Supply Contingency	-	200,000,000
Total Disbursements	\$709,499,951	\$895,437,900

Total Disbursement Authority for the year is presented in Financial Statements, Section E, of the 2025 Operating Budget. In addition to expenditures, Total Disbursement Authority includes net operating expenses of The Energy Authority, changes in payables balance sheet accounts, other miscellaneous payments, a Business Volatility and Fuels Contingency, and a Future Power Supply Contingency. For fiscal 2025, disbursement authority for all funds totals \$895 million.

The Business Volatility and Fuels Contingency includes an equity membership guarantee to The Energy

Authority (TEA). Although remittance is not anticipated, it is included as a component of this Contingency, should a payment be needed.

Use of the Business Volatility and Fuels Contingency would be offset by receipts through fuel adjustment mechanisms, should an increase in fuel costs occur, or will be covered through other funding mechanisms.

Use of the Future Power Supply Contingency would be offset by financing identified for any future supply options in the budget year.

Financial Results

Operating income for the Utility is projected at \$54 million in 2025. This amount will be reduced by interest expense and other miscellaneous expenses and increased by interest income, net capital contributions, and miscellaneous income to arrive at the net income projection of \$53 million. Adequate income is important for the Utility and is used to fund capital expenditures and debt service payments.

Electric operating income is projected to be \$45 million in 2025. Operating income from the Electric System is used to meet the debt service payments on the JTEC Unit 2 financing and to fund electric capital projects.

Natural Gas operating income is projected at \$5 million for fiscal 2025 based on normal weather. This is a decrease from 2024 reprojected operating income.

The Water operating income is projected to be \$16 million, an increase from the 2024 reprojected budget. The 2025 Operating Budget includes the second of a series of three approved rate increases for the Water System.

Operating income for SpringNet® is projected at \$2 million. This is a decrease from the 2024 reprojected operating income.

Transit revenues are expected to decrease from 2024 to 2025 due to anticipated fare reductions. Subsidies are expected to decrease due to significant use of the American Rescue Plan Act (ARPA) in fiscal 2024. Transit's net loss, after operating subsidies is expected to be \$9 million in 2025 and is funded by electric, natural gas and water customers.

Contingency

To meet power supply capacity reserve requirements established by the Southwest Power Pool (SPP) and ensure adequate electric supply for our customers, City Utilities may construct natural gas-fired combustion turbines and utility scale battery energy storage. These dual fuel units will have the ability to run on fuel oil which will enable them to operate in extreme cold weather during periods of natural gas curtailment.

Completion of this power supply initiative will increase the reliability of the electric system, while further diversifying our generation sources. It will support future growth in the Utility service territory, while meeting future SPP capacity requirements. This generation addition will also help replace potential generation retirements in the future.

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This section provides key information by business unit related to revenues and receipts within the Utility. A brief description is included for each section of budgeted receipts for the Fiscal Year beginning October 1, 2024 through September 30, 2025.

Reprojected revenues and receipts are included for the Fiscal Year beginning October 1, 2023 through September 30, 2024.

For comparison, actual receipts for the Fiscal Year beginning October 1, 2022 through September 30, 2023 are also presented.

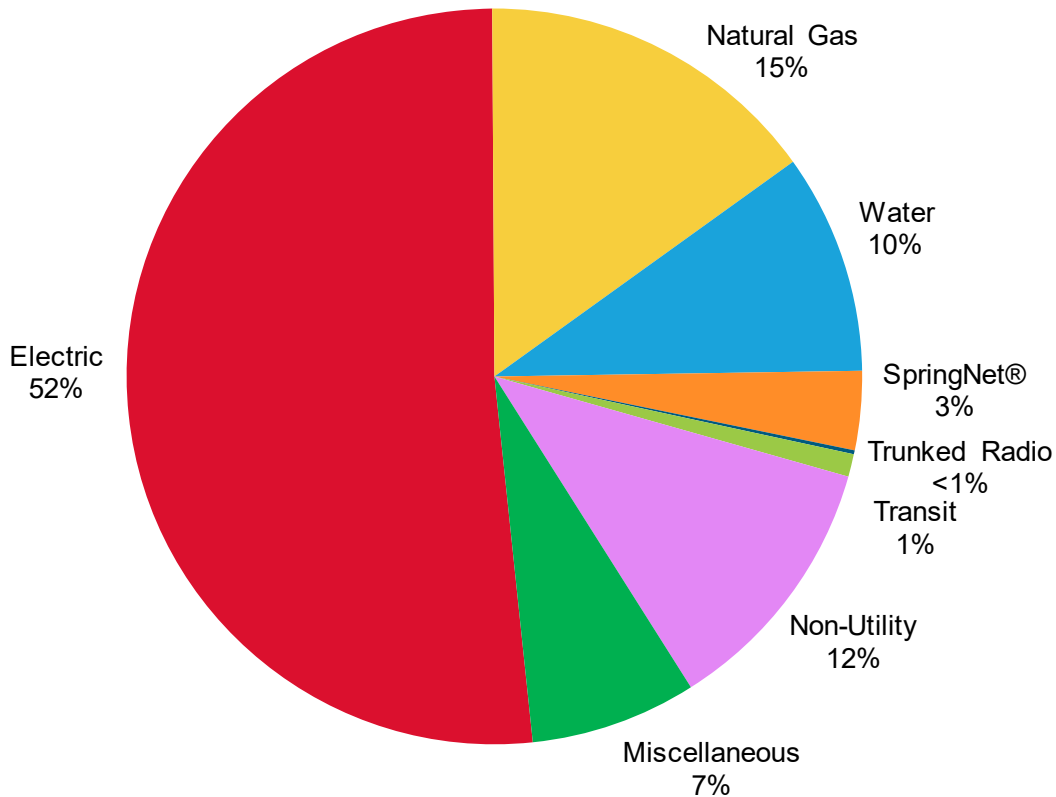
RECEIPTS HIGHLIGHTS

Summary of Receipts by Category	1
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Non-Utility Receipts	8
Miscellaneous Billings and Receipts	9

Summary of Receipts by Category

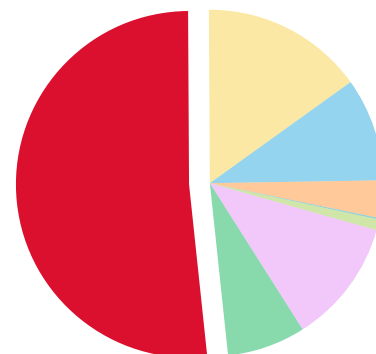
Receipts (000s)	Actual 2023	Reprojected 2024	Budget 2025
Electric Revenues and Receipts	\$ 334,517	\$ 321,697	\$ 338,182
Natural Gas Revenues and Receipts	128,862	86,276	99,583
Water Revenues and Receipts	59,342	60,277	63,383
SpringNet® Revenues and Receipts	22,831	23,488	22,802
Trunked Radio Revenues and Receipts	1,343	1,112	1,087
Transit Revenues and Operating Subsidies	6,299	7,681	6,511
Non-Utility Receipts	67,327	72,864	76,313
Miscellaneous Billings and Receipts	17,943	49,991	47,940
Total Receipts	<u>\$ 638,465</u>	<u>\$ 623,386</u>	<u>\$ 655,801</u>

2025 Receipts by Category



Electric Revenues and Receipts

Receipts (000s)	Actual 2023	Reprojected 2024	Budget 2025
Sales Revenues	\$ 317,764	\$ 325,815	\$ 335,954
Other Operating Revenues	8,222	7,604	7,391
Total Revenues	325,986	333,419	343,344
Non-Cash Adjustments	8,531	(11,722)	(5,163)
Total Receipts	\$ 334,517	\$ 321,697	\$ 338,182
System Sales (MWh)	3,063,878	3,019,845	2,979,085
Off-System Sales (MWh)	1,138,186	928,749	873,100
Total Sales (MWh)*	4,202,064	3,948,594	3,852,185
*Excludes Interdepartmental Sales			



Overview

Electric sales revenues include amounts billed to customers for the sale of electricity and the recognition of unbilled revenue and fuel cost recovery. Electric sales revenues also include interdepartmental sales charged to other operating areas of the Utility. Other operating revenues include miscellaneous service charges and other revenues as detailed on the Electric Statement of Operations (see E-4).

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

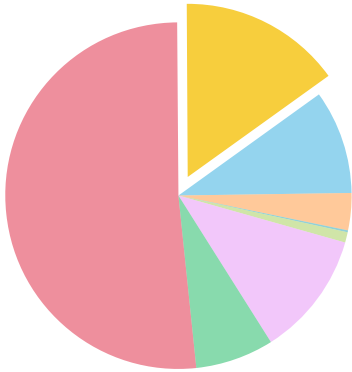
Reprojected Adjustment

- Fiscal 2024 reprojected electric system sales revenues and volumetric units sold are expected to increase slightly from budget projections. The reprojected electric system sales volumes are expected to be 1% lower than fiscal 2023 system sales volumes.
- Off-system sales revenues for fiscal 2024 are reprojected at \$24 million, which is an increase of \$5 million compared to the budget projections. This reprojection is primarily due to an increase in the price of off-system sales.

Highlights

- Total residential electric customers are projected to increase 0.8% to 105,500 customers in fiscal 2025. Electric use per residential customer is projected to decrease approximately 1% with residential electric sales budgeted to remain around one million megawatt-hours (MWh) in fiscal 2025.
- The average number of nonresidential electric customers is expected to increase by 1% to 16,600 customers. Nonresidential electric use per customer is projected to decrease 1% from fiscal 2024 levels. Nonresidential electric sales are projected to remain flat at nearly two million MWh in fiscal 2025.
- Off-system sales include energy sales through The Energy Authority (TEA) and the Southwest Power Pool (SPP). Off-system sales for fiscal 2025 are forecasted at 873,100 MWh.
- Non-cash adjustments include interdepartmental electric sales for electricity used by other Utility business units and under-recovered or over-recovered fuel costs. Electricity for interdepartmental use is budgeted at nearly \$4 million in fiscal 2025.

Natural Gas Revenues and Receipts



Receipts (000s)	Actual 2023	Reprojected 2024	Budget 2025
Sales Revenues	\$ 134,479	\$ 102,038	\$ 111,769
Other Operating Revenues	2,238	1,703	1,872
Total Revenues	136,716	103,740	113,641
Non-Cash Adjustments	(7,854)	(17,464)	(14,058)
Total Receipts	\$ 128,862	\$ 86,276	\$ 99,583
Sales (DTh)*	11,208,290	11,509,910	11,862,801
*Excludes Interdepartmental Sales			

Overview

Natural gas sales revenues include amounts billed to customers for the sale of natural gas and the recognition of unbilled revenue and fuel cost recovery. Natural gas sales revenues include interdepartmental sales charged to other operating areas of the Utility. Other operating revenues include miscellaneous service charges and other revenues as detailed on the Natural Gas Statement of Operations (see E-5).

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

Reprojected Adjustment

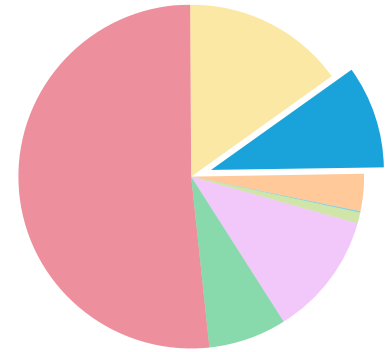
- Sales revenues for fiscal 2024 are expected to decrease from budget projections by \$19 million primarily due to a decrease in the purchase price of natural gas. Reprojected sales volumes decreased by about 705,000 dekatherms (Dth) from budget projections.
- The projected system sales volumes in fiscal 2024 are 11.5 million dekatherms, an increase of about 300,000 Dth from fiscal 2023. There was slight growth in the average number of natural gas customers. The average use per residential customer increased in fiscal 2024 compared to fiscal 2023 but remains similar when compared to the last five years. There was also an increase in average use per nonresidential customer compared to fiscal 2023.

Highlights

- Residential natural gas customers are projected to increase 0.1% to 76,300 customers in fiscal 2025. Weather normalized natural gas use per residential customer is projected to remain flat in fiscal 2025 compared to fiscal 2024. Residential natural gas sales are budgeted at five million Dth in fiscal 2025.
- Nonresidential natural gas customers are budgeted to increase 0.6% to 8,800 customers in fiscal 2025. Weather normalized nonresidential natural gas use per customer is budgeted to remain flat in fiscal 2025 compared to fiscal 2024, and sales are budgeted at six million Dth.
- Non-cash adjustments include interdepartmental natural gas sales for natural gas used in power generation charged to the Electric business unit, natural gas used by other Utility facilities and under-recovered or over-recovered fuel costs. Natural gas for power generation is budgeted at \$12 million in fiscal 2025 for approximately four million Dth.

Water Revenues and Receipts

Receipts (000s)	Actual 2023	Reprojected 2024	Budget 2025
Sales Revenues	\$ 58,338	\$ 58,917	\$ 62,022
Other Operating Revenues	1,462	1,519	1,536
Total Revenues	59,800	60,437	63,558
Non-Cash Adjustments	(458)	(159)	(175)
Total Receipts	\$ 59,342	\$ 60,277	\$ 63,383
Sales (Thousand Gallons)*	8,924,037	8,444,921	8,428,800
*Excludes Interdepartmental Sales			



Overview

Water sales revenues include the amounts billed to customers for the sale of water and the recognition of unbilled revenue. Water sales revenues include interdepartmental sales charged to other operating areas of the Utility. Other operating revenues include miscellaneous service charges and other revenues as detailed on the Water Statement of Operations (see E-9).

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

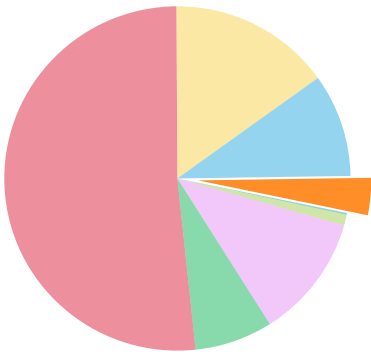
Reprojected Adjustment

- Water sales volumes for fiscal 2024 are expected to increase from budget projections due to an increased number of residential and nonresidential customers while the average use per customer is expected to decrease year over year.

Highlights

- Residential water customers are budgeted to increase 0.5% to 77,000 customers in fiscal 2025. Water use per residential customer is budgeted to decrease about 1.5% in fiscal 2025 with residential water sales decreasing slightly to four billion gallons in fiscal 2025.
- Nonresidential water customers are budgeted to increase 0.8% to 9,000 customers in fiscal 2025. Nonresidential use per customer is budgeted to decrease 1% during fiscal 2025 with nonresidential water sales budgeted to increase slightly to four billion gallons.

SpringNet® Revenues



Receipts (000s)	Actual 2023	Reprojected 2024	Budget 2025
Sales Revenues	\$ 22,070	\$ 25,001	\$ 24,363
Non-Cash Adjustments	761	(1,513)	(1,560)
Total Receipts	<u>\$ 22,831</u>	<u>\$ 23,488</u>	<u>\$ 22,802</u>

Overview

SpringNet® revenues are generated from leasing dark fiber to broadband service providers and from providing external broadband services to the business community. SpringNet® offers business solutions to commercial businesses including enterprise data users such as hospitals, banking institutions, universities, local schools, local internet service providers, and small businesses.

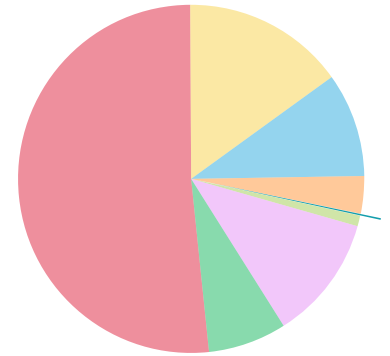
Non-cash adjustments represent interdepartmental sales and GASB87 Lease Revenue adjustments. These adjustments are included to calculate total receipts.

Highlights

- External sales of SpringNet® broadband services are estimated to remain around \$23 million in fiscal 2025. The reduction in revenues is due primarily to the sale of tower site leases to Vertical Bridge Towers, LLC in 2024. This reduction is offset by continued growth in leasing the expanded fiber optic network. Services available to the business community include Internet-type services (NetLink), networking services (LANLink), and wireless attachment services.

Trunked Radio System Revenues

Receipts (000s)	Actual 2023	Reprojected 2024	Budget 2025
Sales Revenues	\$ 2,846	\$ 2,615	\$ 2,202
Non-Cash Adjustments	(1,503)	(1,503)	(1,115)
Total Receipts	<u>\$ 1,343</u>	<u>\$ 1,112</u>	<u>\$ 1,087</u>



Overview

Trunked Radio System (TRS) revenues are generated primarily through reimbursements from the City of Springfield and Greene County for the costs associated with operation and maintenance of the TRS as well as system upgrades. Additional revenues are generated by providing radio services to public safety agencies and leasing tower space.

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

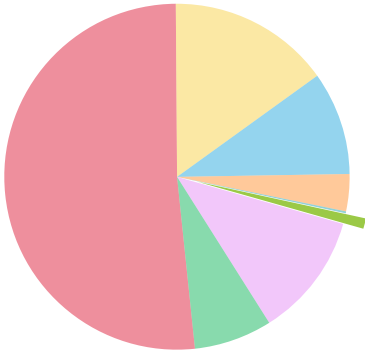
Reprojected Adjustment

- In the first quarter of 2024, City Utilities entered into an agreement to sell tower site leases to Vertical Bridge Towers, LLC with rights to market and expand tower lease agreements.

Highlights

- External revenues from the Trunked Radio System are projected to be approximately \$1 million. Revenue for fiscal 2025 remains consistent with fiscal 2024 to support system maintenance.
- Internal Trunked Radio services provided to City Utilities' operations are projected to be \$1.1 million.

Transit Revenues and Operating Subsidies



Receipts (000s)	Actual 2023	Reprojected 2024	Budget 2025
Sales Revenues	\$ 1,030	\$ 1,082	\$ 955
Operating Subsidies	5,269	6,599	5,556
Total Receipts	<u>\$ 6,299</u>	<u>\$ 7,681</u>	<u>\$ 6,511</u>
Total Revenue Passengers	1,061,001	1,121,752	1,166,622

Overview

Transit operating revenues are the fares collected from bus passengers, the sale of bus passes and discount cards, the revenues for advertising on transit assets, and rent revenues for the transit center.

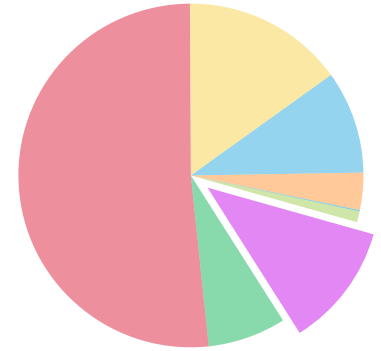
Operating subsidies from the Federal Transit Administration (FTA) and the State of Missouri provide partial funding for the operation of the transit system.

Highlights

- As a result of the proposed fare decreases, fare revenues are expected to decrease by about \$175,000 in 2025 from 2024.
- Advertising sales are projected to be \$180,000 in fiscal 2025, an increase from \$170,000 in fiscal 2024.
- City Utilities is eligible to receive partial reimbursement from the FTA to help fund system operations, maintenance, planning, capital improvements, and safety and security expenses.

Non-Utility Receipts

Receipts (000s)	Actual 2023	Reprojected 2024	Budget 2025
Reimbursements	\$ 2,544	\$ 3,600	\$ 7,000
Customer Meter Deposits	(124)	2,500	100
Project SHARE	81	96	89
Sales Tax Collections	14,152	12,598	13,952
Wastewater Revenue Billings	50,674	53,652	54,751
Missouri Drinking Water Primacy Fee	0	418	420
Total Receipts	\$ 67,327	\$ 72,864	\$ 76,313



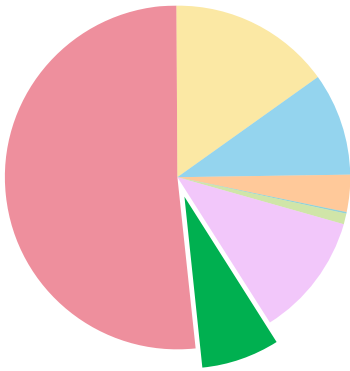
Overview

Non-Utility Receipts are funds City Utilities collects for third parties, including City wastewater revenue billings, sales tax, Missouri drinking water primacy fees 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 Operating Budget includes collection of \$55 million in fiscal 2025 from customers for the Environmental Services Wastewater Management Division of the City of Springfield.
- The Operating Budget includes collection of \$14 million during 2025 from customers for the State of Missouri for various state and local sales taxes.
- The Operating Budget includes collection of \$420,000 from water customers for Missouri Drinking Water Primacy Fees to be remitted to the Missouri Department of Natural Resources (MoDNR). The Missouri drinking water primacy fee provides critical funding for laboratory services and activities the state must perform to maintain delegation of the federal drinking water program. This delegation is called "primacy." The laboratory services and activities include testing for drinking water contaminants, inspections, compliance activities, complaint investigations, and technical assistance.
- Receipts from customers for the Project SHARE program are included in the 2025 Operating Budget at \$89,000. Project SHARE is a voluntary program that relies on community donations to assist City Utilities' customers with their bill through OACAC.
- The 2025 Operating Budget includes \$7 million for other miscellaneous reimbursable receipts.

Miscellaneous Billings and Receipts



Receipts (000s)	Actual 2023	Reprojected 2024	Budget 2025
Interest Income	\$ 7,879	\$ 9,559	\$ 8,481
Financings	0	0	9,000
Capital Related Billings	4,608	9,640	17,351
Contributions in Aid of Construction	144	1,649	1,139
Other Receipts	5,312	29,143	11,969
Total Receipts	\$ 17,943	\$ 49,991	\$ 47,940

Overview

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

Highlights

- Interest income earned on City Utilities' investment portfolio is projected to be \$8 million in fiscal 2025. Investments are typically held to maturity and market value adjustments are not projected.
- Capital reimbursements for extensions are budgeted at \$398,000 for the Electric system, \$76,000 for the Natural Gas system, \$1 million for the Water system, and \$25,000 for SpringNet®.
- Capital reimbursements for municipal improvements are budgeted at \$25,000 for the Electric system, \$230,000 for the Natural Gas system, and \$350,000 for the Water system.
- Capital reimbursements include grant receipts budgeted at \$5.8 million for Natural Gas provided by the Pipeline and Hazardous Materials Safety Administration (PHMSA) for replacement of aging infrastructure and \$9.4 million for Water provided by FEMA for a backup power supply generator at BWTP.
- Contributions in Aid of Construction include transit capital grants of \$1.1 million from the FTA in fiscal 2025. These funds are projected to cover 80% of eligible Transit capital expenditures.
- The 2025 Operating Budget includes \$10 million to offset the potential purchase of financial instruments included in the expenditures budget to protect from natural gas price volatility.

The Capital Improvements section provides information by functional category related to utility capital expenditures for the Fiscal Year beginning October 1, 2024 through September 30, 2025.

Capital project expenditures 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 2025.

CAPITAL IMPROVEMENTS

Capital Improvements Summary	1
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SpringNet®	8
Information Technology	9
Facilities	10
Vehicles and Equipment	11

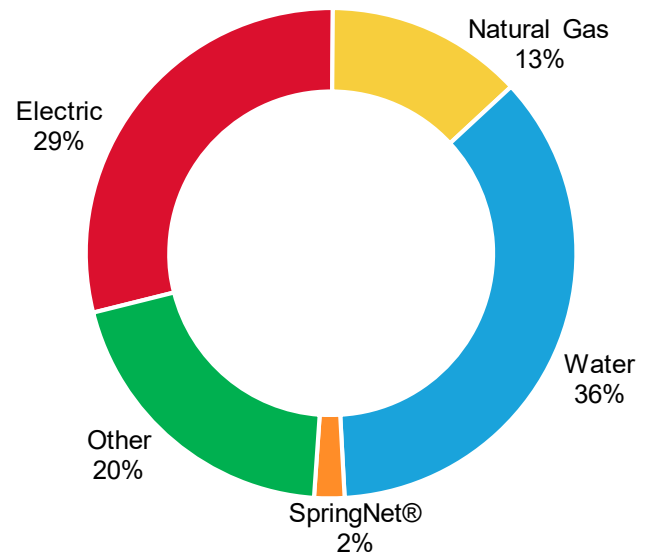
Capital Improvements Summary

Purpose

Capital budgeting is a fundamental part of the budgeting process for a utility. City Utilities uses the capital budget as a tool to manage competing demands for resources through a process of planning and prioritizing those resources. Capital improvements are necessary to maintain and rehabilitate aging infrastructure 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 Budget, including the planning process, the funding sources, and the capital projects in the 2025 Operating Budget. Capital Improvement projects are grouped by their functional category and have a projected cost of \$94 million in fiscal 2025.

**Capital Expenditures
by Category**



Functional Category (000s)	Major Capital	Recurring Capital	2025 Capital Budget
Electric Power Generation	\$ 2,625	\$ 279	\$ 2,904
Electric Transmission and Distribution	16,178	8,013	24,192
Natural Gas Transmission and Distribution	8,170	3,684	11,854
Water Supply and Treatment	17,508	48	17,556
Water Distribution	12,835	2,963	15,798
Transit	2,719	0	2,719
SpringNet®	1,617	240	1,857
Information Technology	3,638	30	3,668
Facilities	3,315	528	3,843
Vehicles and Equipment	2,899	66	2,966
Other Support	0	99	99
Contingencies	0	6,200	6,200
Totals	\$ 71,505	\$ 22,149	\$ 93,654

Contingencies

A designated contingency fund has been created for Revenue Producing and Municipal Improvements projects. The level of activity in the public works, residential housing, and commercial development markets is difficult to project with a high degree of certainty. When a project exceeds the budgeted allocation within a category, funds may be transferred from the designated contingency to supplement the budget for the impacted project. Of the \$6.2 million available in the contingencies budget for 2025, \$3 million is designated for Revenue Producing and Municipal Improvement projects.

Power Generation

(000s)

Major Capital Projects

Environmental Improvements - JTEC	\$ 1,178
NOx Emission Reduction (SCR)	1,147
Upgrade Combustion Control Systems	300

Recurring/Small Capital

JTEC - Capital	279
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Totals	\$ 2,904
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Environmental Improvements - JTEC

SWMC10 Budget: \$1.2 million

Description: Install a ground monitoring well to comply with Legacy Coal Combustion Residuals (CCR) rule in fiscal 2025.

Purpose: Comply with operating permits, environmental regulations, and promote safety while improving operations. (Strategy – Responsibility)

Duration: Ongoing.

NOx Emission Reduction (SCR)

SWMC81 Budget: \$1.1 million

Description: Replace Selective Catalytic Reduction (SCR) module layers for JTEC Unit 1 and Unit 2.

Purpose: SCR systems reduce Nitrogen Oxide (NOx) emissions to comply with environmental regulations. (Strategy – Responsibility)

Duration: Ongoing.

Upgrade Combustion Control Systems

SWMC26 Budget: \$300,000

Description: Purchase a distributed control system (DCS) simulator to educate new and existing employees on DCS and plant operation.

Purpose: Optimize availability, reliability, safety, and efficiency of the Utilities' Power Generation fleet. (Strategy – Responsibility)

Duration: Ongoing.

Electric Transmission and Distribution

(000s)

Major Capital Projects

Republic to PIC West 161kV	\$ 7,774
Purch/Install Dist Transformrs	3,750
Pole Maintenance	3,500
Subs Relaying Replacements	280
Subs Switchgear Replacements	277
Distribution Automation	200
Overhead to Underground Conversion	200
Grant Avenue Parkway	197

Recurring/Small Capital

Revenue Producing/Developer	3,036
Relocations and Municipal Improvements	2,341
Transmission and Distribution	1,728
Electric Measurement and Metering	476
Substations	355
Power Quality	78

Totals	\$ 24,192
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Republic to PIC West 161kV

ELOC35 / ESOC52 / ESOC57 Budget: \$7.8 million

Description: Design and build a new 161kV transmission line from the Republic Substation to the Partnership Industrial Center (PIC) West Substation.

Purpose: Complete the transmission loop through the Republic substation currently served by a single 161kV transmission line from JTEC. The completion of the transmission loop reduces the risk of electric interruption to the area. (Strategies – Dependability and Responsibility)

Duration: To be completed in fiscal 2026.

Purchase and Install Distribution Transformers

ELOC05 Budget: \$3.8 million

Description: Purchase of distribution transformers.

Purpose: Each year, new transformers are installed to support new capital projects, maintenance efforts, and restoration after outage events. With lead-times just under two years, it is important to maintain an adequate inventory of transformers to continue to meet the needs of City Utilities' system. At this time, the annual volume of units purchased, lead-times, and pricing have stabilized and are expected to remain at current levels. (Strategy – Dependability)

Duration: Ongoing.

Pole Maintenance**ELMC17 Budget:** \$3.5 million**Description:** Replace and maintain aging electric pole infrastructure.**Purpose:** Work completed under this project will move toward establishing a 50-year pole replacement cycle. Planned maintenance is more economical than reactive maintenance (replacing poles after failure) and provides increased reliability to our customers. (Strategy – Dependability)**Duration:** Ongoing.**Substation Relaying Replacements****ESMC02 Budget:** \$280,000**Description:** Replace aging substation relays. Protective relays are used to detect, locate, and isolate faults on the electric transmission and distribution systems. Faults can result from a variety of causes including storms, failed equipment, and automobile accidents.**Purpose:** Ensures a high level of protection is maintained at all substations to decrease system disturbances by protecting assets within the substation. (Strategies – Dependability and Responsibility)**Duration:** Ongoing.**Substation Switchgear Replacements****ESMC39 Budget:** \$277,000**Description:** Replace aging substation switchgear.**Purpose:** Replace three substation switchgear every two years. Aging substation switchgear are expensive to maintain and present reliability and safety risks. (Strategies – Dependability and Responsibility)**Duration:** Ongoing.**Distribution Automation****ELOC39 Budget:** \$200,000**Description:** Distribution automation equipment will be gradually added to the system.**Purpose:** Installing distribution automation equipment will allow the system to become smarter and more controllable, with a goal of eventually establishing some self-restoring aspects and improved troubleshooting capabilities during outage events. (Strategies – Dependability and Innovate)**Duration:** Ongoing.**Overhead to Underground Conversion****ELMC15 Budget:** \$200,000**Description:** Convert overhead electric distribution lines to underground.**Purpose:** Undergrounding distribution lines improves aesthetics and reliability. Furthermore, this supports City-wide initiatives, such as Forward SGF. (Strategy – Excellence)**Duration:** Ongoing.**Grant Avenue Parkway****ELOC38 Budget:** \$197,000**Description:** Replace the electrical distribution system associated with the City's Grant Avenue Parkway project through the BUILD Grant. The primary scope is undergrounding all electrical facilities along Grant Avenue between Sunshine and College Streets. In 2025, the planned reimbursements to the utility are estimated to be \$2.4 million, out of a total project cost of \$4.8 million.**Purpose:** Support and provide resources for the City's Grant Avenue Parkway project. (Strategies – Excellence and Grow)**Duration:** This project began in fiscal 2021. Design and construction are expected to be completed in early fiscal 2025. Reimbursements are planned for fiscal 2025.

Natural Gas

(000s)

Major Capital Projects

Natural Gas Main and Service Renewals	\$ 8,045
District Regulator Stations	125
Valve Replacement Program	88

Recurring/Small Capital

Relocations and Municipal Improvements	1,869
Revenue Producing	1,216
Natural Gas Measurement	465
Transmission and Distribution	47

Totals	\$ 11,854
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Valve Replacement Program

GSDC31 Budget: \$87,500**Description:** Proactively replace aging and higher-risk natural gas valves.**Purpose:** Systematically replace higher-risk and aging transmission, feeder, and distribution natural gas valves identified by the valve inspection program. (Strategy – Dependability)**Duration:** Ongoing.

Natural Gas Main and Service Renewals

GSDC04 / GSDC05 Budget: \$8.0 million**Description:** Proactively replace natural gas mains. Grant funding from the Pipeline and Hazardous Materials Safety Administration (PHMSA) will provide additional support to the main renewal program in all years of the operating plan.**Purpose:** The Distribution Integrity Management Program (DIMP) prioritizes the strategic replacement of aging and higher-risk natural gas pipelines. This ensures the continued safe and reliable delivery of natural gas by minimizing the potential for future leaks and unintentional releases. Where applicable, renewal projects are coordinated with water main renewals to achieve cost synergies through joint trenching. (Strategy – Dependability)**Duration:** Ongoing.

District Regulator Stations

GSDC12 Budget: \$125,000**Description:** Install new natural gas district regulator stations and rebuild or upgrade existing district regulator stations.**Purpose:** New regulator stations are needed to support system growth, increase system redundancy and mitigate low-pressure issues. Rebuilds and upgrades are required to replace aging and obsolete equipment, correct deficient station configurations, and mitigate over-capacity situations. (Strategy – Responsibility)**Duration:** Ongoing.

Water Supply and Treatment

(000s)

Major Capital Projects

Blackman Water Treatment Plant Backup Generator	\$ 12,310
Blackman Water Treatment Plant Rapid Mix	3,634
Stockton Pumps	700
Fulbright Water Treatment Plant Filter Rehabilitation	489
Water Treatment Renewals & Replacements	200
Lab Instrumentation Upgrade	175

Recurring/Small Capital

Water Treatment and Production	30
Water Supply	18

Totals	\$ 17,556
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Blackman Water Treatment Plant Backup Generator

WTBC15 Budget: \$12.3 million

Description: Install a natural gas-powered backup generator at BWTP with partial funding of \$9.4 million from the Building Resilient Infrastructure and Communities (BRIC) Grant through FEMA.

Purpose: A backup generator will improve electric supply reliability at the BWTP. Electric service to the BWTP is currently supplied by dual feed from a single substation, the Blackman Substation. A failure of this substation would result in the BWTP being out of service. The BWTP provides two-thirds of City Utilities' customer's drinking water supply. A similar generator is in place at the Fulbright Water Treatment Plant. (Strategy – Dependability)

Duration: The engineering for the project is expected to be completed in fiscal 2024 with the construction and reimbursement in fiscal 2025.

Blackman Water Treatment Plant Rapid Mix

WTBC17 Budget: \$3.6 million

Description: Add a rapid mix to the north basin at Blackman Water Treatment Plant.

Purpose: Adding a rapid mix to the north basin will increase the plant's flow capacity and resiliency as well as its treatment efficiency. (Strategy – Dependability)

Duration: This project is expected to be completed in fiscal 2025.

Stockton Pumps

ENG12 Budget: \$700,000

Description: Replace one of the existing pumps with a different manufacturer. There are four pumps at the Stockton Lake pump station. Three of the pumps have the same manufacturer, which has proven to be unreliable for the existing pump station design.

Purpose: The Stockton Lake water allocation is a critical component of our water supply. Replacing existing pumps with a different pump design will better enable the Utility to access the water in the Stockton Lake Allocations. (Strategy – Dependability)

Duration: One pump will be purchased and installed in fiscal 2025.

Fulbright Water Treatment Plant Filter Rehabilitation

WTFC12 Budget: \$489,000

Description: One of the six Fulbright Water Treatment Plant (FWTP) filters is over 40 years old and needs replacement before performance degrades.

Purpose: Upgrade filters at FWTP and replace aging equipment, underdrain, and depleted filter media. (Strategy – Dependability)

Duration: This project began in fiscal 2020 and is expected to be completed in fiscal 2025. This will be the final filter upgrade completing a six-year project.

Water Treatment Renewals & Replacements

WTRC07 Budget: \$200,000

Description: Replace pumps, motors, valves, and other essential components of the water treatment system.

Purpose: A portion of the water treatment operating equipment and infrastructure is beyond its expected useful life. The systematic replacement of these components will promote system reliability. (Strategies – Dependability and Responsibility)

Duration: Ongoing.

Lab Instrumentation Upgrade

LABC02 Budget: \$175,000

Description: Replace or upgrade analytical instruments.

Purpose: Lab equipment is used to evaluate the quality of drinking water and enable the Utility to produce drinking water that is compliant with Environmental Protection Agency and Missouri Department of Natural Resources requirements. (Strategies – Dependability and Responsibility)

Duration: Ongoing, as needs arise.

Water Distribution

(000s)

Major Capital Projects

Water Main and Service Renewals	\$ 8,295
Booster III	4,539
Water Main Tie-Ins	75

Recurring/Small Capital

Distribution System Improvements	1,387
Municipal Improvements	944
Revenue Producing	557

Totals	\$ 15,798
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Water Main Tie-Ins

WSDC07 Budget: \$75,000

Description: Complete water distribution system improvements by installing water main tie-ins as identified through the Water Distribution Master Plan.

Purpose: Tie-ins eliminate one-way feeds which provides adequate pressure and redundancy for our customers. Tie-ins increase resiliency in the event of leak repairs, improve water quality, and enhance fire protection. (Strategy – Dependability)

Duration: Ongoing.

Water Main and Service Renewals

WSDC05 / WSDC06 Budget: \$8.3 million

Description: Proactively identify and replace aging and leak-prone water distribution mains. Water mains break from a variety of causes including age, weather, corrosion, ground movement, and third-party damage. These failures could result in service disruption, property damage, and water loss.

Purpose: Safeguard public health and ensure reliable water delivery by minimizing disruptions caused by main breaks. Where applicable, water main renewal projects are coordinated with natural gas main renewals to achieve cost synergies through joint trenching. (Strategy – Dependability)

Duration: Ongoing.

Booster III

WSDC21 Budget: \$4.5 million

Description: Design and construct a booster pump station, parallel mains along US Highway 60, and a tie-in to the existing system. Booster III will allow for water service along the US Highway 60 corridor east of Springfield. Due to the higher elevations, it is necessary to establish a new pressure zone to serve the area.

Purpose: Expand City Utilities' water service footprint, driven by City sewer expansion, and meet future customer demand within the Utility's Electric and Natural Gas service footprint. This City driven initiative is to promote economic development. (Strategy – Grow)

Duration: Phase I is expected to be completed in fiscal 2026. Subsequent phases may be completed as justified by demand and customer growth.

Transit

(000s)

Major Capital Projects

ITS Hardware & Software	\$ 1,175
Fixed Route Fleet	1,000
Transit Enhancements/Security	544
Totals	\$ 2,719

ITS Hardware & Software

BUSC26 Budget: \$1.2 million

Description: Replace hardware and software for current Automatic Vehicle Location (AVL) and Intelligent Transportation System (ITS) for paratransit services and the fare collection technology.

Purpose: The current ITS System is beyond its expected useful life and is unsupported by the vendor. The fixed route portion of the system upgrade will be completed in fiscal 2024; the demand response component will be upgraded in fiscal 2025. The demand response component of the system provides for ride scheduling and optimization. Replacing this system will provide more stable connectivity, improved customer facing information, advances in customer service technology specifically for our paratransit service, and improved reporting for regulatory compliance. The fare collection technology collects fares, reads ticket media, provides passenger data, and produces reports for fares collected. (Strategies – Excellence and Responsibility)

Duration: The purchase and implementation will span fiscal 2024 and 2025.

Fixed Route Fleet

BUSC02 Budget: \$1.0 million

Description: Purchase two new 30-foot diesel buses in fiscal 2025.

Purpose: The replacement plan allows the Utility to maintain an appropriately aged fleet while reducing carbon emissions. The Fixed Route Fleet currently consists of 23 diesel and 2 electric buses. The Utility will continue to seek grant funding to support the bus replacement program. (Strategies – Dependability and Responsibility)

Duration: Ongoing.

Transit Enhancements

BUSC20 Budget: \$544,000

Description: Replace bus shelters and shelter pads to support Americans with Disabilities Act (ADA) accessibility and improve aging shelters. Planned sidewalk enhancements will provide an accessible pathway and increased connectivity to the transit system. Replace bus lift in the vehicle maintenance center.

Purpose: The Utility desires to maintain and improve the accessibility, functionality, and utility of the Transit System. City Utilities pursues multiple grant funding opportunities to support these initiatives. (Strategies – Responsibility and Dependability)

Duration: Ongoing.

SpringNet®

(000s)

Major Capital Projects

Revenue Generation	\$ 1,017
Fiber/Outside Plant Infrastructure	300
Ethernet Infrastructure	300

Recurring/Small Capital

Facility Relocations	240
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Totals	\$ 1,857
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Revenue Generation**TELC05 Budget:** \$1.0 million**Description:** Enables SpringNet® to meet customer demand for broadband services and to generate additional revenue through growth.**Purpose:** Generates revenue growth and supports economic development efforts. (Strategy – Grow)**Duration:** Ongoing.**Fiber/Outside Plant Infrastructure****TELC19 Budget:** \$300,000**Description:** Maintain and expand fiber optic cable assets and allow construction of outside plant infrastructure such as equipment shelters.**Purpose:** Maintain and construct fiber optic cable extensions as well as capacity additions to meet growing demand. (Strategy – Dependability and Grow)**Duration:** Ongoing.**Ethernet Infrastructure****TELC03 Budget:** \$300,000**Description:** Supports and enhances the Ethernet infrastructure (routers, switches, optical transport equipment) of the SpringNet® broadband network. Routers and switches generally require replacement every five to six years.**Purpose:** Ensures the core network infrastructure of SpringNet® maintains adequate capacity and reliability to support growth demands from the Springfield business community. (Strategy – Dependability)**Duration:** Ongoing.

Information Technology

(000s)

Major Capital Projects

Maintenance and Support - Enterprise Resource Planning Systems	\$ 1,942
Maintenance and Support - Customer Systems	1,016
IT Infrastructure	320
IT Desktop Support	235
Maintenance and Support - Operational Systems	125

Recurring/Small Capital

Cybersecutity and IT Resliency	30
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Totals	\$ 3,668
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Maintenance and Support - Enterprise Resource Planning Systems

ITDC27 / ITDC37 Budget: \$1.9 million

Description: Implementation of a new Workday Human Capital Management (HCM) solution.

Purpose: Replace legacy technology and processes with more efficient and secure solutions. The current HCM solution is blended between cloud and on-premise applications and does not cost-effectively scale to the needs of its users. Replacement of this system will significantly improve and increase efficiencies in the time entry process. (Strategy – Responsibility)

Duration: Implementation of HCM will be complete in fiscal 2025.

Maintenance and Support - Customer Systems

ITDC26 / ITDC36 Budget: \$1.0 million

Description: Upgrade billing and customer portal to include analytics for electric vehicles, solar, and landlord use as well as adding the framework to allow future time-of-use rate options.

Purpose: Increase customer engagement and improve customer experiences. (Strategy – Dependability)

Duration: Ongoing.

IT Infrastructure

ITPC06 Budget: \$320,000

Description: Routine hardware upgrades and replacements related to network infrastructure, virtual servers, and database hardware.

Purpose: Updating critical infrastructure will decrease the loss of support as technology advances, reduce the likelihood of a system failure and remain current on technology. (Strategies – Dependability and Responsibility)

Duration: Ongoing.

IT Desktop Support

ITPC07 Budget: \$235,000

Description: Replace desktop related technology and equipment.

Purpose: To keep the Utility's desktop hardware up-to-date, reliable, and secure, the replacement of approximately 250 Dell Desktop computers will be required to ensure compatibility with Windows 11. (Strategies – Responsibility and Dependability)

Duration: This hardware replacement initiative will be completed by mid-year 2025. Other initiatives are ongoing.

Maintenance and Support - Operational Systems

ITDC28 Budget: \$125,000

Description: Migrate the current Geographic Information System (GIS) to a new data model. Expand the server farm to support the new data model and other mapping services.

Purpose: The GIS supports a variety of map services for all commodities. The current data model will no longer be supported by the vendor, prompting migration to a new data model. (Strategy – Excellence)

Duration: Ongoing.

Facilities

(000s)

Major Capital Projects

Major Interior & Exterior Projects	\$ 1,295
Facilities System Improvements	560
Pavement Projects	525
Major Facilities Renovations	450
Facilities Security	270
Major Roof Replacements	110
Trunked Radio System	105

Recurring/Small Capital

Other Facilities Improvements	403
Industrial Park Infrastructure	120
Trunked Radio and SCADA Systems	5

Totals	\$ 3,843
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Major Interior & Exterior Projects

PBMC03 Budget: \$1.3 million**Description:** Essential repair and restoration of building components.**Purpose:** Repair and restore building exteriors such as masonry repairs and sealing, window replacements, landscape restoration, and ongoing maintenance. (Strategy – Dependability)**Duration:** Ongoing.

Facilities System Improvements

PBMC18 Budget: \$560,000**Description:** Upgrade or replace various types of heating, ventilation, and air conditioning (HVAC) equipment, air compressors, uninterruptible power source (UPS) systems, stand-by generators, controls, and other facility mechanical equipment as they reach the end of their expected useful lives.**Purpose:** Facilities System Improvements increase efficiency, promote reliability, and ensure an adequate environment for essential technology. (Strategy – Dependability)**Duration:** Ongoing.

Pavement Projects

PBMC01 Budget: \$525,000**Description:** Maintain and replace parking lots, material yards, and other minor items.**Purpose:** The existing drainage feature within the paved parking area for Utility vehicles and material deliveries at Park & Grand is deteriorating and needs to be repaired. (Strategy – Dependability)**Duration:** Ongoing.

Major Facilities Renovations

PBMC37 Budget: \$450,000**Description:** Facilities expansions and renovations to meet operational needs of the utility.**Purpose:** Demolish the structure at 400 North Main Avenue and relocate materials in fiscal 2025. Anticipated purchase of property in fiscal 2024 and subsequent improvements to existing structures in fiscal 2025 for facilities and materials storage purposes. (Strategies – Dependability and Responsibility)**Duration:** Ongoing.

Facilities Security

SECC01 Budget: \$270,000**Description:** Install intrusion detection systems, add and upgrade the physical electronic security system, and install security-rated barriers.**Purpose:** To prevent harm to the utility's critical infrastructure assets, regulated assets, and people caused by adversarial or non-adversarial intrusions into these sites using deterrence, detection, and delay security controls. (Strategies – Responsibility and Excellence)**Duration:** Ongoing.

Major Roof Replacements

PBMC45 Budget: \$110,000**Description:** Repair, replace, and maintain building roofs and associated water-proofing elements.**Purpose:** As roofs age, they require maintenance and replacement to preserve the integrity of the underlying building. Ongoing evaluations identify and prioritize roof replacement needs. (Strategy – Dependability)**Duration:** Ongoing.

City/County/CU Trunked Radio System

TELC08 Budget: \$105,000**Description:** Upgrade tower lighting on three towers where units are approaching end-of-life to LED lights.**Purpose:** The upgrade will provide more effective lighting with anticipated maintenance savings and reduced electrical consumption. (Strategy – Responsibility)**Duration:** Ongoing.

Vehicles and Equipment

(000s)

Major Capital Projects

Medium/Heavy-Duty Fleet Assets and Equipment Replacement	\$ 1,815
Light-Duty Fleet Assets and Equipment Replacement	967
Electrified Fleet Assets	117

Recurring/Small Capital

Fleet Additions	56
Vehicle Maintenance Shop Equipment	10

Totals	\$ 2,966
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Electrified Fleet Assets

FLMC27 Budget: \$117,000**Description:** Purchase replacement fleet assets powered by an electrified powertrain.**Purpose:** This is a strategic commitment due to the increasing affordability in the electrified vehicle (EV) segment and the benefits associated with electrified assets. By purchasing EVs, the Utility will be positioned to take steps to further minimize the emissions impact of our fleet and to comply with potential future regulations. (Strategies – Responsibility and Grow)**Duration:** Ongoing.

Medium/Heavy-Duty Fleet Assets and Equipment Replacement

FLMC06 Budget: \$1.8 million**Description:** Scheduled replacement of medium/heavy-duty fleet assets.**Purpose:** Best practices in the fleet industry indicate replacement cycles for medium/heavy-duty assets are between 12 and 15 years. Due to normal wear and tear, medium/heavy-duty fleet vehicles and equipment at the Utility are generally scheduled for replacement after 15 years of service. Current replacement cycles more closely reflect a useful life of 16 to 18 years. (Strategies – Dependability and Responsibility)**Duration:** Ongoing.

Light-Duty Fleet Assets and Equipment Replacement

FLMC04 Budget: \$967,000**Description:** Scheduled replacement of light-duty fleet assets.**Purpose:** Best practices in the fleet industry indicate replacement cycles for light-duty assets are between 8 and 10 years to balance the cost of ownership and reliability. Due to normal wear and tear, light-duty fleet vehicles at the Utility are generally scheduled for replacement after 10 years of service. The current replacement cycles, in practice, more closely reflect a useful life of 12 to 14 years. (Strategies – Dependability and Responsibility)**Duration:** Ongoing.

City Utilities groups expenditures by functional category. Operating Expenditures are presented for the Fiscal Year beginning October 1, 2024 through September 30, 2025. Operating Expenditures encompass fuels, labor, operations, maintenance, customer, and administrative costs.

For comparative purposes, actual expenditures for the year ended September 30, 2023 and reprojected expenditures for the year ending September 30, 2024 are also presented.

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

The Reprojected Adjustment sections present significant changes to expenditures for the current Fiscal Year 2024.

Major Budget Initiatives encompass the major expenditures for large, nonrecurring, and new projects for Fiscal Year 2025.

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

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Operating Expenditures by Category

Expenditures (000s)	Actual 2023	Reprojected 2024	Budget 2025
Power Generation	\$ 30,932	\$ 38,210	\$ 26,100
Fuels and Purchased Energy	213,313	188,917	184,704
Electric Transmission and Distribution	30,309	28,448	29,693
Natural Gas Transmission and Distribution	8,790	7,808	7,805
Water Supply and Treatment	7,052	7,818	6,703
Water Distribution	6,330	4,877	5,627
Transit	6,108	5,817	6,079
Facilities	6,217	6,802	7,868
Vehicles and Equipment	3,452	3,217	3,350
SpringNet®	6,531	7,442	6,740
Information Technology	11,278	13,676	13,226
Human Resources	57,454	63,212	67,086
Finance	6,770	7,584	8,206
General Operations Support	5,430	5,825	5,876
Administrative Support	5,899	6,828	6,716
Customer Support	13,031	13,326	13,466
Debt Service	51,920	52,069	52,058
Non-Utility	88,829	92,668	96,214
Total Expenditures	<u>\$ 559,643</u>	<u>\$ 554,544</u>	<u>\$ 547,517</u>

Power Generation

Functional Responsibility

Power Generation includes the local generation and control of electric power through the operation of John Twitty Energy Center (JTEC), James River Power Station (JRPS), and McCartney Generating Station (MGS). These facilities encompass 503 MW of base load generation from two coal fired steam turbines and 359 MW of peaking capacity from six natural gas combustion turbines.

City Utilities is a member of the Southwest Power Pool (SPP), a Regional Transmission Operator (RTO) that operates a consolidated balancing authority for its members to schedule and dispatch energy resources. In conjunction with the consolidated balancing authority, SPP operates an Integrated Marketplace (IM) for SPP members to market energy to and procure energy from other SPP members.

City Utilities' Power System Control area works with SPP to ensure the City Utilities' system always operates in a prudent, reliable manner.

City Utilities' Power Marketing area works with The Energy Authority (TEA) to offer the Utility's energy resources into the SPP Integrated Marketplace.

The Transmission Planning area evaluates the system's future needs and develops plans necessary for the reliable delivery of bulk power to the Utility's system.

Reprojected Adjustment

- Power Generation costs increased due to maintenance of a James River combustion turbine (CT1) originally planned for fiscal 2025 and unplanned repairs on JTEC Unit 2 steam turbine.

Expenditures (000s)	Actual 2023	Reprojected 2024	Budget 2025
JTEC Maintenance	\$ 19,951	\$ 22,659	\$ 13,614
JTEC Operations	6,596	6,583	6,829
JTEC Materials	385	100	100
Sub-Total JTEC	26,932	29,342	20,543
JRPS Maintenance	387	4,573	1,524
JRPS Operations and Materials	124	133	135
Sub-Total JRPS	510	4,705	1,659
Power Generation – Other	3,490	4,163	3,897
Total Expenditures	\$ 30,932	\$ 38,210	\$ 26,100

Major Budget Initiatives

- Planned outage work at John Twitty Energy Center consists of rebuilding a boiler feed pump and motor, repairs on the cooling tower and boiler wet bottom, and other minor outage work in fiscal 2025 for JTEC Unit 1. The total cost of fiscal 2025 JTEC outage work will be approximately \$2 million.
- Planned outage work at James River Power Station consists of an upgrade to the turning gear of both combustion turbines to keep blades from wearing out prematurely and minimize unplanned outages. The projected cost of this outage is \$1 million.

Annual Initiatives

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

Fuels and Purchased Energy

Functional Responsibility

Coal is the primary fuel used for generating electricity by the steam units at the John Twitty Energy Center. Natural gas is the primary fuel for the combustion turbines. Some City Utilities-owned combustion turbines can utilize fuel oil.

City Utilities participates in the Southwest Power Pool (SPP) Integrated Marketplace. City Utilities provides generation to the market and purchases energy from the market when economical. City Utilities purchases supplemental hydroelectric energy from the Southwestern Power Administration (SWPA) when it is available. It is estimated that in fiscal 2025 the Utility will receive over 35% of its energy (as a percentage of system sales) from renewable sources.

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. Although natural gas prices have returned to historic averages, the natural gas market continues to experience pricing volatility.

Annual Initiatives

- The Operating Budget assumes that the John Twitty Energy Center will burn low-sulfur coal from the Powder River Basin in Wyoming. The 2025 Operating Budget includes the purchase of approximately 900,000 tons of coal at a cost of around \$42 million or \$45.74 per ton. Average delivered coal costs, including freight, are budgeted at \$2.57 per million British Thermal Units (BTU). The budgeted coal inventory on September 30, 2025, is approximately 210,000 tons valued at \$8 million.
- The 2025 budgeted cost of 16 million dekatherms of natural gas is \$70 million. This includes \$40 million for natural gas purchased for firm and curtailable customers, \$17 million for transportation capacity, and \$13 million for the purchase of four million dekatherms of natural gas used in power generation.

Expenditures (000s)	Actual 2023	Reprojected 2024	Budget 2025
Coal	\$ 63,836	\$ 47,899	\$ 42,178
Natural Gas	84,271	69,337	79,541
Propane and Fuel Oil	2,258	1,843	2,488
Purchased Power	59,326	67,319	57,850
Emission Consumables	2,943	1,752	1,960
Other Electric-Fuel Handling	416	459	321
Other Natural Gas Supply	264	307	367
Total Expenditures	<u>\$ 213,313</u>	<u>\$ 188,917</u>	<u>\$ 184,704</u>

- The Operating Budget assumes a natural gas inventory of two million dekatherms valued at \$6 million on September 30, 2024. The inventory will be withdrawn during the 2024-2025 heating season as needed to meet firm requirements for natural gas and will be replenished during the spring and summer of 2025. Natural gas inventory on September 30, 2025, is budgeted at \$7 million for two million dekatherms.
- In August 2008, City Utilities entered a 20-year contract to purchase energy from the Smoky Hills Wind Project near Salina, Kansas. It is estimated that this 46 MW contract will deliver 142,200 MWh in fiscal 2025.
- In October 2013, City Utilities entered a 25-year contract to purchase energy from Strata Solar. It is estimated that this 4.95 MW contract will deliver 8,121 MWh in fiscal 2025, which is approximately a 19% capacity factor.
- In November 2015, City Utilities entered a 22-year contract to purchase energy from Frontier Windpower, LLC, a wholly owned subsidiary of Duke Energy located near Ponca City, Oklahoma. It is estimated that this 200 MW contract will deliver 586,000 MWh in fiscal 2025.
- In January 2018, City Utilities entered a 20-year contract to purchase energy from the Diamond Vista Wind Project near Salina, Kansas. It is estimated that this 98 MW contract will deliver 383,200 MWh in fiscal 2025.
- The Operating Budget assumes the purchase of two million MWh of energy in 2025 or approximately 46% of system and off-system requirements. The budgeted cost of purchased power is \$58 million. This includes \$3 million for fixed capacity charges for 50 MW purchased from the Southwestern Power Administration (SWPA).

Electric Transmission and Distribution

Functional Responsibility

Electric Transmission and Distribution is responsible for the engineering, construction, operation, and maintenance of more than 1,800 miles of overhead and underground distribution lines, 210 miles of transmission lines, and 43 substation sites. Transmission is classified as 69kV and above while distribution is 13.2 kV and below. Electric Transmission and Distribution is also responsible for street lighting in the community and the Vegetation Management Program, which manages the urban forest to help prevent interference with the operation of the electric system. Approximately 122,000 customers are served.

Annual Initiatives

- System expansion and relocation of facilities requires engineers and technicians to work with developers, contractors, and other utilities to provide service quickly and efficiently to new customers.
- Vegetation Management Programs will continue to improve electric system reliability and are budgeted at \$4 million in fiscal 2025.

Expenditures (000s)	Actual 2023	Reprojected 2024	Budget 2025
Electric T and D	\$ 22,574	\$ 23,167	\$ 23,704
Electric T and D Storms	2,670	1,154	1,231
Measuring and Metering	554	631	713
Electric Substations	2,830	2,933	3,157
Power Quality	264	350	317
Electric Materials	1,416	213	571
Total Expenditures	<u>\$ 30,309</u>	<u>\$ 28,448</u>	<u>\$ 29,693</u>

- Given the responsibility of efficiently maintaining and operating approximately 23,000 streetlights, City Utilities has updated its lighting specifications. Moving forward, all new lighting installations will utilize LED technology and all high-pressure sodium (HPS) fixtures will be replaced with LEDs upon failure.
- Ongoing preventive and scheduled maintenance of the electric system is reflected in several budgeted projects. Substation and distribution line maintenance requires a significant amount of City Utilities' labor, as well as some contract labor for specific items.

Natural Gas Transmission and Distribution

Functional Responsibility

Natural Gas Transmission and Distribution is responsible for the engineering, construction, operation, and maintenance of over 1,306 miles of natural gas mains, 49 miles of natural gas transmission pipelines, 165 district regulator stations, five city gate stations, and more than 79,000 service lines. Department of Transportation and Public Service Commission safety regulations are strictly followed to ensure the safe and efficient supply of 16 million dekatherms of natural gas annually to approximately 85,000 customers.

Major Budget Initiatives

- Induced and conductive Alternating Current (AC) on steel natural gas mains poses a potential safety risk to employees as well as a pipe corrosion threat. An AC Mitigation project to address the AC corrosion on the natural gas transmission system began in fiscal 2024 and will be completed in fiscal 2025.

Expenditures (000s)	Actual 2023	Reprojected 2024	Budget 2025
Nat Gas T and D Maint	\$ 2,153	\$ 1,906	\$ 2,188
Natural Gas Measurement	2,262	2,221	2,515
Nat Gas T and D Ops	3,532	3,205	2,951
Natural Gas Materials	842	476	150
Total Expenditures	<u>\$ 8,790</u>	<u>\$ 7,808</u>	<u>\$ 7,805</u>

Annual Initiatives

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

Water Supply and Treatment

Functional Responsibility

Water Operations is responsible for providing safe drinking water to our community. That responsibility includes all phases of the treatment process, from protecting source water quality through management of our watersheds, to ensuring drinking water quality by sampling our customers' water at the tap, and all steps in between. These efforts have consistently yielded excellent results that exceed regulatory requirements and have been recognized nationally through the American Water Works Association's Partnership for Safe Water program for twenty-five years.

City Utilities operates and maintains all water treatment facilities, which can produce a maximum of 75 million gallons per day. Typical daily output varies between 20 to 50 million gallons per day, depending on the season. On average, Water Treatment personnel treat and deliver 29 million gallons per day of safe drinking water.

Expenditures (000s)	Actual 2023	Reprojected 2024	Budget 2025
Supply Operations	\$ 1,346	\$ 1,252	\$ 849
Supply Maintenance	697	630	375
Treatment Operations	2,667	3,434	3,133
Production Operations	1,102	1,113	1,066
Production Maintenance	1,240	1,389	1,279
Total Expenditures	<u>\$ 7,052</u>	<u>\$ 7,818</u>	<u>\$ 6,703</u>

Major Budget Initiatives

- Water Treatment Operations include assessment of City Utilities' water sources and treatment methods to determine compliance with proposed federal regulations. When finalized, the Utility will be required to monitor, provide public notice, and reduce levels of regulated substances in drinking water if they exceed the maximum contaminant level.

Annual Initiatives

- The Operating Budget assumes normal operation of the Stockton Pump Station. Operating expenses include electric power, equipment and site maintenance of assets at Stockton Lake, and City Utilities' financial obligation to the Corps of Engineers in maintaining the Stockton dam and reservoir. The Corps of Engineers determines the overall Stockton Lake and Dam maintenance needs, and the Utility pays a percentage of those expenses based on the allocation percentage.
- The Blackman and Fulbright Water Treatment Plants have extensive pumping facilities, chemical feed equipment, processing equipment, piping, valves, electrical equipment, SCADA systems, controls, storage, and mixing and settling facilities, which require considerable monitoring and maintenance. Recurring projects in this category also include procurement of chemicals to treat the water to drinking water standards in compliance with all state and federal regulations.
- City Utilities, City of Springfield, and Greene County partially fund the Watershed Committee of the Ozarks (WCO). The WCO supports watershed protection, management, and education. City Utilities' portion is \$220,000 for fiscal 2025.
- Operation of the certified water quality laboratory is included in this budget category. City Utilities' lab performs over 80,000 analyses on water samples each year for regulatory compliance and operational optimization. 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.

Water Distribution

Functional Responsibility

Water Distribution maintenance and operations expenditures cover the activities associated with maintaining and operating more than 1,280 miles of transmission and distribution water mains, eight elevated storage tanks, 8,770 fire hydrants, and 30,880 valves. The reliable delivery of safe drinking water to approximately 86,000 customers is performed in compliance with the rules and regulations of the Missouri Department of Natural Resources (MoDNR).

Water Measurement and Metering functions include the purchase, installation, and maintenance of water meters as well as disinfection of new mains, flushing, and chlorine testing for the distribution system. The personnel responsible for these functions also monitor private backflow prevention and respond to individual customer requests for water leaks, low pressure, water connects, and disconnects.

Expenditures (000s)	Actual 2023	Reprojected 2024	Budget 2025
Distrib. Maintenance	\$ 3,030	\$ 2,822	\$ 3,035
Distrib. Operations	1,080	1,069	1,218
Measuring and Metering	930	978	1,173
Water Materials	1,290	8	200
Total Expenditures	<u>\$ 6,330</u>	<u>\$ 4,877</u>	<u>\$ 5,627</u>

Annual Initiatives

- Water distribution 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 customer meters in service, and monitor the timely testing of customers' backflow prevention assemblies.

Transit

Functional Responsibility

Transit is responsible for the operation and maintenance of the public transportation system for the City of Springfield. City Utilities offers Fixed Route and Paratransit bus services. These systems provide transportation for those who have no other means of transportation, wish to reduce motor vehicle emissions, or avoid traffic congestion. The Fixed Route program includes the operation of accessible buses on a fixed route schedule. The Paratransit program, called 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 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). The remaining operational funding is sourced through fares and subsidized from the Utilities' electric, natural gas, and water customers.

Expenditures (000s)	Actual 2023	Reprojected 2024	Budget 2025
Transit Operations	\$ 4,695	\$ 4,593	\$ 4,490
Transit Maintenance	1,413	1,225	1,590
Total Expenditures	<u>\$ 6,108</u>	<u>\$ 5,817</u>	<u>\$ 6,079</u>

Annual Initiatives

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

Facilities

Functional Responsibility

The Facilities Category is responsible for the maintenance, repair, remodeling, 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 construction and boundary surveying, 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.

The Trunked Radio System (TRS) 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. This system is integrated with the Missouri Statewide Wireless Interoperability Network (MOSWIN) which extends radio services throughout the state of Missouri. The system includes a hardened central electronics facility, seven radio tower sites, and sixteen consoles at the E911 Center. Projects are underway to integrate the TRS with new systems in Christian County and Jasper County which will improve interoperability in southwest Missouri. The Jasper County system will also harden the TRS by providing a geographically-separated backup master site. The division also provides wireless communications to support 165 natural gas and water Supervisory Control and Data Acquisition (SCADA) sites.

The Physical Security Department is responsible for safeguarding City Utilities' personnel and physical assets while complying with government policies for Critical Infrastructure Protection (CIP). The Department employs a range of layered natural and man-made barriers to assets, along with mechanical, human, and electronic systems, to deter, detect, delay, deny, and/or respond to harmful or disruptive incidents. These layers include fencing, locks, cameras, alarms, motion detectors, security personnel, and contracted law enforcement officers.

Expenditures (000s)	Actual 2023	Reprojected 2024	Budget 2025
Facilities and Grounds Maintenance	\$ 3,336	\$ 3,436	\$ 4,305
Office Services	120	137	154
Property Maintenance	11	5	5
Security	1,772	1,927	2,065
Trunked Radio System	978	1,296	1,339
Total Expenditures	<u>\$ 6,217</u>	<u>\$ 6,802</u>	<u>\$ 7,868</u>

Annual Initiatives

- Facilities and Grounds Maintenance supports a broad spectrum of ongoing and planned maintenance and repairs to City Utilities' facilities. These include maintaining roofs, building exteriors, electrical, plumbing, HVAC systems, fire suppression and alarm systems, stand-by generators, elevators, uninterruptible power supply systems, and air compressors. Also included are the costs for minor maintenance of building interiors, exteriors, and grounds.
- Security includes the cost of contract security services for City Utilities' facilities and the 24/7 operation of the Security Operations Center. Additionally, the department provides our security personnel with the necessary skills and tools, such as additional asset protection and risk and incident management training. This support will ensure they are well-prepared to handle ongoing incidents and conduct forensic, time-sensitive, or regulatory-mandated investigations, making them more competent and confident in their roles.
- The Trunked Radio System is maintained by an in-house staff, along with electric and technical service contractors, ensuring this system operates at the highest level of reliability. The operations and maintenance budget includes spending to enhance cybersecurity and fund a System Upgrade Agreement to prepay future system upgrades. This will ensure continued compatibility with the Missouri Statewide Interoperability Network (MOSWIN), a network of communications towers, for the life of the system.

Vehicles and Equipment

Functional Responsibility

Fleet Management maintains all aspects of City Utilities' fleet. This includes purchasing new assets; optimizing replacement cycles to maximize useful life; maintaining, repairing, and rebuilding various components and sub-systems of fleet assets; and overseeing the surplus process to sell assets that have been retired. The Utility has a fleet, excluding Transit assets and vehicles, of approximately 680 assets including bucket trucks, heavy duty trucks, passenger vehicles, light duty trucks, mowers, forklifts, boats, cranes, backhoes, trailers, and other various pieces of equipment. Expenditures related to maintenance of buses are included in the Transit category.

Expenditures (000s)	Actual 2023	Reprojected 2024	Budget 2025
Vehicle Operations	\$ 1,003	\$ 960	\$ 982
Vehicle Maintenance	2,348	2,252	2,318
Vehicle Materials	100	5	50
Total Expenditures	<u>\$ 3,452</u>	<u>\$ 3,217</u>	<u>\$ 3,350</u>

Annual Initiatives

- Operations and Maintenance expenditures in this category include Fleet Management labor, parts, fleet equipment testing, shop tools, general operating expenses, fuel, and tire repair for all fleet assets, excluding Transit assets and vehicles.

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. SpringNet® provides dark fiber leases, including the recent fiber expansion project, and wireless carrier pole attachments including small cells. Additionally, it offers two distinct Ethernet high speed broadband services, NETLink (Internet access) and LANLink (business to business private networks).

SpringNet®'s internal services include dark fiber resources to the Electric system as well as LANLink and NETLink to the Utility for multiple locations. In addition to providing these services to City Utilities, LANLink and NETLink services are also provided to the City of Springfield where competitively requested.

Expenditures (000s)	Actual 2023	Reprojected 2024	Budget 2025
SpringNet® Operations	\$ 5,922	\$ 6,666	\$ 6,690
SpringNet® Materials	609	776	50
Total Expenditures	<u>\$ 6,531</u>	<u>\$ 7,442</u>	<u>\$ 6,740</u>

Annual Initiatives

- SpringNet®'s operational expenses 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 of Springfield.

Information Technology

Functional Responsibility

The core functions of Information Technology (IT) include cybersecurity protection of the Utility, implementing new technology, the maintenance of existing technology, internal customer support for technology, securing systems/information, and delivering analytical reporting products and business transformation services. IT maintains fourteen mission critical systems and nearly ninety departmental systems. The mission critical systems are the Customer Information System (CIS), Financial Supply Chain Management System (FSCM), Financial Management Information System (FMIS), Job Order Tracking System (JOTS), City Utilities Employee System (CUES/HCM), Energy Management System (EMS), Mobile Work Management, Outage Management System, Geographical Information System (GIS), Exchange (Email), GOTO (phone), NICE InContact (Call Center), NERC Compliance tracking, and SharePoint.

Expenditures (000s)	Actual 2023	Reprojected 2024	Budget 2025
IT Administration	\$ 6,242	\$ 6,079	\$ 6,205
IT Applications Maintenance	2,452	6,058	5,580
Desktop Support	750	424	378
IT Infrastructure	1,308	491	673
IT Maintenance and Support	525	624	390
Total Expenditures	<u>\$ 11,278</u>	<u>\$ 13,676</u>	<u>\$ 13,226</u>

Major Budget Initiatives

- City Utilities is in the process of replacing its Human Capital Management System, which performs payroll and HR functions. Anticipated completion of this project is in fiscal 2025.

Annual Initiatives

- Labor is a significant portion of Information Technology and is dedicated to developing and supporting the technology in use at City Utilities. The administration provides ongoing technical support, training, hardware management, software maintenance, and software development.
- Applications Maintenance is included in the Information Technology budget. These funds are contractual obligations for maintenance agreements and services to support the hardware and software for the Utility. This increases with each additional software purchase.
- Expansion and upgrades to existing infrastructure and applications are critical to delivering secure and reliable technology solutions. Infrastructure includes desktop hardware, servers, storage, storage area network equipment, and networking equipment. Applications are focused on the periodic application upgrades and periodic maintenance releases required by the vendor on products like the Data Dynamics from TEA, the Energy Management System and the PeopleSoft suite of applications for Finance and Human Resources.

Human Resources

Functional Responsibility

Human Resources administration functions include workers' compensation, health management, benefits, employee labor relations, safety and training, recruitment, human resources information systems, and compensation. Benefits include the cost of employee-related insurance, employee sick and vacation, paid holidays, contributions for employment taxes, pension related contributions to the Missouri Local Government Employees Retirement System (LAGERS), and employee directed benefits.

Expenditures (000s)	Actual 2023	Reprojected 2024	Budget 2025
Benefits	\$ 54,507	\$ 59,520	\$ 63,375
Admin. and Operations	2,947	3,692	3,711
Total Expenditures	<u>\$ 57,454</u>	<u>\$ 63,212</u>	<u>\$ 67,086</u>

Annual Initiatives

- Health, life, and long-term disability insurance are projected at \$8 million. City Utilities promotes wellness within its workforce to help maintain high productivity and to help manage healthcare costs. The Utility encourages our employees to participate in an annual Health Risk Assessment and to engage in regular exercise and healthy lifestyles.
- City Utilities is committed to maintaining highly skilled and knowledgeable employees. In support of this goal, the 2025 Operating Budget includes \$847,000 to provide various types of training. This training includes technical and professional development, regulatory compliance, safety, and an education assistance program.
- LAGERS defined benefit contributions are projected at \$24 million. FICA employer payroll taxes, unemployment, and employee-owned and directed benefits are projected at \$13 million. Non-productive pay, including vacation, sick leave, and holiday pay is budgeted at \$17 million.
- The 2025 Operating Budget for City Utilities' workers' compensation program includes \$1 million for medical treatment and indemnity payments that may be incurred as a result of workplace injuries and illnesses.
- Proactive safety programs focus on reducing the occurrence 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 2025 Operating Budget includes \$1 million for these programs.

Finance

Functional Responsibility

Financial Operations is responsible for the preparation and presentation of the Utility's financial statements, the Operating Plan, the Operating Budget, asset management, Integrated Marketplace settlements, financial technology, and internal control policies. Financial Operations also includes Treasury, which is responsible for cash management, investment management, payments for bonded indebtedness and financing agreements, accounts payable, accounts receivable, and payroll processing. Risk Management efforts include the development of the Operational Resiliency efforts, risk assessments, third-party risk control, and Enterprise Risk Management process development. Financial Technology is responsible for assisting with reporting solutions and process improvements through technology optimization.

Expenditures (000s)	Actual 2023	Reprojected 2024	Budget 2025
Financial Operations	\$ 2,580	\$ 2,852	\$ 2,919
Risk Management and Insurance	3,959	4,506	4,965
External Technical Resources	231	226	322
Total Expenditures	<u>\$ 6,770</u>	<u>\$ 7,584</u>	<u>\$ 8,206</u>

Annual Initiatives

- For fiscal 2025, external technical resources are budgeted at \$322,000. External fees include the annual independent audit, outside financing fees, banking fees, and investment manager fees.
- City Utilities' risk management and robust insurance program is budgeted at \$5 million for fiscal 2025, which includes risk mitigation initiatives and the procurement of Property and Casualty lines, Financial, Workers Compensation, Cyber and other industry appropriate coverages. The Utility's focus on risk management aims to prevent and mitigate the potential impact of catastrophic losses and liabilities related to Utility operations. The hardening commercial insurance markets continue to drive significant premium increases across all property and casualty lines. To mitigate the budgetary impact, the Utility partners with utility-experienced brokers to seek innovative approaches in the marketplace, including peer benchmarking, utilizing industry mutuals, alternative risk transfer options, high deductibles and excess lines, and substantial reserves.

General Operations Support

Functional Responsibility

General Operations Support includes logistical operations such as Contract Inspection, Geographic Information System (GIS), damage prevention of underground utility facilities, purchasing, and inventory control. Contract Inspection provides project management ensuring cooperation between the contractor and multiple areas of the Utility resulting in properly installed infrastructure to reliably serve our customers. Primary GIS functions include maintenance of permanent map records for the electric, natural gas, water, and SpringNet® infrastructure. Purchasing is responsible for the procurement of equipment, materials, supplies, and services to support the Utility within governing rules and regulations. Inventory Control 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 storage and recording of hazardous materials and acts as a backup if the primary cleanup contractor is unavailable.

Expenditures (000s)	Actual 2023	Reprojected 2024	Budget 2025
Contract Inspection	\$ 251	\$ 246	\$ 191
Geographic Information System (GIS)	1,199	1,038	1,065
Damage Prevention	1,844	2,032	2,141
Purchasing and Inventory Control	2,137	2,509	2,479
Total Expenditures	<u>\$ 5,430</u>	<u>\$ 5,825</u>	<u>\$ 5,876</u>

Annual Initiatives

- Contract Inspection includes labor, tools, and supplies necessary to provide contractor oversight and asset documentation for contractor installed projects which include new development and extension of natural gas, water, electric, and SpringNet® infrastructure. Contract Inspection also oversees new natural gas and water residential services, municipal relocations, and natural gas and water renewal initiatives.
- Geographic Information System costs are necessary 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. This includes the migration of SpringNet®'s legacy fiber data to an Esri GIS-based fiber mapping and management tool, CrescentLink, which houses the Fiber Expansion Project data.
- 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 and billed to the City. Damage Prevention also investigates and documents damages to the Utility's infrastructure.
- Purchasing and Inventory Control expenditures include labor for buyers and storeroom personnel. Additionally, advertising costs, training, and other goods and services to support these functions are also included.

Administrative Support

Functional Responsibility

Administrative Support includes multiple administrative and general departments and the senior management administration of several City Utilities' areas including General Management, Legal and Government Relations, Internal Auditing, Records Governance, Environmental Affairs, Reliability Compliance, Economic Development, and Rates and Fuels.

Expenditures (000s)	Actual 2023	Reprojected 2024	Budget 2025
Total Expenditures	\$ 5,899	\$ 6,828	\$ 6,716

Annual Initiatives

- Legal advises employees and the Board of Public Utilities on legal matters and overall operations and management policies. Legal is responsible for managing claims, grievances and litigation by and against the Utility and facilitating requests for proposal, contracts and bonds. Legal assists Risk Management in identifying and investigating potential liabilities and recommends procedures to avoid them.
- Economic Development works to attract new industrial and commercial businesses to the area to help existing utility business customers grow and to positively influence Springfield's quality of life. Economic Development also provides administrative support and oversight for the Partnership Industrial Center-West industrial park. Economic Development works closely with the Springfield Business Development Corporation (SBDC), the Springfield Area Chamber of Commerce, the City of Springfield, and Greene County. City Utilities has a contract with the SBDC for Economic Development Services to provide an in-kind contribution of labor. 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 Government Relations, Reliability Compliance and Environmental Affairs represent the Utility in state and national legislative, regulatory and administrative processes and monitor compliance with environmental and electric reliability policies.
- Records Governance ensures compliance with records retention policies and acts as custodian of records.
- Internal Auditing provides independent assurance that internal control processes are operating efficiently and presents an annual audit plan for approval by the Board's Audit Committee. The Utility's external audit firm relies on testing performed by Internal Auditing as it aligns with the external audit plans and procedures based on their risk assessment. Internal Auditing coordinates their testing procedures with the external auditors for the annual financial audit.
- Rates and Fuels manages City Utilities' rate program, provides revenue and fuels forecasts used in budgeting and long-range planning, prepares complex large customer bills, and partners with operations across the Utility on rate related items. Additionally, in partnership with The Energy Authority, Rates and Fuels is responsible for the Utilities' natural gas supply management.
- Education and training of the Board of Public Utilities members is included in this category. An informed Board enables productive oversight and guidance, ensuring responsible, dependable, and excellent utility operations.

Customer Support

Functional Responsibility

Customer Support includes Communications and Community Relations, Energy Services, Customer Services, Field Services, Meter Reading, Customer Operations, AMI Operations, Natural Gas, Water, and Electric Metering, Developer Support, 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 efficiency 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 in 2006.

Annual Initiatives

- Customer Services establishes and manages customer accounts, evaluates meter readings for billing, bills accounts, processes payments, and is responsible for Contact Center, Lobby, Remittance, Billing, Credit and Collections, and Field Scheduling operations. These departments provide services to customers via customer portal, phone, email, chat, and walk-in lobby.
- Communications and Community Relations uses all forms of communication channels to build awareness of Utility programs and services and provide educational information to help customers do business with the Utility, save energy and water, and access resources about electric, natural gas, water, transit, and broadband. Media relations is an important part of this department, as they proactively communicate important information to local media, while also responding to media inquiries. It also engages and informs employees through internal communication efforts. Communications and Community Relations serves and responds to the needs of the community through outreach, support, and engagement. The department is supported by a full-service graphic design and print shop team.
- Energy Services programs provide cost effective solutions to encourage customers to efficiently manage their energy and water use. This is done by offering incentives to customers for the purchase and installation of energy and water efficient appliances and products, shifting their electric load to non-critical peak times and by providing customer education through Utility communications and community outreach. Energy and water efficiency, rebates and incentives, customer programs, and consumer safety are among the messages conveyed to customers through media, contractors, and online through the Utility's website, My Account, social media, and email communications.
- Customer Operations has responsibility for field operations that occur immediately at the customers' premise. These responsibilities include Field Services; Electric, Gas, and Water Metering; AMI Operations, and Meter Reading. Customer Operations serves as the front line of customer interaction in the field ensuring our services are metered appropriately, maintaining metering equipment, and providing additional services at the premise.

Expenditures (000s)	Actual 2023	Reprojected 2024	Budget 2025
Communications and Community Relations	\$ 1,202	\$ 1,180	\$ 1,298
Energy Services	1,730	1,949	1,956
Customer Services and Collections	7,845	7,833	7,821
Field Services and Developer Support	2,254	2,365	2,391
Total Expenditures	<u>\$ 13,031</u>	<u>\$ 13,326</u>	<u>\$ 13,466</u>

Debt Service

Functional Responsibility

The debt service category funds timely debt service payments of principal and interest on City Utilities' outstanding revenue bonds and lease obligations.

Expenditures (000s)	Actual 2023	Reprojected 2024	Budget 2025
Total Expenditures	\$ 51,920	\$ 52,069	\$ 52,058

Annual Initiatives

- Debt service for the Series 2014 Certificates of Participation will be \$3 million in 2025. This debt provided funds for the Environmental Regulatory Compliance Project, Rail Unloading Improvements Project at the John Twitty Energy Center, and Blackman Water Treatment Plant Clearwell Project. (Matures August 2029).
- Debt service for the Series 2015 Public Utility Refunding Revenue Bonds will be \$39 million in 2025. This debt was issued for the purpose of refunding the Series 2006 Public Utilities Revenue Bonds, which were used for the construction of JTEC Unit 2. (Matures July 2036).
- Debt service for the Series 2021 Certificates of Participation will be \$10 million in 2025. This taxable debt was issued for the purpose of expanding the fiber network in Springfield. (Matures October 2036).

Non-Utility

Functional Responsibility

The Non-Utility category represents disbursements to third parties, including meter deposit and credit balance refunds to customers, reimbursement items, sales tax remitted to the State of Missouri, Missouri Drinking Water Primacy Fees collected from water customers and remitted to Missouri Department of Natural Resources, wastewater revenues collected on behalf of the City of Springfield, and payments in lieu of taxes. Reimbursement items are expenditures that City Utilities must make on behalf of another party and will receive reimbursement for the expenditure.

Expenditures (000s)	Actual 2023	Reprojected 2024	Budget 2025
Third Party Payments	\$ 88,829	\$ 90,566	\$ 95,414
Non-Capital Contingencies	0	2,102	800
Total Expenditures	\$ 88,829	\$ 92,668	\$ 96,214

Annual Initiatives

- On behalf of the City of Springfield, wastewater charges are billed and collected by City Utilities. These revenues, less an administrative fee, are remitted monthly to the City of Springfield. For fiscal 2025, wastewater remittances are estimated at \$55 million.
- Missouri drinking water primacy fees are collected from water customers and remitted to the Missouri Department of Natural Resources less a processing fee. The fee is expected to be \$420,000 in fiscal 2025. The primacy fee provides funding for the State of Missouri to maintain delegated duties of the federal drinking water program.
- Sales taxes are collected from customers for utility usage and are remitted to the State of Missouri less a processing discount. This project is based on budgeted revenues and the various tax rates for each taxing jurisdiction served by City Utilities. For fiscal 2025, the projected sales tax to be remitted is \$14 million.
- City Utilities pays the City of Springfield a percentage of gross external revenues in lieu of taxes. In accordance with the Springfield City Charter, the rates are 3% for electric revenue, 4% for natural gas revenue, and 4% for transit revenue. By City Ordinance, the rates are 4% for water revenue. The budget for payments in lieu of taxes for fiscal 2025 is \$17 million. The SpringNet® right of way fees to the City of Springfield are included in the SpringNet® category.

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

The Statement of Net Position (Balance Sheet), reflects the projected financial position of the Utility. The Statement of Revenues, Expenses and Changes in Net Position (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 System, and Water. The individual Statements of Operations reflect the impact of the allocation of budgeted expenditures and receipts.

The All Funds Summary of Cash Receipts and Disbursements report summarizes the budgeted receipts, expenditures, and transfers for the Utility funds. This report reflects the timing differences between billing of revenues and cash receipts as well as between project charges and cash payments for those charges.

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STATEMENT OF NET POSITION*Fiscal Years Ending September 30*

(000s)	Actual * 2023	Reprojected 2024	Budget 2025
Utility Plant, At Cost			
Plant In Service	\$ 2,652,475	\$ 2,707,772	\$ 2,770,204
Less Accumulated Depreciation	1,102,946	1,163,487	1,228,126
Net Plant In Service	1,549,530	1,544,285	1,542,078
Construction Work In Progress	71,419	96,613	122,142
Net Utility Plant	1,620,948	1,640,898	1,664,220
Leased and SBITA/SaaS Assets (GASB 87 & 96)			
Leased and SBITA/SaaS Assets	2,277	2,277	2,277
Less Accum Amort, Leased and SBITA/SaaS Assets	965	965	965
Net Leased and SBITA/SaaS Assets	1,311	1,311	1,311
Funds For Bonded Indebtedness	6,422	6,422	6,422
Designated Improvement Account	177,974	190,089	188,638
Investments - Operating & Market Value Adjustment	(39,288)	29,438	43,903
Price Risk Management Assets	2,703	2,703	2,703
Equity Interest In Partnership Industrial Center	1,623	1,628	1,775
Equity Interest In The Energy Authority	9,539	10,869	11,750
Equity Interest In TEA Solutions	201	201	201
Regulatory Assets - Asset Retirement Obligations	947	992	1,039
Regulatory Assets - Property, Plant, and Equipment	15,955	13,259	10,562
Net Pension Asset	31,248	31,248	31,248
Lease Receivable	123,080	123,080	123,080
Other Noncurrent Assets	4,077	9,898	11,306
Total Noncurrent Assets	1,956,740	2,062,034	2,098,156
Current Assets			
Cash, Cash Equivalents And Short-term Investments	127,997	36,000	36,000
Accounts Receivable			
Customers, Less Allowance For Doubtful Accounts	31,396	29,039	31,587
Unbilled Revenues	13,999	13,999	13,999
Other	9,689	9,691	7,290
Lease and Interest Receivable	8,497	8,497	8,497
Recoverable Fuel Costs	0	3,261	2,826
Inventories			
Materials And Supplies	39,643	40,925	41,897
Coal	16,833	18,176	7,854
Natural Gas	5,285	5,594	6,708
Emissions Consumables	130	132	131
Prepayments	2,428	2,333	2,238
Total Current Assets	255,897	167,646	159,027
Total Assets	2,212,637	2,229,680	2,257,183
Deferred Outflows of Resources			
Unamortized Loss on Reacquired Debt	11,477	10,583	9,689
GASB 68 Expected Vs. Actual Experience	37,966	37,966	37,966
Total Deferred Outflows of Resources	49,443	48,549	47,655
Total Assets and Deferred Outflows	\$ 2,262,080	\$ 2,278,229	\$ 2,304,837

STATEMENT OF NET POSITION*Fiscal Years Ending September 30*

(000s)	Actual * 2023	Reprojected 2024	Budget 2025
Net Position (Equity)	\$ 1,432,655	\$ 1,489,188	\$ 1,541,963
Long-term Obligations			
Total Long-term Obligations Outstanding	492,385	457,490	429,398
Unamortized Premium (Discount)	25,420	23,273	21,127
Total Long-term Obligations	517,805	480,763	450,525
Asset Retirement Obligations	947	992	1,039
Price Risk Management Liabilities	1,866	1,866	1,866
Regulatory Liability - Deferred GASB 68 Pension Credit	45,041	45,041	45,041
Leases and SBITA/SaaS Payable	416	416	416
Other Noncurrent Liabilities	19,448	19,395	20,495
Total Noncurrent Liabilities	585,523	548,474	519,382
Current Liabilities			
Current Portion of Long-term Obligations	33,560	34,895	37,092
Accounts Payable			
Trade	23,430	22,924	21,972
Other Accounts Payable	6,786	7,366	7,479
Customer Deposits	5,539	5,607	5,689
Accruals			
Interest	3,611	3,387	3,174
Salaries And Wages	1,210	1,562	2,266
Payment In Lieu Of Taxes	1,470	1,364	1,395
Fuel Adjustments and Natural Gas Refunds	7,485	0	0
Purchased Power	2,405	4,013	4,984
Purchased Fuels	5,318	6,610	6,459
Leases, SBITA/SaaS, and Interest Payable	899	899	899
Vacation and Sick Leave	11,294	11,294	11,294
Other	2,580	2,330	2,473
Total Current Liabilities	105,585	102,251	105,175
Total Net Position and Liabilities	2,123,763	2,139,912	2,166,520
Deferred Inflows of Resources			
GASB 68 Expected Vs. Actual Experience	9,723	9,723	9,723
GASB 87 Leases	128,594	128,594	128,594
Total Deferred Inflows of Resources	138,317	138,317	138,317
Total Net Position, Liabilities, and Deferred Inflows	\$ 2,262,080	\$ 2,278,229	\$ 2,304,837

* Includes GASB87 Lease Accounting and GASB96 Subscription-Based IT Arrangement Adjustments

STATEMENT OF REVENUES, EXPENSES AND CHANGES IN NET POSITION

Fiscal Years Ending September 30

(000s)	Actual * 2023	Reprojected 2024	Budget 2025
Operating Revenue	\$ 548,448	\$ 526,294	\$ 548,063
Operating Expense			
Production Fuel and Purchased Power	132,999	133,489	131,578
Natural Gas Purchased	91,252	58,285	68,810
Other Production	20,756	21,323	21,675
Distribution and Transmission	38,140	40,095	41,977
Bus and Garage Operations	7,402	7,688	7,910
Other Services	7,802	8,976	9,244
Customer Accounts	15,146	14,111	14,679
Administrative and General	45,276	44,718	49,206
Maintenance	58,285	64,559	54,905
Depreciation and Amortization	76,232	76,244	76,147
Payment In Lieu Of Taxes	18,186	15,556	16,702
Other Taxes	788	851	868
Total Operating Expense	512,264	485,895	493,701
Operating Income (Loss)	36,184	40,399	54,362
Other Income (Expense)			
Interest Income	12,063	9,559	8,481
Market Value Adjustment	(6,336)	0	0
Gain Or (Loss) On Investments	875	(184)	(900)
Interest Expense Including Leases and SBITA/SaaS	(19,627)	(18,284)	(16,949)
Allowance For Funds Used During Construction	879	849	875
Operation Of Recreational Facilities	(333)	(415)	(430)
Long-Term Obligations Related Amortization	1,002	1,002	1,002
Transit Contributions In Aid of Construction	144	1,649	1,139
Miscellaneous Income (Expense)	5,888	21,959	5,196
Total Other Income (Expense)	(5,445)	16,135	(1,587)
Change in Net Position (Equity)	30,739	56,533	52,776
Net Position (Equity) At Beginning Of Period	1,401,915	1,432,655	1,489,188
Net Position (Equity) At End Of Period	\$ 1,432,655	\$ 1,489,188	\$ 1,541,963

* Includes GASB87 Lease Accounting and GASB96 Subscription-Based IT Arrangement Adjustments

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

(000s)	Actual *	Reprojected	Budget
	2023	2024	2025
Operating Revenue			
Sales			
Customer	\$ 304,875	\$ 290,546	\$ 307,939
For Resale	32,450	23,547	22,853
Interdepartmental	3,859	3,811	3,874
Under (Over) Recovered Fuel Cost	(23,421)	7,912	1,288
Total Sales	317,764	325,815	335,954
Other Operating Revenue			
Other Electric Revenues	3,172	2,434	2,040
Rent and Lease Revenue	364	395	396
Sales Tax Discount	180	178	184
Sewer Billing Charges	706	703	706
Service Fees	461	477	470
Temporary Connection Fees	51	70	116
Late Payment Charges	3,288	3,347	3,480
Total Other Operating Revenue	8,222	7,604	7,391
Total Operating Revenue	325,986	333,419	343,344
Operating Expense			
Production Fuel and Purchased Power	132,999	133,489	131,578
Other Production	11,752	12,110	12,955
Distribution and Transmission	23,900	24,809	25,456
Customer Accounts	6,550	6,315	6,401
Administrative and General	25,570	25,386	27,558
Maintenance	41,529	47,915	37,042
Depreciation and Amortization	46,738	46,799	46,900
Payment In Lieu Of Taxes	10,563	9,651	10,145
Total Operating Expense	299,601	306,474	298,036
Operating Income (Loss)	\$ 26,385	\$ 26,945	\$ 45,309

* Includes GASB87 Lease Accounting and GASB96 Subscription-Based IT Arrangement Adjustments

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

(000s)	Actual *	Reprojected	Budget
	2023	2024	2025
Operating Revenue			
Sales			
Customer	\$ 125,504	\$ 84,573	\$ 97,712
Interdepartmental	18,651	14,630	15,782
Under (Over) Recovered Fuel Cost	(9,677)	2,834	(1,724)
Total Sales	134,479	102,038	111,769
Other Operating Revenue			
Sales Tax Discount	73	38	58
Sewer Billing Charges	491	490	492
Service Fees	239	258	245
Late Payment Charges	1,434	916	1,076
Total Other Operating Revenue	2,238	1,703	1,872
Total Operating Revenue	136,716	103,740	113,641
Operating Expense			
Natural Gas Purchased	91,252	58,285	68,810
Distribution and Transmission	9,087	9,889	10,528
Customer Accounts	4,129	3,902	4,143
Administrative and General	6,579	5,609	6,468
Maintenance	6,332	5,660	6,034
Depreciation and Amortization	8,185	8,433	8,333
Payment In Lieu Of Taxes	5,208	3,451	3,983
Other Taxes	14	23	20
Total Operating Expense	130,786	95,251	108,318
Operating Income (Loss)	\$ 5,930	\$ 8,489	\$ 5,323

* Includes GASB87 Lease Accounting and GASB96 Subscription-Based IT Arrangement Adjustments

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

(000s)	Actual *	Reprojected	Budget
	2023	2024	2025
Operating Revenue			
Sales			
Passenger Fare	\$ 799	\$ 838	\$ 703
Advertising	168	173	178
Total Sales	967	1,011	881
Other Operating Revenue			
Rent	63	71	74
Total Other Operating Revenue	63	71	74
Total Operating Revenue	1,030	1,082	955
Operating Expense			
Bus and Garage Operation	7,402	7,688	7,910
Administrative and General	2,542	2,699	3,022
Maintenance	2,082	1,851	2,383
Depreciation and Amortization	2,057	1,759	1,780
Payment In Lieu Of Taxes	41	43	38
Total Operating Expense	14,124	14,040	15,134
Operating Income (Loss)	\$ (13,094)	\$ (12,958)	\$ (14,179)
Transit Subsidies **	5,269	6,599	5,556
Net Amount Funded by			
Electric, Natural Gas, and Water Customers	\$ (7,825)	\$ (6,359)	\$ (8,623)
Transit Capital Grants (CIAC)	\$ 144	\$ 1,649	\$ 1,139

* Includes GASB87 Lease Accounting and GASB96 Subscription-Based IT Arrangement Adjustments

** Includes nonrecurring grants from CARES Act in fiscal 2023 and ARPA in fiscals 2023, 2024, and 2025

STATEMENT OF OPERATIONS - SPRINGNET®*Fiscal Years Ending September 30*

(000s)	Actual *	Reprojected	Budget
	2023	2024	2025
Operating Revenue			
Customer	\$ 20,794	\$ 23,488	\$ 22,802
Interdepartmental	1,276	1,513	1,560
Total Operating Revenue	22,070	25,001	24,363
Operating Expense			
Other Services	6,431	7,530	7,572
Customer Accounts	166	143	149
Administrative and General	2,869	3,468	3,618
Depreciation and Amortization	10,521	10,178	10,221
Other Taxes	774	828	848
Total Operating Expense	20,762	22,147	22,407
Operating Income (Loss)	\$ 1,308	\$ 2,854	\$ 1,955

* Includes GASB87 Lease Accounting and GASB96 Subscription-Based IT Arrangement Adjustments

STATEMENT OF OPERATIONS - TRUNKED RADIO*Fiscal Years Ending September 30*

(000s)	Actual *	Reprojected	Budget
	2023	2024	2025
Operating Revenue			
Customer	\$ 1,343	\$ 1,112	\$ 1,087
Interdepartmental	1,503	1,503	1,115
Total Operating Revenue	2,846	2,615	2,202
Operating Expense			
Other Services	1,371	1,446	1,672
Administrative and General	368	549	678
Depreciation and Amortization	296	389	338
Total Operating Expense	2,034	2,385	2,689
Operating Income (Loss)	\$ 812	\$ 230	\$ (486)

* Includes GASB87 Lease Accounting and GASB96 Subscription-Based IT Arrangement Adjustments

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

(000s)	Actual *	Reprojected	Budget
	2023	2024	2025
Operating Revenue			
Sales			
Customer	\$ 58,201	\$ 58,758	\$ 61,848
Interdepartmental	137	159	175
Total Sales	58,338	58,917	62,022
Other Operating Revenue			
Rent and Lease Revenues	37	35	35
Sales Tax Discount	35	44	46
Sewer Billing Charges	492	493	497
Service Fees	274	278	257
Late Payment Charges	623	669	701
Total Other Operating Revenue	1,462	1,519	1,536
Total Operating Revenue	59,800	60,437	63,558
Operating Expense			
Production	9,004	9,213	8,720
Distribution and Transmission	5,153	5,397	5,993
Customer Accounts	4,302	3,750	3,986
Administrative and General	7,348	7,006	7,862
Maintenance	8,342	9,134	9,446
Depreciation and Amortization	8,435	8,686	8,575
Payment In Lieu Of Taxes	2,374	2,411	2,535
Total Operating Expense	44,957	45,598	47,118
Operating Income (Loss)	\$ 14,843	\$ 14,839	\$ 16,440

* Includes GASB87 Lease Accounting and GASB96 Subscription-Based IT Arrangement Adjustments

STATEMENT OF CASH FLOWS**Fiscal Years Ending September 30****(000s)**

	Actual 2023	Reprojected 2024	Budget 2025
Reconciliation of Net Operating Income to Net Cash Provided by Operating Activities			
Net Operating Income (Loss)	\$ 36,184	\$ 40,399	\$ 54,362
Adj to Reconcile Net Opr Inc to Net Cash Provided by Opr Activities			
Depreciation expense and amortization	76,232	76,244	76,147
Auto depreciation included in vehicle expense	2,264	2,058	2,058
Miscellaneous Income (Expense)	819	15,360	(360)
Operation of Recreational Facilities	(333)	(415)	(430)
Change in Assets and Liabilities			
Accounts Receivable	2,800	2,355	(148)
Unbilled Revenues	629	0	0
Price Risk Management Assets	3,825	0	0
Recoverable Fuel Costs	27,432	(10,746)	435
Inventories	(7,390)	(2,935)	8,237
Prepayments	(268)	95	95
Other Noncurrent Assets	(467)	(6,094)	(1,682)
Accounts Payable	1,519	74	(839)
Customer Deposits	388	68	82
Accrued Liabilities	(4,564)	2,897	1,698
Other Noncurrent Liabilities	1,620	(53)	1,099
Net Cash Provided From (Used for) Operating Activities	140,690	119,307	140,755
Cash Flows from Noncapital Financing Activities			
Receipts from Federal and State Grants	5,252	6,599	5,556
Cash Flows from Capital Financing Activities			
Change in GASB87 Leases	1,983	0	0
Proceeds from issuance of capital obligations	0	0	9,000
Capital Grants and Contributions	4,752	11,288	18,490
Additions to Utility Plant, net of removal	(71,823)	(104,321)	(115,284)
Repayment of LT Capital Obligation	(32,145)	(33,560)	(34,895)
Interest Paid	(19,775)	(18,509)	(17,163)
Net Cash Provided from (Used for) Capital Financing Activities	(117,008)	(145,102)	(139,852)
Cash Flows from Investing Activities			
Sale and maturities of investment securities	447,531	10,716	0
Purchase of investment securities	(473,161)	0	(13,013)
Interest Received	5,960	9,559	8,481
Equity interest in The Energy Authority	(112)	(1,514)	(1,781)
Equity interest in TEA Solutions	(83)	0	0
Equity interest in Partnership Industrial Centers	(39)	(6)	(146)
Distribution from Partnership Industrial Centers	317	0	0
Net Cash Provided from (Used for) Investing Activities	(19,586)	18,756	(6,459)
Net Increase (Decrease) in Cash and Equivalents	9,348	(440)	0
Cash and Cash Equivalents at Beginning of Period	27,092	36,440	36,000
Cash and Cash Equivalents at End of Period	\$ 36,440	\$ 36,000	\$ 36,000

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

(000s)	Actual 2023	Reprojected 2024	Budget 2025
Receipts			
Total Revenues and Other Billings	\$ 638,465	\$ 612,422	\$ 645,801
Natural Gas Hedging Receipts	0	10,963	10,000
Total Revenues and Other Receipts	638,465	623,386	655,801
Receivable and Other Balance Sheet Accounts			
Change In Accounts Receivable	(7,228)	257	(2,351)
Business Volatility and Fuels Contingency	0	74,701	55,000
Future Power Supply	0	0	200,000
Total Receipts	631,237	698,344	908,451
Disbursements			
Non-capital and Capital Project Expenditures	403,865	449,821	457,155
Fuels and Purchased Power	212,633	188,151	184,016
Total Project Expenditures	616,498	637,972	641,171
Business Volatility and Fuels Contingency	0	74,701	55,000
Future Power Supply	0	0	200,000
Change In Payables Balances	(15,822)	(3,173)	(733)
Total Disbursements	600,676	709,500	895,438
Receipts Net Of Disbursements	30,561	(11,156)	13,013
Beginning Balance All Funds	242,544	273,105	261,949
Ending Balance All Funds	\$ 273,105	\$ 261,949	\$ 274,962

SUMMARY OF FUND BALANCES*Fiscal Years Ending September 30*

(000s)	Actual 2023	Reprojected 2024	Budget 2025
Cash and Short-term Investments	\$ 127,997	\$ 36,000	\$ 36,000
Working Capital/Rate Stabilization*	(39,288)	29,438	43,903
Funds For Bonded Indebtedness	6,422	6,422	6,422
Designated Improvement Account			
Reserves and Current Funding Requirements			
Disaster Recovery Fund	30,372	32,465	34,504
Contingency Fund	29,829	31,902	33,923
Pollution Reserve Fund	37,322	37,322	37,322
Fuel Over Recovery	10,011	2,099	811
Trunked Radio System Capital Reserve	1,000	3,821	3,441
Trunked Radio Operations and Maintenance Reserve	75	75	75
Capital Reserves - Electric	31,454	31,956	31,956
Capital Reserves - Electric Future Generation	0	1,889	1,889
Capital Reserves - Natural Gas	663	663	663
Capital Reserves - SpringNet®	1,261	11,639	11,206
Capital Reserves - Water	3,273	3,542	132
Capital Reserves - Common	32,714	32,714	32,714
Total Designated Improvement Account	177,974	190,089	188,638
Total Fund Balances	\$ 273,105	\$ 261,949	\$ 274,962
 * Market Value Adjustment Balance	 (35,958)	 (35,958)	 (35,958)

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Exhibit B

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

Sponsored by: _____

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2024-_____

GENERAL ORDINANCE NO. _____

AN ORDINANCE

1 APPROVING: The City Utilities' Fiscal Year 2025 Operating Budget for its Fiscal
2 Year ending September 30, 2025.
3 _____
4

5 WHEREAS, the Board of Public Utilities of the City of Springfield, Missouri, has
6 prepared and submitted to the Council a proposed budget showing its estimated revenue
7 for the coming fiscal year from all sources and its estimated expenditures for operating
8 expenses, for depreciation, for payment of all outstanding obligations, for transfer to the
9 City of 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 current 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, 2025,
18 approved by the Board of Public Utilities of the City of Springfield, Missouri, on August
19 22, 2024, be deemed to be an appropriation of the money authorized for disbursement
20 thereby and should be and is hereby approved.
21

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

24 Passed at meeting: _____
25
26

27 _____
28 Mayor
29

30 Attest: _____, City Clerk
31

32 Filed as Ordinance: _____
33

34

35 Approved as to form: _____, Assistant City Attorney

36

37 Approved for Council action: _____, City Manager

Exhibit C

EXPLANATION TO SPRINGFIELD CITY COUNCIL BILL NO: 2024-_____

FILED: _____, 2024

ORIGINATING DEPARTMENT: City Utilities of Springfield, Missouri ("City Utilities")

PURPOSE: Approval of City Utilities' Fiscal Year 2025 Operating Budget

BACKGROUND INFORMATION: As required by the Springfield City Charter, Article 16.8: The Board of Public Utilities shall prepare and submit to the Council, not less than 30 days prior to the end of the Board's 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 City Utilities' current fiscal year and budget is Monday, September 30, 2024. The period included in City Utilities' Fiscal Year 2025 Operating Budget is October 1, 2024, through September 30, 2025.

Submitted by:



Amy Dordall
Senior Vice President – Chief Financial
and Supply Chain Officer



Gary Gibson
President – Chief Executive Officer



EXPLANATION TO COUNCIL BILL 2024-187 (HOSMER)

FILED: 08/28/2024

ORIGINATING DEPARTMENT: City Utilities

TITLE: A general ordinance approving revisions to natural gas rates charged by City Utilities of Springfield, Missouri, and related terms and conditions.

PURPOSE: To establish new natural gas rates, purchased gas clause and general terms and conditions.

BACKGROUND INFORMATION:

Summary of Change

The natural gas rates proposed in this Ordinance consist of three annual rate increases proposed to be implemented in October of City Utilities' fiscal years 2026, 2027 and 2028. Percentage increases are approximately 2.5%, 3.9% and 3.9%, respectively. Rate increases are staged to minimize immediate customer impact.

Changes are proposed for the following rate schedules:

- Residential Gas Service Rate
- General Gas Service Rate
- Curtailable Gas Service Rate
- High Load Factor General Gas Service Rate
- Purchased Gas Clause
- General Terms and Conditions Governing Gas Service

Proposed changes to the General Gas Service Rate include an update to change "nonresidential customers" to "nondomestic purposes" in the "Availability" section to be consistent with existing language in the General Terms and Conditions Governing Gas Service. Additional changes include the removal of the optional "Discount" component of this rate since it is not currently utilized by any customers and is not likely to be of interest to customers in the future. Additionally, this is not a cost-effective rate component for City Utilities to administer.

Proposed changes to the Curtailable Gas Service Rate include updates to the "Curtailable Purchased Gas Cost" formula to clarify that the "Cost of Natural Gas" included in the formula is reflected net of proceeds from remarketed natural gas volumes in the event that City Utilities cannot accept delivery of pre-purchased natural gas, resulting in the sale of such natural gas back to the market.

Proposed changes to the Purchased Gas Clause include updates to the definition of “Prior Purchased Gas Cost Dollars” to clarify that actual purchased gas costs recorded are reflected net of proceeds from the release of excess pipeline capacity and proceeds from remarketed natural gas volumes resulting from the sale of natural gas volumes back to the market in the event that City Utilities cannot accept delivery of pre-purchased natural gas.

Proposed changes to the General Terms and Conditions Governing Gas Service contain changes to update the title of General Manager to President-CEO and to further clarify item nine by changing “available to nonresidential customers” to “applicable to nondomestic customers” to align with the existing applicability of the Residential Gas Service Rate. In addition, item twelve was modified to address small and/or temporary firm loads being served on the Curtailable Gas Service Rate on an exception basis.

Reason for Change

The last natural gas base rate increase was approved in October 2016 and was effective in October 2019 as the third in a series of three increases. Since that time, operating costs have increased due to the impact of inflationary pressures (from 2019 to 2023, total compound inflation exceeded 19%). Additionally, City Utilities continues to focus on investments to maintain and improve the integrity, reliability, safety, and overall compliance of the natural gas system through infrastructure renewal and maintenance initiatives. These infrastructure investments necessitate ongoing capital investment and include the following projects:

- Valve inspection and replacement programs
- Transmission in-line inspections and mitigation efforts
- Corrosion mitigation for steel transmission and feeder systems
- Natural gas main and service renewals
- Natural gas main tie-ins

These natural gas rate changes are necessary for City Utilities to meet key financial and operating objectives and are essential in supporting strong credit ratings. As part of the overall strategy described in City Utilities’ Operating Plan, these rate changes are prudent and necessary for City Utilities to operate and maintain a safe and reliable natural gas system to meet customer needs.

REMARKS:

Bill impacts for residential customers will vary based on usage. The estimated average cumulative residential bill impacts are shown below.

Therms	Present Rates	Proposed Rates FY 2028	Cumulative Increase	Case
-	\$ 16.00	\$ 18.75	\$ 2.75	Zero Usage Month
15	\$ 27.58	\$ 31.51	\$ 3.93	Typical Summer Month
118	\$ 107.12	\$ 119.10	\$ 11.98	Typical Winter Month
60	\$ 62.33	\$ 69.77	\$ 7.44	Average Month
716	\$ 744.90	\$ 833.89	\$ 88.99	Average Annual

Nonresidential bill impacts will vary based upon usage. Bill impacts also vary by rate class due to implementation of cost-based changes throughout the rate schedules. The estimated average cumulative nonresidential bill impacts are shown below.

General Gas Service

Therms	Present Rates	Proposed Rates FY 2028	Cumulative Increase	Case
-	\$ 33.50	\$ 36.50	\$ 3.00	Zero Usage Month
169	\$ 164.00	\$ 178.60	\$ 14.60	Typical Summer Month
640	\$ 527.71	\$ 574.61	\$ 46.90	Typical Winter Month
373	\$ 321.53	\$ 350.12	\$ 28.59	Average Month
4,472	\$ 3,855.28	\$ 4,198.06	\$ 342.78	Average Annual

Curtable Gas Service

Therms	Present Rates	Proposed Rates FY 2028	Cumulative Increase	Case
-	\$ 950	\$ 1,025	\$ 75	Zero Usage Month
62,604	\$ 28,978	\$ 32,346	\$ 3,368	Typical Summer Month
87,226	\$ 40,001	\$ 44,664	\$ 4,663	Typical Winter Month
76,560	\$ 35,226	\$ 39,328	\$ 4,102	Average Month
918,726	\$ 422,714	\$ 471,939	\$ 49,225	Average Annual

Customers outside the city limits of Springfield pay 10% more for all natural gas charges.

If this ordinance is passed, the new Residential Gas Service Rate, General Gas Service Rate, Curtailable Gas Service Rate, High Load Factor General Gas Service Rate, Purchased Gas Clause, and General Terms and Conditions Governing Gas Service will become effective October 2025. The rates will not be prorated but will be fully effective for the first regular billing cycle of the month, with changes occurring in October 2025, October 2026, and October 2027.

Submitted By: Gary Gibson, President - Chief Executive Officer

Authorized for inclusion on the agenda pursuant to City Code section 2-33:
Jason Gage, City Manager 8/30/2024

Attachments:

1. Gas Rate Adj_Ord
2. Final Submission of Gas Rate Adj_Exh 1

One-rdg. _____
P. Hrngs. _____
Pgs. 25
Filed: 09-03-24

Sponsored By: Hosmer

First Reading: _____

Second Reading: _____

COUNCIL BILL: 2024-187

GENERAL ORDINANCE _____

AN ORDINANCE

1 APPROVING revisions to natural gas rates charged by City Utilities of
2 Springfield, Missouri, and related terms and conditions.
3
4

5 WHEREAS, the Board of Public Utilities of the City of Springfield, Missouri (the
6 "Board of Public Utilities"), did, on the 22nd day of August, 2024, by resolution, establish
7 natural gas rates referred to therein as "Residential Gas Service Rate," "General Gas
8 Service Rate," "Curtable Gas Service Rate," "High Load Factor General Gas Service
9 Rate," "Purchased Gas Clause," and "General Terms and Conditions Governing Gas
10 Service," as shown on "Exhibit 1"; and
11

12 WHEREAS, the City Charter of the City of Springfield, Missouri, requires
13 approval by the City Council of rates which have been fixed by the Board; and
14

15 WHEREAS, said resolution has been on file with the City Clerk of the City of
16 Springfield, Missouri, for two weeks.
17

18 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
19 OF SPRINGFIELD, MISSOURI, as follows, that:
20

21 Section 1 - The rate sheets set out in the resolution passed by the Board of
22 Public Utilities on the 22nd day of August, 2024, as "Residential Gas Service Rate,"
23 "General Gas Service Rate," "Curtable Gas Service Rate," "High Load Factor General
24 Gas Service Rate," "Purchased Gas Clause," and "General Terms and Conditions
25 Governing Gas Service" and now on file for public inspection with the City Clerk of the
26 City of Springfield, Missouri, a copy of the same being attached hereto and incorporated
27 by reference a "Exhibit 1," should be and are hereby approved.
28

29 Section 2 - Said "Residential Gas Service Rate," "General Gas Service Rate,"
30 "Curtable Gas Service Rate," "High Load Factor General Gas Service Rate,"
31 "Purchased Gas Clause," and "General Terms and Conditions Governing Gas Service"

are effective for bills prepared with the first regular billing cycle for October 2025, or the day following approval by City Council, whichever is later.

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:  _____, City Attorney

Approved for Council action:  _____, City Manager

RESOLUTION

WHEREAS, the Board of Public Utilities of the City of Springfield, Missouri (the “Board”), has the power and duty to take charge of and exercise control over all public utilities, including gas systems, and all plants, apparatus, equipment and transmission and distribution facilities related to any such system, owned, operated or acquired by the City of Springfield, Missouri (the “City”), and all extensions thereof and appurtenances belonging thereto, under the name City Utilities of Springfield, Missouri (“City Utilities”), including the fixing of rates to be charged for services and facilities furnished by such utilities, subject to the approval of City Council;

WHEREAS, the Strategic Plan adopted by the Board on May 27, 2021, states that City Utilities will lead with integrity by ensuring that it fulfills its professional, ethical, regulatory, environmental and public safety responsibilities, maintain affordability by continually seeking opportunities to gain efficiencies and improve utilization of its resources, and maintain a steadfast focus on infrastructure investment to increase resiliency and ensure the safe and reliable delivery of its services to its customers;

WHEREAS, the Board, consistent with City Utilities Policy 5.25 – Rate Policy Standards (the “Rate Policy Standards”), desires to implement natural gas rates that yield the revenue necessary to provide the level of services required by City Utilities’ customers;

WHEREAS, the Board, also consistent with the Rate Policy Standards, desires to implement natural gas rates which send appropriate pricing signals, and such rates should be fair, taking into consideration system reliability and safety of the inhabitants of the community, and avoid inequities in the allocation of costs among customer classes;

WHEREAS, the Board recognizes that in addition to inflationary pressures, City Utilities’ natural gas system requires continuing and current investment in infrastructure to secure the enduring ability to safely and reliably provide natural gas service to City Utilities’ customers, and as a consequence of this recognition, is willing to consider adjustments to rates, as needed, to support these responsible investments;

WHEREAS, the Board through thoughtful contemplation of all applicable factors, has carefully chosen to adjust natural gas rates to levels intended to enable the ability to continue performing necessary maintenance and improvements to infrastructure, and now the Board intends to continue these adjustments such that these investments are sustainable and consistent with the Board’s fundamental interest to responsibly provide safe and dependable natural gas services to the community served by City Utilities;

WHEREAS, the Board has requested the development of a natural gas rate proposal to address the need for additional natural gas system revenue;

WHEREAS, the Board requested the review of the resulting rate proposal by City Utilities’ Citizens’ Advisory Council (the “CAC”);

WHEREAS, on August 14, 2024, the CAC met and considered, conducted a hearing to accept public input with regard to, and voted to support such rate proposal;

WHEREAS, on October 27, 2016, the Board approved rate sheets for the sale of natural gas referred to therein as “Residential Gas Service Rate,” “General Gas Service Rate,” and “High Load Factor General Gas Service Rate,” and an applicable “Purchased Gas Clause;” on August 22, 2019, the Board approved “General Terms and Conditions Governing Gas Service;” and, on August 18, 2022, the Board approved the rate sheet referred to therein as “Curtable Gas Service Rate;”

WHEREAS, the Board, after careful consideration and public input, has determined that such gas rate sheets, purchased gas clause and general terms and conditions should be revised and supplemented by the adoption of new gas rate sheets, purchased gas clause and general terms and conditions consistent with the rate proposal supported by the CAC.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC UTILITIES OF THE CITY OF SPRINGFIELD, MISSOURI, that the new gas rates and terms and conditions should be fixed and are hereby adopted in the forms attached hereto as Exhibits A-1, A-2, A-3, A-4, A-5, and A-6, titled respectively as "Residential Gas Service Rate," "General Gas Service Rate," "Curtable Gas Service Rate," "High Load Factor General Gas Service Rate," "Purchased Gas Clause," and "General Terms and Conditions Governing Gas Service;"

BE IT FURTHER RESOLVED, that the forms of City Council Ordinance and Explanation attached hereto as Exhibits B and C, respectively, are approved and should be submitted to City Council for its approval, and upon such approval said Residential Gas Service Rate, General Gas Service Rate, Curtable Gas Service Rate, High Load Factor General Gas Service Rate, Purchased Gas Clause and General Terms and Conditions Governing Gas Service shall become effective for all City Utilities bills prepared with the first regular billing cycle for October 2025 or the day following approval by City Council, whichever is later; and

BE IT FURTHER RESOLVED, that City Utilities' President-CEO is hereby authorized and directed to file a copy of this Resolution with the City Clerk and to take such actions as are required or appropriate to obtain approval and enactment of the rates described herein by City Council or to otherwise carry out the intent and purpose of this Resolution.

C E R T I F I C A T E

The undersigned, Steve Edwards, Secretary of the Board of Public Utilities of the City of Springfield, Missouri, does hereby certify under his hand and seal of the Board that the above and foregoing is a true and correct copy of a resolution adopted by the Board at its regular meeting held on the 22nd day of August 2024, pursuant to notice of time and place duly given to all members of the Board, at which meeting a quorum was present and voted throughout.

Dated this 22nd day of August, 2024.



Steve Edwards, Secretary

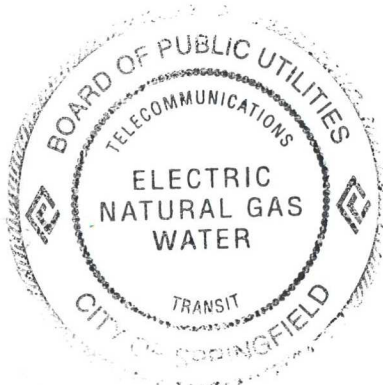


Exhibit A-1

Council Bill No. _____
General Ordinance _____

GAS RATES
Sheet No. 1

CITY UTILITIES OF SPRINGFIELD, MISSOURI RESIDENTIAL GAS SERVICE RATE

Availability

Service under this rate shall be available within the corporate limits of the City of Springfield, Missouri, and the adjacent territory served by City Utilities, for residential domestic housekeeping purposes. Availability is subject to the General Terms and Conditions Governing Gas Service and the Utility Service Rules and Regulations.

Monthly Charges

	Until <u>10/2026</u>	Until <u>10/2027</u>	<u>Thereafter</u>
<u>Customer Charge</u>			
Per month.....	\$ 16.75	\$ 17.75	\$ 18.75

Commodity Charge

For all therms.....	\$0.1860 per therm Plus Purchased Gas Cost	\$0.2183 per therm Plus Purchased Gas Cost	\$0.2492 per therm Plus Purchased Gas Cost
---------------------	--	--	--

Purchased Gas Cost

Each billing month the Purchased Gas Cost shall be determined in accordance with the Purchased Gas Clause contained in Gas Rates Sheet No. 4.

Outside City Charge

All charges shall be ten (10) percent more per service outside the corporate limits of the City of Springfield, Missouri.

APPROVED BY CITY COUNCIL _____
EFFECTIVE Cycle 1, October 2025

APPROVED BY BOARD OF PUBLIC UTILITIES
OF SPRINGFIELD, MO _____

Supersedes rate schedule effective Cycle 1, October 2017.

Exhibit A-2

Council Bill No. _____
General Ordinance _____

GAS RATES
Sheet No. 2

CITY UTILITIES OF SPRINGFIELD, MISSOURI GENERAL GAS SERVICE RATE

Availability

Service under this rate shall be available within the corporate limits of the City of Springfield, Missouri, and the adjacent territory served by City Utilities, for nondomestic purposes. Availability is subject to the General Terms and Conditions Governing Gas Service and the Utility Service Rules and Regulations.

Monthly Charges

	Until <u>10/2026</u>	Until <u>10/2027</u>	<u>Thereafter</u>
<u>Customer Charge</u>			
Per month.....	\$34.25	\$35.25	\$36.50
<u>Commodity Charge</u>			
For all therms.....	\$0.1880 per therm	\$0.2122 per therm	\$0.2396 per therm
	Plus Purchased	Plus Purchased	Plus Purchased
	Gas Cost	Gas Cost	Gas Cost

Purchased Gas Cost

Each billing month the Purchased Gas Cost shall be determined in accordance with the Purchased Gas Clause contained in Gas Rates Sheet No. 4.

Outside City Charge

All charges shall be ten (10) percent more per service outside the corporate limits of the City of Springfield, Missouri.

APPROVED BY CITY COUNCIL _____
EFFECTIVE Cycle 1, October 2025

APPROVED BY BOARD OF PUBLIC UTILITIES
OF SPRINGFIELD, MO _____

Supersedes rate schedule effective Cycle 1, October 2017.

Exhibit A-3

Council Bill No. _____
General Ordinance _____

GAS RATES
Sheet No. 3
(Page 1 of 2)

CITY UTILITIES OF SPRINGFIELD, MISSOURI CURTAILABLE GAS SERVICE RATE

Availability

Service under this rate shall be available within the corporate limits of the City of Springfield, Missouri, and the adjacent territory served by City Utilities, to nonresidential customers whose use at a single address or location is, or is estimated to be, 30,000 therms or more per month. Service under this rate is interruptible and customers must agree to curtail natural gas service as provided under special contract with City Utilities. Availability is subject to the General Terms and Conditions Governing Gas Service and the Utility Service Rules and Regulations.

Monthly Charges

	<u>Until</u> <u>10/2026</u>	<u>Until</u> <u>10/2027</u>	<u>Thereafter</u>
<u>Customer Charge</u>			
Per month.....	\$975.00	\$1,000.00	\$1,025.00
<u>Commodity Charge</u>			
For all therms.....	\$0.0521 per therm	\$0.0724 per therm	\$0.0926 per therm
	Plus Curtailable	Plus Curtailable	Plus Curtailable
	Purchased Gas Cost	Purchased Gas Cost	Purchased Gas Cost

Curtailable Purchased Gas Cost

Each month the Curtailable Purchased Gas Cost shall be determined in accordance with the following formula:

	Cost of Natural Gas net of proceeds from remarketed natural gas volumes, including transmission services, purchased for resale to curtailable customers
DIVIDED BY:	therms of Natural Gas sold to curtailable customers
PLUS:	4% for Payment to the City in Lieu of Taxes and 2% for Natural Gas which is Lost and Unaccounted for

The Curtailable Purchased Gas Cost shall be rounded to the nearest hundredth of a cent and expressed as dollars per therm.

APPROVED BY CITY COUNCIL _____
EFFECTIVE Cycle 1, October 2025

APPROVED BY BOARD OF PUBLIC UTILITIES
OF SPRINGFIELD, MO _____

Supersedes rate schedule effective Cycle 1, October 2022.

**CITY UTILITIES OF SPRINGFIELD, MISSOURI
CURTAILABLE GAS SERVICE RATE**

Any customer receiving service under this rate and contracting with City Utilities for additional service available from City Utilities' natural gas and/or pipeline suppliers, shall pay the cost of such service plus 4% for Payment to the City in Lieu of Taxes.

Unauthorized Use Charge

During any period that City Utilities, or its natural gas suppliers, allocates natural gas or imposes volumetric limitations upon the amount of natural gas to be served to a customer or customers under this rate, any customer receiving a volume or volumes of natural gas in excess of the quantity authorized or allocated to such customer, hereinafter called "overrun natural gas," without prior approval from City Utilities, shall be subject to notice from City Utilities and, after notice once given, to the imposition of an unauthorized use charge. The unauthorized use charge shall be the greater of 150% of the highest market natural gas cost paid by City Utilities during the curtailment period or \$6.00 for each therm of overrun natural gas delivered, plus any pipeline penalties and other charges incurred by City Utilities which are attributable to the overrun natural gas. Such charge shall be in addition to any charges otherwise payable to City Utilities for such overrun natural gas, including purchased natural gas costs as specified within this rate. The payment of an unauthorized use charge for unauthorized overrun natural gas deliveries shall not under any circumstances be considered as a substitute for any other remedy available to City Utilities, including, but not limited to, termination or reduction of service. Unauthorized use charges billed may be credited to the Purchased Gas Cost Dollars applicable to City Utilities' firm natural gas service customers.

Outside City Charge

All charges shall be ten (10) percent more per service outside the corporate limits of the City of Springfield, Missouri.

APPROVED BY CITY COUNCIL _____
EFFECTIVE Cycle 1, October 2025

APPROVED BY BOARD OF PUBLIC UTILITIES
OF SPRINGFIELD, MO _____

Supersedes rate schedule effective Cycle 1, October 2022.

Exhibit A-4

Council Bill No. _____
General Ordinance No. _____

GAS RATES
Sheet No. 4
(Page 1 of 3)

CITY UTILITIES OF SPRINGFIELD, MISSOURI PURCHASED GAS CLAUSE

Applicability

This Purchased Gas Clause shall be applicable to the calculation of the “Purchased Gas Cost” applied in the Commodity Charge of the Residential Gas Service Rate (Sheet No.1), the General Gas Service Rate (Sheet No. 2), and the High Load Factor General Gas Service Rate (Sheet No. 6). The “Purchased Gas Cost” is designed to collect the delivered cost of natural gas purchased for resale to firm customers served under the Residential, General, and High Load Factor General Gas Service Rates.

The “Purchased Gas Cost” for each billing month shall be the sum of the “Projected Natural Gas Cost” for the billing month and the applicable “Recovery Adjustment Factor.”

Projected Natural Gas Cost

“Projected Natural Gas Cost” for each billing month shall be:

	Projected Delivered Cost of Natural Gas purchased for resale to firm customers
DIVIDED BY:	projected firm gas sales in therms
PLUS:	4% for Payment to the City in Lieu of Taxes

The “Projected Natural Gas Cost” shall be rounded to the nearest hundredth of a cent and expressed as dollars per therm.

Recovery Adjustment Factor

The “Recovery Adjustment Factor” shall be calculated semiannually to be effective for the six-month period beginning April and for the six-month period beginning October. The purpose of the “Recovery Adjustment Factor” is to adjust (increase or decrease) the “Purchased Gas Cost” for the under-recovery (over-recovery) of prior purchased gas costs.

APPROVED BY CITY COUNCIL _____
EFFECTIVE Cycle 1, October 2025

APPROVED BY BOARD OF PUBLIC UTILITIES
OF SPRINGFIELD, MO _____

Supersedes rate schedule effective Cycle 1, October 2017.

**CITY UTILITIES OF SPRINGFIELD, MISSOURI
PURCHASED GAS CLAUSE**

The “Recovery Adjustment Factor” shall be calculated in accordance with the following formula:

	UNDER-RECOVERY (OVER-RECOVERY) OF PRIOR PURCHASED GAS COST DOLLARS
PLUS:	4% FOR PAYMENT TO THE CITY IN LIEU OF TAXES
DIVIDED BY:	PROJECTED FIRM SALES IN THERMS (for the six months the Recovery Adjustment Factor is to be in effect)

The “Recovery Adjustment Factor” shall be rounded to the nearest hundredth of a cent and expressed as dollars per therm. The “Recovery Adjustment Factor” may either increase or decrease from one calculation to the next.

Definitions

As used herein:

1. The phrase “Under-recovery (Over-recovery) of Prior Purchased Gas Cost Dollars” shall mean the difference between “Prior Purchased Gas Cost Dollars” and “Purchased Gas Cost Dollars Collected through the Purchased Gas Cost.” An under-recovery shall mean that fewer dollars have been collected than have been spent. An over-recovery shall mean that fewer dollars have been spent than have been collected.
2. The phrase “Prior Purchased Gas Cost Dollars” shall mean the actual amounts recorded, through the previous month, for natural gas and transmission services purchased for resale to firm customers. Actual amounts shall include gas purchases net of proceeds from remarketed natural gas volumes, transmission services, gas withdrawn from storage, propane injected into the distribution system for sale to firm customers as expensed, other gas supply expenses, and refunds (less applicable protest expenses), and shall include storage and transmission capacity charges, net of proceeds from the release of capacity.
3. The phrase “Purchased Gas Cost Dollars Collected through the Purchased Gas Cost” shall mean the dollar amount collected each month, through the previous month, from firm customers. Amounts collected are the product of the monthly Purchased Gas Cost and the monthly volume of firm gas sales in therms, adjusted for Payments to the City in Lieu of Taxes.

APPROVED BY CITY COUNCIL _____
EFFECTIVE Cycle 1, October 2025

APPROVED BY BOARD OF PUBLIC UTILITIES
OF SPRINGFIELD, MO _____

Supersedes rate schedule effective Cycle 1, October 2017.

**CITY UTILITIES OF SPRINGFIELD, MISSOURI
PURCHASED GAS CLAUSE**

Emergency Recalculation of the Recovery Adjustment Factor

In the event that the amount of Under-Recovery (Over-Recovery) of prior purchased gas costs exceeds \$3,000,000 the Recovery Adjustment Factor may be recalculated. The new Recovery Adjustment Factor shall become effective for the month following approval by the Board of Public Utilities and shall remain in effect until the next scheduled semi-annual change to the Recovery Adjustment Factor.

Conditions

1. Changes to the Purchased Gas Cost shall become effective with the first regular billing cycle for each billing month.
2. A detailed calculation of the Recovery Adjustment Factor and a summary of the Purchased Gas Costs for the previous six months shall be submitted semiannually to the members of the Board of Public Utilities and the members of the City Council of Springfield, Missouri, for information purposes.
3. The power to repeal the Purchased Gas Clause is retained by the City Council of the City of Springfield, Missouri. Repeal of this clause shall be by ordinance. No ordinance repealing the Purchased Gas Clause shall be adopted later than the day which is six months prior to the end of any fiscal year, nor shall it have an effective date other than the end of the fiscal year in which the repealing ordinance was adopted.

APPROVED BY CITY COUNCIL _____
EFFECTIVE Cycle 1, October 2025

APPROVED BY BOARD OF PUBLIC UTILITIES
OF SPRINGFIELD, MO _____

Exhibit A-5

Council Bill No. _____
General Ordinance _____

GAS RATES
Sheet No. 5
(Page 1 of 2)

CITY UTILITIES OF SPRINGFIELD, MISSOURI GENERAL TERMS AND CONDITIONS GOVERNING GAS SERVICE

1. City Utilities of Springfield, Missouri (“City Utilities”) will not furnish free natural gas (“gas”) for any private use.
2. City Utilities will not furnish auxiliary, standby or seasonal gas service except as approved by the President – Chief Executive Officer of City Utilities or designee (the “President-CEO”).
3. When permanent (continuous, auxiliary, standby or seasonal) gas service is temporarily discontinued for more than 24 hours and then reconnected prior to twelve months, each due to a customer’s request, a reconnect charge of the monthly customer charge applicable for each billing month or part thereof that the disconnection is in effect during all billing months of that twelve month period shall be charged to such customer. Payment of such charge is a condition for the reconnection of the service and is in addition to the applicable account entry fee.
4. Gas service is furnished where adequate gas distribution capacity is available, and the gas load is approved for service by City Utilities.
5. Gas service is furnished for the sole use of the customer or its tenant(s) at the premise(s) described in the service application. Additionally, gas service shall not be submetered for the purpose of reselling or redistributing the charges rendered for such service, except as otherwise approved by separate written agreement with City Utilities, as set forth in the Service Rules and Regulations, and as agreed to by each such tenant in a separate written agreement with the customer. Notwithstanding the above, the resale of gas is permitted for compressed natural gas (CNG) fueling facilities which have been appropriately licensed or approved to resell natural gas solely for use as a vehicle fuel, and which City Utilities has approved in writing.
6. A separate billing shall be rendered for each point of gas service, and gas metered to the same customer through two or more points of service at the same premise address shall not be added or cumulated for billing purposes, except where necessary, in the opinion of the President-CEO, for the convenience of City Utilities. In no case shall gas metered to the same customer at different premise addresses be added or cumulated for billing purposes.
7. Gas service may be curtailed to any or all classes of customers in emergencies, including firm (non-curtailable) customers. Gas service is not guaranteed to be available or continuous, whether under special contract or not, and may be temporarily or permanently modified, limited or discontinued as supply or delivery conditions dictate or at any time as may be deemed necessary in the sole judgment of City Utilities, without liability whatsoever on the part of City Utilities for any loss, damage, expense or detriment thereby caused or claimed to be caused.
8. The RESIDENTIAL GAS SERVICE RATE shall be applicable to residential customers in separately metered dwellings for domestic housekeeping purposes. Existing master-metered, multiple tenancy dwellings of not more than two (2) dwelling units, one of which is owner-occupied, may be served under this rate. Dwellings also used as places of business requiring a license or registration to operate may be served under this rate only where necessary, in the opinion of the President-CEO, for the convenience of City Utilities.

APPROVED BY CITY COUNCIL _____
EFFECTIVE Cycle 1, October 2025

APPROVED BY BOARD OF PUBLIC UTILITIES
OF SPRINGFIELD, MO _____

Supersedes rate schedule effective Cycle 1, October 2019.

9. The GENERAL GAS SERVICE RATE shall be applicable to nondomestic customers using less than 30,000 therms per month. The GENERAL GAS SERVICE RATE shall not be available to customers using 30,000 therms or more per month, except as approved by the President-CEO.
10. No gas customer served under the GENERAL GAS SERVICE RATE shall increase connected gas load more than twenty percent (20%) within any one calendar year or by an amount resulting in a total consumption in any one billing month of 30,000 therms or more without prior notice to and the written consent of City Utilities.
11. The HIGH LOAD FACTOR GENERAL GAS SERVICE RATE shall be available under special contract to nonresidential customers using 30,000 therms or more per month, provided each such customer maintains compliance with the terms of the rate schedule including minimum billing month load factor requirements.
12. The CURTAILABLE GAS SERVICE RATE shall be available on a curtailable basis under special contract to nonresidential customers, provided each such customer curtails use of gas when so requested by City Utilities. The CURTAILABLE GAS SERVICE RATE shall not be available to customers using less than 30,000 therms per month, except as approved by the President-CEO. No firm load shall be served under this rate except as approved by the President-CEO, under special contract, for the convenience of City Utilities. Any firm load remains subject to the Unauthorized Use Charge.
13. Customers served under the HIGH LOAD FACTOR GENERAL GAS SERVICE RATE and the CURTAILABLE GAS SERVICE RATE shall provide City Utilities access and the necessary electricity required to power a remote terminal unit (RTU) for metering purposes. Such customers shall also provide City Utilities access, or grant public communications access, to install communications service for metering purposes. City Utilities will be responsible for installation and modifications required to make electricity and communications available at the gas meter set.
14. Gas service to customers failing to meet the requirements of these General Terms and Conditions Governing Gas Service, any contract with City Utilities for curtailment of natural gas, or any contract with City Utilities for maintaining a minimum billing month load factor, may have service either temporarily or permanently modified, limited or discontinued. Any such customer may be reclassified by City Utilities to another gas rate as City Utilities determines applicable under its gas rates existing at such time of reclassification.

APPROVED BY CITY COUNCIL _____
EFFECTIVE Cycle 1, October 2025

APPROVED BY BOARD OF PUBLIC UTILITIES
OF SPRINGFIELD, MO _____

Supersedes rate schedule effective Cycle 1, October 2019.

Exhibit A-6

Council Bill No. _____
General Ordinance _____

GAS RATES
Sheet No. 6
(Page 1 of 3)

CITY UTILITIES OF SPRINGFIELD, MISSOURI HIGH LOAD FACTOR GENERAL GAS SERVICE RATE

Applicability

Customers served by this gas rate schedule agree to maintain load factor, as defined by this rate schedule, and are assessed commodity charge components on the basis of load factor.

Availability

Service under this rate shall be available within the corporate limits of the City of Springfield, Missouri, and the adjacent territory served by City Utilities, to nonresidential customers whose use at a single address or location is, or is projected by City Utilities to be, 30,000 therms or more per month. Customers must agree to conditions of a special contract with City Utilities. Availability is subject to the General Terms and Conditions Governing Gas Service, the Utility Service Rules and Regulations, and continued compliance with specific requirements in the special contract and within this rate schedule.

Customers served by this gas rate schedule agree to continue service under this schedule for a period not less than two years. Termination of service, through the selection of the customer, prior to the end of the required minimum two year period will result in a termination fee equal to the customer charge times the number of months remaining in the contract minimum term. Customer requests for termination of the contract shall be in writing with a sixty day notification. Failure to provide a sixty day notification will result in a termination fee equal to two times the customer charge, which will be in addition to any other applicable early termination fees.

This gas rate schedule will no longer be available to customers served by this gas rate schedule if the billing month load factor is less than 65% for three consecutive months. Customers previously served by this gas rate schedule, but through customer choice or by failure to comply with the requirements of this rate schedule are no longer served by this rate schedule shall be reassigned to an appropriate rate schedule determined by City Utilities.

Monthly Charges

	Until <u>10/2026</u>	Until <u>10/2027</u>	<u>Thereafter</u>
<u>Customer Charge</u>			
Per month.....	\$975.00	\$1,000.00	\$1,025.00

APPROVED BY CITY COUNCIL _____
EFFECTIVE Cycle 1, October 2025

APPROVED BY BOARD OF PUBLIC UTILITIES
OF SPRINGFIELD, MO _____

Supersedes rate schedule effective Cycle 1, October 2017.

Council Bill No. _____
General Ordinance _____

GAS RATES
Sheet No. 6
(Page 2 of 3)

Until
10/2026

Until
10/2027

Thereafter

Commodity Charge

Applicable when the billing month load factor is less than 65%:

For all therms....\$0.1880 per therm	\$0.2122 per therm	\$0.2396 per therm
Plus Purchased	Plus Purchased	Plus Purchased
Gas Cost	Gas Cost	Gas Cost

Applicable when the billing month load factor is 65% but less than 85%:

For all therms....\$0.0771 per therm	\$0.1018 per therm	\$0.1345 per therm
Plus Purchased	Plus Purchased	Plus Purchased
Gas Cost	Gas Cost	Gas Cost

Applicable when the billing month load factor is 85% or greater:

For all therms....\$0.0405 per therm	\$0.0587 per therm	\$0.0837 per therm
Plus Purchased	Plus Purchased	Plus Purchased
Gas Cost	Gas Cost	Gas Cost

Purchased Gas Cost

Each billing month the Purchased Gas Cost shall be determined in accordance with the Purchased Gas Clause contained in Gas Rates Sheet No. 4.

Outside City Charge

All charges shall be ten (10) percent more per service outside the corporate limits of the City of Springfield, Missouri.

Billing Month Load Factor

Each billing month the billing month load factor shall be determined as defined herein.

Billing Month Load Factor:
$$\frac{\text{Annual Average Monthly Usage (Therms)}}{\text{Annual Maximum Monthly Usage (Therms)}} \times 100\%$$

1. Annual Average Monthly Usage: The sum of the gas usage (therms) for the most recent twelve, consecutive, monthly natural gas billings, divided by the number of months. If fewer than twelve months are available, the most recent available billing usage and number of months shall be applied.

APPROVED BY CITY COUNCIL _____
EFFECTIVE Cycle 1, October 2025

APPROVED BY BOARD OF PUBLIC UTILITIES
OF SPRINGFIELD, MO _____

Supersedes rate schedule effective Cycle 1, October 2017.

Council Bill No. _____
General Ordinance _____

GAS RATES
Sheet No. 6
(Page 3 of 3)

2. Annual Maximum Monthly Usage: The highest monthly billing gas usage (therms) in the most recent twelve, consecutive, monthly natural gas billings. If fewer than twelve months are available, the highest billing gas usage of the available billing months shall be applied.
3. Month: The term “month” refers to the billing month as determined by City Utilities.

APPROVED BY CITY COUNCIL _____
EFFECTIVE Cycle 1, October 2025

APPROVED BY BOARD OF PUBLIC UTILITIES
OF SPRINGFIELD, MO _____

Supersedes rate schedule effective Cycle 1, October 2017.

Exhibit B

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

Sponsored By: _____

First Reading: _____

Second Reading: _____

COUNCIL BILL NO.: _____

GENERAL ORDINANCE NO.: _____

AN ORDINANCE

1 APPROVING: revisions to natural gas rates charged by City Utilities of
2 Springfield, Missouri, and related terms and conditions.

3 _____
4
5 WHEREAS, the Board of Public Utilities of the City of Springfield, Missouri
6 (the "Board of Public Utilities"), did, on the 22nd day of August, 2024, by
7 resolution, establish natural gas rates referred to therein as "Residential Gas
8 Service Rate," "General Gas Service Rate," "Curtable Gas Service Rate,"
9 "High Load Factor General Gas Service Rate," "Purchased Gas Clause," and
10 "General Terms and Conditions Governing Gas Service;" and

11
12 WHEREAS, the City Charter of the City of Springfield, Missouri, requires
13 approval by the City Council of rates which have been fixed by the Board; and

14
15 WHEREAS, said resolution has been on file with the City Clerk of the City
16 of Springfield, Missouri, for two weeks.

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

20
21 Section 1 - The rate sheets set out in the resolution passed by the Board
22 of Public Utilities on the 22nd day of August, 2024, as "Residential Gas Service
23 Rate," "General Gas Service Rate," "Curtable Gas Service Rate," "High Load
24 Factor General Gas Service Rate," "Purchased Gas Clause," and "General
25 Terms and Conditions Governing Gas Service" and now on file for public
26 inspection with the City Clerk of the City of Springfield, Missouri, should be and
27 are hereby approved.

28
29 Section 2 - Said "Residential Gas Service Rate," "General Gas Service
30 Rate," "Curtable Gas Service Rate," "High Load Factor General Gas Service
31 Rate," "Purchased Gas Clause," and "General Terms and Conditions Governing
32 Gas Service" are effective for bills prepared with the first regular billing cycle for
33 October 2025, or the day following approval by City Council, whichever is later.

36 Passed at meeting: _____

37

38 _____

39 Mayor

40 Attest: _____, City Clerk

41 Filed as Ordinance: _____

42 Approved as to form: _____, City Attorney

43 Approved for Council action: _____, City Manager

Exhibit C

EXPLANATION TO SPRINGFIELD CITY COUNCIL BILL NO. 2024- _____

FILED: _____, 2024

ORIGINATING DEPARTMENT: City Utilities of Springfield, Missouri ("City Utilities")

PURPOSE: To establish new natural gas rates, purchased gas clause and general terms and conditions.

BACKGROUND INFORMATION:

Summary of Change

The natural gas rates proposed in this Ordinance consist of three annual rate increases proposed to be implemented in October of City Utilities' fiscal years 2026, 2027 and 2028. Percentage increases are approximately 2.5%, 3.9% and 3.9%, respectively. Rate increases are staged to minimize immediate customer impact.

Changes are proposed for the following rate schedules:

- *Residential Gas Service Rate*
- *General Gas Service Rate*
- *Curtailable Gas Service Rate*
- *High Load Factor General Gas Service Rate*
- *Purchased Gas Clause*
- *General Terms and Conditions Governing Gas Service*

Proposed changes to the *General Gas Service Rate* include an update to change "nonresidential customers" to "nondomestic purposes" in the "Availability" section to be consistent with existing language in the General Terms and Conditions Governing Gas Service. Additional changes include the removal of the optional "Discount" component of this rate since it is not currently utilized by any customers and is not likely to be of interest to customers in the future. Additionally, this is not a cost-effective rate component for City Utilities to administer.

Proposed changes to the *Curtailable Gas Service Rate* include updates to the "Curtailable Purchased Gas Cost" formula to clarify that the "Cost of Natural Gas" included in the formula is reflected net of proceeds from remarketed natural gas volumes in the event that City Utilities cannot accept delivery of pre-purchased natural gas, resulting in the sale of such natural gas back to the market.

Proposed changes to the *Purchased Gas Clause* include updates to the definition of "Prior Purchased Gas Cost Dollars" to clarify that actual purchased gas costs recorded are reflected net of proceeds from the release of excess pipeline capacity and proceeds from remarketed natural gas volumes resulting from the sale of natural gas volumes back to the market in the event that City Utilities cannot accept delivery of pre-purchased natural gas.

Proposed changes to the *General Terms and Conditions Governing Gas Service* contain changes to update the title of General Manager to President-CEO and to further

clarify item nine by changing “available to nonresidential customers” to “applicable to nondomestic customers” to align with the existing applicability of the *Residential Gas Service Rate*. In addition, item twelve was modified to address small and/or temporary firm loads being served on the *Curtable Gas Service Rate* on an exception basis.

Reason for Change

The last natural gas base rate increase was approved in October 2016 and was effective in October 2019 as the third in a series of three increases. Since that time, operating costs have increased due to the impact of inflationary pressures (from 2019 to 2023, total compound inflation exceeded 19%). Additionally, City Utilities continues to focus on investments to maintain and improve the integrity, reliability, safety, and overall compliance of the natural gas system through infrastructure renewal and maintenance initiatives. These infrastructure investments necessitate ongoing capital investment and include the following projects:

- Valve inspection and replacement programs
- Transmission in-line inspections and mitigation efforts
- Corrosion mitigation for steel transmission and feeder systems
- Natural gas main and service renewals
- Natural gas main tie-ins

These natural gas rate changes are necessary for City Utilities to meet key financial and operating objectives and are essential in supporting strong credit ratings. As part of the overall strategy described in City Utilities’ Operating Plan, these rate changes are prudent and necessary for City Utilities to operate and maintain a safe and reliable natural gas system to meet customer needs.

REMARKS:

Bill impacts for residential customers will vary based on usage. The estimated average cumulative residential bill impacts are shown below.

Therms	Present Rates	Proposed Rates FY 2028	Cumulative Increase	Case
-	\$ 16.00	\$ 18.75	\$ 2.75	Zero Usage Month
15	\$ 27.58	\$ 31.51	\$ 3.93	Typical Summer Month
118	\$ 107.12	\$ 119.10	\$ 11.98	Typical Winter Month
60	\$ 62.33	\$ 69.77	\$ 7.44	Average Month
716	\$ 744.90	\$ 833.89	\$ 88.99	Average Annual

Nonresidential bill impacts will vary based upon usage. Bill impacts also vary by rate class due to implementation of cost-based changes throughout the rate schedules. The estimated average cumulative nonresidential bill impacts are shown below.

General Gas Service

Therms	Present Rates	Proposed Rates FY 2028	Cumulative Increase	Case
-	\$ 33.50	\$ 36.50	\$ 3.00	Zero Usage Month
169	\$ 164.00	\$ 178.60	\$ 14.60	Typical Summer Month
640	\$ 527.71	\$ 574.61	\$ 46.90	Typical Winter Month
373	\$ 321.53	\$ 350.12	\$ 28.59	Average Month
4,472	\$ 3,855.28	\$ 4,198.06	\$ 342.78	Average Annual

Curtable Gas Service

Therms	Present Rates	Proposed Rates FY 2028	Cumulative Increase	Case
-	\$ 950	\$ 1,025	\$ 75	Zero Usage Month
62,604	\$ 28,978	\$ 32,346	\$ 3,368	Typical Summer Month
87,226	\$ 40,001	\$ 44,664	\$ 4,663	Typical Winter Month
76,560	\$ 35,226	\$ 39,328	\$ 4,102	Average Month
918,726	\$ 422,714	\$ 471,939	\$ 49,225	Average Annual

Customers outside the city limits of Springfield pay 10% more for all natural gas charges.

If this ordinance is passed, the new Residential Gas Service Rate, General Gas Service Rate, Curtable Gas Service Rate, High Load Factor General Gas Service Rate, Purchased Gas Clause, and General Terms and Conditions Governing Gas Service will become effective October 2025. The rates will not be prorated but will be fully effective for the first regular billing cycle of the month, with changes occurring in October 2025, October 2026, and October 2027.

Submitted by:



Austin Beshears
Director – Rates and Fuels



Amy Dardall
Senior Vice President – Chief Financial and Supply Chain Officer

Approved:



Gary Gibson
President-Chief Executive Officer



EXPLANATION TO COUNCIL BILL 2024-188 (HARDINGER)

FILED: 08/28/2024

ORIGINATING DEPARTMENT: City Utilities

TITLE: A general ordinance authorizing revisions to transit rates charged by City Utilities of Springfield, Missouri, and related terms and conditions.

PURPOSE: To establish a new schedule of fares for city bus service.

BACKGROUND INFORMATION: Summary of Change

The fare changes presented herein represent a 20% reduction in the adult single ride cash fare. The new adult single ride cash fare is \$1.00. Discounted fares for ridership class, passes, and ticketbooks are developed from the new adult single ride cash fare.

Transfer fares have been increased from 10 cents to 25 cents.

- Changes are proposed for the following ridership classes:
- Adult
- Youth (5-17 years old)
- Seniors/Disabled/Medicare
- Paratransit

Changes are proposed for the following passes and ticketbooks:

- 30-ride ticketbook
- 60-ride ticketbook
- 60-ride ticketbook + transfers
- Daily pass
- 7-day pass
- 31-day pass
- Semester pass (full-time college student)

Proposed changes also include a change to the definitions of Adult and Youth passenger classes. Adult is now defined as age 18 and older. Youth is now defined as ages 5 through age 17.

Additional wording changes to provide consistency with the title change of General



Manager to President-CEO.

Reason for Change

As part of a comprehensive transit optimization study, City Utilities evaluated potential fare changes. The fares for the bus system have not been changed since a fare increase was approved in 2007, with full implementation concluding in 2009. The study examined options for bus fare increases that might be needed due to increasing cost pressures and consistency with peer transit agencies, as well as options for bus fare decreases to provide even greater affordability for bus passengers. Following the study results and recommendations, and deliberation by City Utilities staff and the Board of Public Utilities, the recommendation was to move forward with the fare decreases presented.

REMARKS:

If this Ordinance is passed, the revised City Utilities of Springfield, Missouri Schedule of Fares for Transportation of Passengers will become effective October 1, 2024, and will supersede the schedule approved by City Council on June 18, 2007.

Submitted By: Gary Gibson, President - Chief Executive Officer

Authorized for inclusion on the agenda pursuant to City Code section 2-33:

Jason Gage, City Manager 8/30/2024

Attachments:

1. Transit Fares Adj_ ord
2. Final Submission of Transportation Fares Adj_Exh 1

One-rdg. _____
P. Hrngs. _____
Pgs. 13
Filed: 09-03-24

Sponsored By: Hardinger

First Reading: _____ Second Reading: _____

COUNCIL BILL 2024-188 GENERAL ORDINANCE _____

AN ORDINANCE

AUTHORIZING revisions to transit rates charged by City Utilities of
Springfield, Missouri, and related terms and conditions.

WHEREAS, the Board of Public Utilities of the City of Springfield, Missouri, (the
"Board"), did, on the 22nd day of August, 2024, by resolution approve certain
amendments to transit rates referred to therein as the "Schedule of Fares for
Transportation of Passengers," as shown on "Exhibit 1"; and

WHEREAS, the City Charter of the City of Springfield, Missouri, requires
approval by the City Council of rates which have been fixed by the Board; and

WHEREAS, said resolution has been on file with the City Clerk of the City of
Springfield, Missouri, for two weeks.

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

Section 1 – The "Schedule of Fares for Transportation of Passengers" set out in
the resolution passed by the Board of Public Utilities on the 22nd day of August, 2024,
and now on file for public inspection with the City Clerk of the City of Springfield,
Missouri, a copy of the same being attached hereto and incorporated by reference is
"Exhibit 1," should be and is hereby approved.

Section 2 – Said "Schedule of Fares for Transportation of Passengers" shall
become effective on October 1, 2024, or the day following approval by City Council,
whichever is later.

Section 3 – This Ordinance shall be in full force and effect from and after
passage.

Passed at meeting: _____

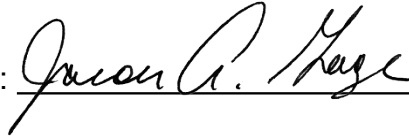
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Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form:  _____, City Attorney

Approved for Council action:  _____, City Manager

RESOLUTION

WHEREAS, the Board of Public Utilities of the City of Springfield, Missouri (the “Board”), has the power and duty to take charge of and exercise control over all public utilities, including transit systems, owned, operated or acquired by the City of Springfield, Missouri (the “City”), and all extensions thereof and appurtenances belonging thereto, under the name City Utilities of Springfield, Missouri (“City Utilities”), including the fixing of rates to be charged for services and facilities furnished by such utilities, subject to the approval of City Council;

WHEREAS, the Strategic Plan adopted by the Board on May 27, 2021, states that City Utilities will maintain affordability by continually seeking opportunities to gain efficiencies and improve utilization of its resources, reinforce its position as an industry leader through active evaluation of performance metrics, benchmarking and a commitment to continuous improvement, and proactively respond to customer expectations and industry changes to elevate its role as the community’s trusted service provider;

WHEREAS, the Board, through the transit optimization study “ConnectSGF,” has identified the community’s desire for additional affordability of transit fares and Olsson, Inc., the consultant and author of such study, has recommended fare decreases among other things;

WHEREAS, on August 14, 2024, City Utilities’ Citizens’ Advisory Council met and considered, conducted a hearing to accept public input with regard to, and voted to support such a new “Schedule of Fares for Transportation of Passengers” containing such fare decreases and other adjustments; and

WHEREAS, the Board, after careful consideration and public input, has determined that City Utilities’ transit fares should be revised by the adoption of such new Schedule of Fares for Transportation of Passengers.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC UTILITIES OF THE CITY OF SPRINGFIELD, MISSOURI, that City Utilities’ new bus transportation fares should be fixed and adopted in the form attached hereto as Exhibit A, titled “Schedule of Fares for Transportation of Passengers”;

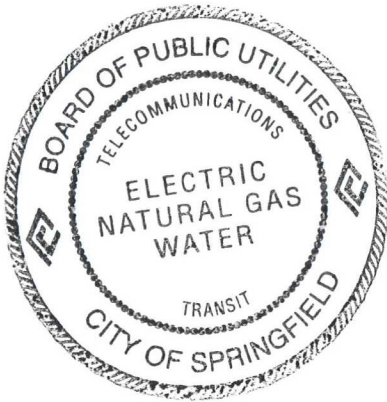
BE IT FURTHER RESOLVED, that the forms of City Council Ordinance and Explanation attached hereto as Exhibits B and C, respectively, are approved and should be submitted to City Council for its approval, and upon such approval said “Schedule of Fares for Transportation of Passengers” shall become effective on October 1, 2024, or the day following approval by City Council, whichever is later; and

BE IT FURTHER RESOLVED that City Utilities’ President-CEO is hereby authorized and directed to file a copy of this Resolution with the City Clerk and to take such actions as are required and appropriate to obtain approval and enactment of the new schedule of fares described herein by City Council or to otherwise carry out the intent and purpose of this Resolution.

CERTIFICATE

The undersigned, Steve Edwards, Secretary of the Board of Public Utilities of the City of Springfield, Missouri, does hereby certify under his hand and seal of the Board that the above and foregoing is a true and correct copy of a resolution adopted by the Board at its regular meeting held on the 22nd day of August, 2024, 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 22nd day of August, 2024.



Steve Edwards, Secretary

Exhibit A

Council Bill No. _____
General Ordinance No. _____

BUS TRANSPORTATION FARES
(Page 1 of 3)

CITY UTILITIES OF SPRINGFIELD, MISSOURI SCHEDULE OF FARES FOR TRANSPORTATION OF PASSENGERS

Fares included herein are effective October 1, 2024.

Cash Fares:

For each continuous ride from point of boarding to point of exiting each passenger shall pay a fare as follows:

Adults	\$ 1.00 each ride
Elderly and Disabled.....	\$ 0.50 each ride
Youth.....	\$ 0.75 each ride
Children (with adult).....	no charge
Paratransit Service.....	\$ 2.00 each ride

Transfer Fares:

Transfers will be issued to any ticketed or cash fare passenger if such transfer is requested by the passenger at the time of boarding or payment of the cash fare required under the foregoing schedule of fares:

Single Use	\$ 0.25
------------------	---------

Ticket Books:

For a ticket book which entitles each ticket holder to a single ride on regular route service buses, each passenger shall pay the following:

Adults (30 rides).....	\$ 21.00 per book
Adults (60 rides).....	\$ 36.00 per book
Elderly and Disabled (30 rides).....	\$ 11.00 per book
Elderly and Disabled (60 rides).....	\$ 18.00 per book
Youth (30 rides)	\$ 15.00 per book
Youth (60 rides)	\$ 22.00 per book
Paratransit Service (30 rides)	\$ 43.00 per book
Paratransit Service (60 rides)	\$ 72.00 per book

APPROVED BY CITY COUNCIL _____
EFFECTIVE _____

APPROVED BY BOARD OF PUBLIC UTILITIES
OF SPRINGFIELD, MO _____

Supersedes rate schedule effective October 1, 2007.

**CITY UTILITIES OF SPRINGFIELD, MISSOURI
SCHEDULE OF FARES FOR TRANSPORTATION OF PASSENGERS**

31 – Day Pass:

For a 31 – day pass which entitles each pass holder to unlimited rides on regular route service buses during a 31 – day period, each patron shall pay the following:

Adult	\$ 36.00 per pass
Elderly and Disabled	\$ 18.00 per pass
Youth	\$ 22.00 per pass

7 - Day Pass:

For a 7 - day pass which entitles each pass holder to unlimited rides on regular route service buses for seven consecutive days, each patron shall pay the following:

Adult	\$ 10.00 per pass
Elderly and Disabled	\$ 5.00 per pass
Youth	\$ 7.00 per pass

Daily Pass:

For a daily pass which entitles each pass holder to unlimited rides on regular route service buses for one calendar day, each patron shall pay the following:

Adults	\$ 3.00 per pass
Elderly and Disabled	\$ 1.50 per pass
Youth	\$ 2.00 per pass

Semester Pass:

For a semester pass which entitles each pass holder to unlimited rides on regular route service buses during a college semester, each full-time college student shall pay the following:

Full Time College Student	\$100.00 per pass
---------------------------------	-------------------

Trial Fares:

Whenever there appears to be a need for special or additional bus service other than that provided by a regularly-established route and in the opinion of the President and Chief Executive Officer of City Utilities (the “President-CEO”) the cost of providing such service will be greater than the revenues derived therefrom at established regular fares, a special trial fare, fixed by the President-CEO may be established for a trial period not to exceed six (6) months. In no case shall the special trial fare remain in effect more than six (6) months unless during that time the same has been formally submitted to the Board of Public Utilities and the City Council for consideration and

APPROVED BY CITY COUNCIL _____
EFFECTIVE _____

APPROVED BY BOARD OF PUBLIC UTILITIES
OF SPRINGFIELD, MO _____

Supersedes rate schedule effective October 1, 2007.

**CITY UTILITIES OF SPRINGFIELD, MISSOURI
SCHEDULE OF FARES FOR TRANSPORTATION OF PASSENGERS**

Trial Fares (continued):

action thereon in which event it shall be permitted to remain in effect until such action be completed.

Included in the concept of trial fares is authority for the President-CEO to implement promotional rates for the purpose of advertising and promoting the transit system. Said promotional rates are not to exceed three (3) days per occurrence.

Special Provisions and Definitions:

1. Exact Fare:

The passenger must place the exact amount of cash in U.S. bills or coins in the fare box before being allowed to start the trip. Bus operators will not carry cash on the bus and will not make change for the passenger.

2. Adult:

18 years of age and older.

3. Youth:

Age 5 through 17 years.

4. Children:

Under 5 years of age.

5. Elderly and Disabled:

Age 65 years or older, and/or Medicare card holder, and/or certified by a qualified doctor as meeting the criteria of disabled as established by the President-CEO.

6. Paratransit Bus Service:

A transportation service, utilizing wheelchair ramp equipped vehicles, with flexible routing and scheduling to provide curb to curb transportation at the user's request. Passengers must meet eligibility requirements. Eligibility requirements may be updated by the President-CEO

APPROVED BY CITY COUNCIL _____
EFFECTIVE _____

APPROVED BY BOARD OF PUBLIC UTILITIES
OF SPRINGFIELD, MO _____

Supersedes rate schedule effective October 1, 2007.

Exhibit B

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

Sponsored By: _____
First Reading: _____
COUNCIL BILL 2024

Second Reading: _____
GENERAL ORDINANCE _____

AN ORDINANCE

1 AUTHORIZING revisions to transit rates charged by City Utilities of Springfield,
2 Missouri, and related terms and conditions.

3 _____
4
5 WHEREAS, the Board of Public Utilities of the City of Springfield, Missouri, (the
6 "Board"), did, on the 22nd day of August, 2024, by resolution approve certain
7 amendments to transit rates referred to therein as the "Schedule of Fares for
8 Transportation of Passengers", as shown on "Exhibit A"; and

9
10 WHEREAS, the City Charter of the City of Springfield, Missouri, requires approval
11 by the City Council of rates which have been fixed by the Board; and

12
13 WHEREAS, said resolution has been on file with the City Clerk of the City of
14 Springfield, Missouri, for two weeks.

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

18
19 Section 1 – The "Schedule of Fares for Transportation of Passengers" set out in
20 the resolution passed by the Board of Public Utilities on the 22nd day of August, 2024,
21 and now on file for public inspection with the City Clerk of the City of Springfield, Missouri,
22 should be and is hereby approved.

23
24 Section 2 – Said "Schedule of Fares for Transportation of Passengers" shall
25 become effective on October 1, 2024, or the day following approval by City Council,
26 whichever is later.

27
28 Passed at meeting: _____

29
30 _____
31 Mayor

32
33 Attest: _____, City Clerk

34
35 Filed as Ordinance: _____
36
37

38 Approved as to form: _____, City Attorney

39

40

41 Approved for Council action: _____, City Manager

Exhibit C

EXPLANATION TO SPRINGFIELD CITY COUNCIL BILL NO. 2024-

FILED:

ORIGINATING DEPARTMENT: City Utilities of Springfield, Missouri ("City Utilities")

PURPOSE: To establish a new schedule of fares for city bus service.

BACKGROUND:

Summary of Change

The fare changes presented herein represent a 20% reduction in the adult single ride cash fare. The new adult single ride cash fare is \$1.00. Discounted fares for ridership class, passes, and ticketbooks are developed from the new adult single ride cash fare.

Transfer fares are increased from 10 cents to 25 cents.

Changes are proposed for the following ridership classes:

- *Adult*
- *Youth (5-17 years old)*
- *Seniors/Disabled/Medicare*
- *Paratransit*

Changes are proposed for the following passes and ticketbooks:

- *30-ride ticketbook*
- *60-ride ticketbook*
- *60-ride ticketbook + transfers*
- *Daily pass*
- *7-day pass*
- *31-day pass*
- *Semester pass (full-time college student)*

Proposed changes also include a change to the definitions of Adult and Youth passenger classes. Adult is now defined as age 18 and older. Youth is now defined as age 5 through age 17.

Additional wording changes to provide consistency with title change of General Manager to President-CEO.

Reason for Change

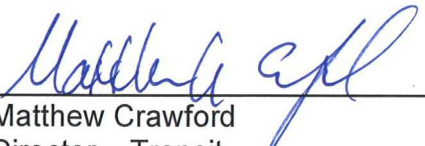
As part of a comprehensive transit optimization study, City Utilities evaluated potential fare changes. The fares for the bus system had not been changed since a fare increase approved in 2007, with full implementation concluding in 2009. The study examined options for bus fare increases that might be needed due to increasing cost

pressures and consistency with peer transit agencies, as well as options for bus fare decreases to provide even greater affordability to bus passengers. Following the study results and recommendations, and deliberation by City Utilities staff and the Board of Public Utilities, the recommendation was to move forward with the fare decreases presented.

REMARKS:

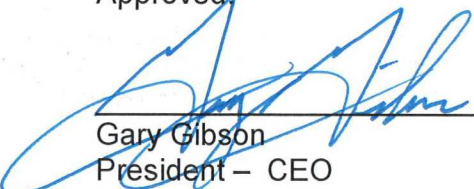
If this ordinance is passed, the revised *City Utilities of Springfield, Missouri Schedule of Fares for Transportation of Passengers* will become effective October 1, 2024, and will supersede the schedule approved by City Council on June 18, 2007.

Submitted by:


Matthew Crawford
Director – Transit


Kelly Turner
Vice President – Customer Operations
and Communications

Approved:


Gary Gibson
President – CEO



EXPLANATION TO COUNCIL BILL 2024-189 (HARDINGER, HOSMER, CARROLL,

FILED: 08/21/2024

ORIGINATING DEPARTMENT: Building Development

TITLE: A general ordinance repealing City of Springfield Code Chapter 74 – NUISANCE AND HOUSING CODE, Article VI. – RENTAL PROPERTY REGISTRATION.

PURPOSE: The repeal of Chapter 74, Article VI, Rental Registration is essential to streamline processes and remove unnecessary databases and administration tasks. This change will enable the Building Development Services (BDS) to serve the community more effectively by focusing on core responsibilities while maintaining strict compliance with existing regulations.

BACKGROUND INFORMATION: On August 21, 2023, the City Council passed Resolution 10722, which directed the City Manager and the Community Involvement Committee to review and make recommendations regarding nuisance abatement in response to the Nuisance Property Work Group Report dated February 23, 2023. As part of this comprehensive review, the recommendation to repeal the Rental Registration Program, found under Chapter 74, Article VI, was included in the final report. The Rental Registration Program, which has been inactive since 2019, has become obsolete. The registration system no longer serves its intended purpose, as staff are now able to obtain the necessary information from alternative sources, such as LexisNexis. This shift in information gathering has rendered the registration database redundant and no longer needed. After months of deliberation and analysis, it was determined that repealing the program would streamline processes and better allocate resources toward effective nuisance abatement strategies.

Submitted By: Brad Musick, Assistant Director

Authorized for inclusion on the agenda pursuant to City Code section 2-33:

Maurice S. Jones, Deputy City Manager 8/29/2024

Attachments:

1. Repeal Rental Registration_ord (1)
2. Repeal Rental Registration_exh A

One rdg. _____
P. Hrngs. _____
Pgs. 11
Filed: 09-03-24

Sponsored by: Hardinger, Hosmer,
Carroll, Lee

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-189

GENERAL ORDINANCE _____

AN ORDINANCE

1 REPEALING City of Springfield Code Chapter 74 – NUISANCE AND HOUSING
2 CODE, Article VI. – RENTAL PROPERTY REGISTRATION.
3
4

5 WHEREAS, On August 21, 2023, the City Council passed Resolution 10722,
6 which directed the City Manager and the Community Involvement Committee (“CIC”) to
7 review and make recommendations regarding nuisance abatement in response to the
8 Nuisance Property Work Group Report dated February 23, 2023; and
9

10 WHEREAS, after comprehensive review, the CIC recommended repeal of the
11 Rental Registration Program found in Chapter 74, Article VI; and
12

13 WHEREAS, repealing City of Springfield Code Chapter 74 – NUISANCE AND
14 HOUSING CODE, Article VI. – RENTAL PROPERTY REGISTRATION (“Exhibit A”) will
15 streamline processes and remove unnecessary databases and administrative tasks;
16 and
17

18 WHEREAS, the repeal will enable Building Development Services (“BDS”) to
19 serve the community more effectively by focusing on core responsibilities while
20 maintaining strict compliance with existing regulations.
21

22 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
23 SPRINGFIELD, MISSOURI, as follows, that:
24

25 Section 1 – City of Springfield Code Chapter 74 – NUISANCE AND HOUSING
26 CODE, Article VI. – RENTAL PROPERTY REGISTRATION is hereby repealed in its
27 entirety, a copy of the same being attached hereto and incorporated by reference as
28 “Exhibit A.”
29

30 Section 2 – Savings Clause. Nothing in this ordinance shall be construed to
31 affect any suit or proceeding now pending in any court or any rights acquired or liability
32 incurred nor any cause or causes of action occurred or existing, under any act or

33 ordinance repealed hereby. Nor shall any right or remedy of any character be lost,
34 impaired, or affected by this ordinance.

35
36 Section 3 – This ordinance shall be in full force and effect from and after
37 passage.

38
39 Passed at meeting: _____

40
41 _____
42 Mayor

43
44 Attest: _____, City Clerk

45
46
47 Filed as Ordinance: _____

48
49 Approved as to form: Duke M. Donald, Assistant City Attorney

50
51
52 Approved for Council action: Jason A. Hays, City Manager
53

ARTICLE VI. RENTAL PROPERTY REGISTRATION

DIVISION 1. GENERALLY

Sec. 74-321. Penalties.

- (a) Any person found guilty of any violation specified in this article may be punished under section 1-7; however, there shall be a minimum fine of \$300.00.
- (b) Any tenant who sublets any residence so that more than three unrelated tenants reside in that residence may be punished under section 1-7, unless more unrelated tenants are permitted under other sections of this Code; however, there shall be a minimum fine of \$100.00.
- (c) Any person in violation of this article may be administratively fined \$200.00 per violation under the following procedures.
 - (1) When the director of the department of building development services discovers a property owner with a property in violation of this article within Springfield's city limits, the director or department personnel will deliver a "rental registration failure notice" to the owner by:
 - a. Personal service; or
 - b. Postage prepaid United States certified mail, return receipt requested, and regular first class mail; or
 - c. FedEx, UPS, or similar carrier; and
 - d. Posting the notice in a conspicuous location on the property where the violation exists, unless there has been personal service.
 - (2) The "rental registration failure notice" must be in writing and:
 - a. Declare that the owner has failed to register a rental property;
 - b. Identify the property by street address or some other property identifier;
 - c. Order the owner to register within 15 business days of receiving the notice;
 - d. Warn the property owner that if the owner does not register the noted property or request a hearing within 15 business days of the notice, an administrative fine of \$200.00 will be automatically applied and added to the annual real estate tax bill for the property;
 - e. Inform the property owner of the right to a hearing to contest the declaration of a failure to register, the fine, or any other aspect of the proceedings;
 - f. State the e-mail address of the individual that signs the notice; and
 - g. Direct the property owner to deliver a hearing request in writing to the department that issued the notice, which delivery may be:
 - 1. Personal;
 - 2. By email to the individual that issued the "rental registration failure notice"; or

-
3. By mail, FedEx, UPS, or a similar courier.
 - h. If a property owner does not respond to a "rental registration failure notice" by making a hearing request or proper registration, the director will automatically impose a \$200.00, administrative fine for each such violation. The director of finance will cause the \$200.00 fine to be added to the annual real estate tax for the unregistered property.
- (3) When, in response to a "rental registration failure notice," there is a hearing request, the director may impose the \$200.00 fine after:
 - a. A hearing decision becomes final, or
 - b. Judicial review becomes final.
 - (4) A hearing request must:
 - a. Be in writing;
 - b. Include the applicant's name and mailing address; and
 - c. Briefly describe the applicant's basis for appeal.
 - (5) If an attorney represents the applicant, the written request must identify such attorney. A party may deliver a hearing request to the individual that signed the "rental registration failure notice" or that individual's department by:
 - a. Personal delivery;
 - b. Postage prepaid United States certified mail, return receipt requested, and regular first class mail;
 - c. FedEx, UPS, or a similar delivery; or
 - d. Email to the individual that signed the "rental registration failure notice."
 - (6) Failure to deliver a timely hearing request makes the "rental registration failure notice" final. The fine imposition will also be final.
 - (7) In response to a timely hearing request, the director will deliver a "hearing notice" to the property owner by:
 - a. Personal delivery; or
 - b. Postage prepaid United States certified mail, return receipt requested, and regular first class mail; or
 - c. FedEx, UPS, or a similar delivery; or
 - d. Email, upon request; and
 - e. Posting the notice in a conspicuous location on the property where the violation exists, unless there has been personal or email delivery.
 - (8) The "hearing notice" will specify the date, time, and location for the hearing. This notice will institute the case, include the "rental registration failure notice" as an attachment, and state:
 - a. The identifying case caption and number, and
 - b. Whether an answer to the notice is required.
 - (9) Any hearing will be conducted by the director and recorded. The director will hear testimony offered under oath or affirmation. Interested parties may appear in person and by counsel.

-
- (10) In deciding each case, the director will issue "findings of fact, conclusions of law, and order." The order will authorize the director of finance to cause the \$200.00 administrative fine to be added to the annual real estate tax for the property in violation of this article if:
- a. There has been a failure to register the rental property involved in the hearing;
 - b. Notices have been properly issued; and
 - c. The property owner has not properly registered the property.
- (11) Each decision will be distributed to the property owner and the city by:
- a. Personal delivery; or
 - b. Postage prepaid United States certified mail, return receipt requested, and regular first class mail; or
 - c. FedEx, UPS, or a similar delivery; or
 - d. Email, upon request; and
 - e. Posting the notice in a conspicuous location on the property where the violation exists, unless there has been personal or email delivery.
- (12) Each decision will be final 30 days after distribution unless there is a timely appeal made to circuit court pursuant to RSMo Ch. 536.

(G.O. No. 6210, § 1, 7-27-2015; G.O. No. 6409, § 1, 11-27-2017)

Sec. 74-322. Registration required.

No person shall rent property described in this article to any other person without obtaining and maintaining a current valid registration.

(G.O. No. 6210, § 1, 7-27-2015)

Sec. 74-323. Compliance.

The owner of any single-family rental residence, apartment house, boardinghouse, lodging house, rooming house, fraternity or sorority shall register such with the city manager as rental housing and shall designate for each building under his ownership a local person as the registered local agent who shall be legally responsible for operating the registered rental housing in compliance with all of the provisions of the codes and ordinances of the city and shall also be responsible for providing access to such property for the purposes of making the inspections necessary to ensure such compliance.

(G.O. No. 6210, § 1, 7-27-2015; G.O. No. 6409, § 1, 11-27-2017)

Sec. 74-324. Registration.

- (a) *Registration to be made by owner.* Registration of rental housing shall be completed by any owner of record using the registration form available on the city website.
- (b) *False statements.* It shall be unlawful for any person to make a false statement in any registration of rental housing.

(G.O. No. 6409, § 1, 11-27-2017)

Editor's note(s)—G.O. No. 6409, § 1, adopted November 27, 2017, amended section 74-324 in its entirety to read as herein set out. Formerly, section 74-324 pertained to application, and derived from G.O. No. 6210, § 1, adopted July 27, 2015.

Sec. 74-325. Fee.

There shall be a registration fee for all rental property required to be registered pursuant to this article in the amount of \$12.00; however, if a person is charged a license fee pursuant to subsection 70-84(6) or 70-84(116), then no such registration fee shall be required. The registration fee shall not apply to a single-family rental residence.

(G.O. No. 6210, § 1, 7-27-2015; G.O. No. 6409, § 1, 11-27-2017)

Sec. 74-326. Term; transfer.

The term of registration shall be annual and shall expire on the last day of the calendar year. In the event of a transfer of ownership, the registration shall become invalid. The new owner shall make application for registration within ten days of transfer of ownership. The registration is not transferable to any other building or to another owner.

(G.O. No. 6210, § 1, 7-27-2015)

Sec. 74-327. Suspension or revocation.

The city manager may institute a contested case under article II of this chapter to suspend or revoke an occupancy permit or institute any other procedures authorized in this article for one or more of the following causes:

- (1) Failure to obtain and maintain a current, valid occupancy permit.
- (2) Failure to have at least one registered local agent available as required by this article.
- (3) Failure to comply with the residential occupancy limits established in the city zoning ordinance. Each tenant beyond the maximum permitted by the city zoning ordinance shall constitute a separate violation.
- (4) Rental of any residence which fails to meet the requirements of the building, fire, electrical or other similar codes of the city.
- (5) Violation of any other provision of this article.

(G.O. No. 6210, § 1, 7-27-2015; G.O. No. 6409, § 1, 11-27-2017)

Sec. 74-328. Occupancy prohibited while registration is suspended or revoked.

No person shall occupy, for sleeping or living purposes, any residence while the occupancy permit of that residence is suspended or revoked.

(G.O. No. 6210, § 1, 7-27-2015; G.O. No. 6409, § 1, 11-27-2017)

Sec. 74-329. Designation and responsibilities of registered local agent.

- (a) *Designation and qualifications.* The owner of any single-family rental residence, apartment building containing two or more dwelling units, boardinghouse, lodging house, rooming house, fraternity or sorority shall designate for each building a local person as the registered local agent. Such registered local agent shall be a local individual person, as opposed to a corporation, partnership, firm, joint venture, trust, association, organization or other entity, having his place of residence and/or place of business located in the state and the city or within the County of Greene or any contiguous county to the County of Greene along with Taney and Stone counties. The registered local agent may be the owner of the rental housing or a tenant, lessee, occupant or any other individual person who has consented in a writing signed by the registered local agent agreeing to serve in such capacity for a particular property.
- (b) *Limitation on number.* Fraternities, sororities, boardinghouses, lodging houses or rooming houses shall not designate more than four registered local agents.
- (c) *Responsibilities.* The registered local agents shall be designated by the owner of the property as responsible for operating such property in compliance with all of the provisions of the codes and ordinances of the city, and for providing access to such property for the purpose of making the inspections necessary to ensure compliance with the codes and ordinances of the city. All official notices of the city may be served upon the registered local agent. Any notice so served on the registered local agent shall be deemed to have been served upon the owner of record. The owner shall ensure that at least one registered local agent shall be responsible at all times for purposes of controlling activities or conduct which occurs on the premises.

(G.O. No. 6210, § 1, 7-27-2015; G.O. No. 6409, § 1, 11-27-2017)

Sec. 74-330. Exception to requirement that local agent be an individual.

Notwithstanding any other provision of this article to the contrary, the owner of a fraternity or sorority house may designate the fraternity or sorority corporation as a registered local agent, provided information is provided to the city manager concerning the corporation to demonstrate to the satisfaction of the city attorney that such corporation can in fact serve as a registered local agent. Whenever such a corporation has been designated and accepted as a registered local agent, the corporation shall also designate at least one person who resides on the premises to act as the agent of such corporation in carrying out the duties established for a registered local agent. When such a corporation has been designated as a registered local agent, actions under this article for failure to perform the duties of a registered local agent shall be brought against the owner. Any such owner that fails to pay any penalties assessed pursuant to this article after a decision becomes final shall be subject to suspension or revocation of the owner's occupancy permit in accordance with the procedures set forth in this article.

(G.O. No. 6210, § 1, 7-27-2015; G.O. No. 6409, § 1, 11-27-2017)

Sec. 74-331. Prerequisites for issuance of occupancy permit.

The city manager shall not issue a residential occupancy permit for any residence containing two or more dwelling units, or for any lodging house, boardinghouse, rooming house, fraternity or sorority, unless a current rental housing registration is in effect, the registered local agent is properly designated, and the fees for the registration plus any penalties are paid in full. A single-family rental residence that is properly registered shall be considered to have a legal occupancy permit.

(G.O. No. 6210, § 1, 7-27-2015; G.O. No. 6409, § 1, 11-27-2017)

Sec. 74-332. Presumption regarding residency.

For purposes of this article, an individual is presumed to reside at a rental property if he does one or more of the following:

- (1) Gives that location to any person as a place where he may be reached by mail;
- (2) Pays, or has money paid on his behalf, to use that location; or
- (3) Gives the phone number of that location to any person as his home telephone number.

(G.O. No. 6210, § 1, 7-27-2015)

Sec. 74-333. Rental registration timing.

Within one year of the passage of this section, the owner of any single-family rental residence shall register such residence as provided in this article. If city personnel receive a complaint about non-registration or if non-registration comes to the attention of city personnel in any way within the said one year, there will be no penalty against the non-registering owner. However, beginning one year after passage of this section, a non-registering owner will be subject to a \$200.00 penalty as provided in this article.

(G.O. No. 6409, § 1, 11-27-2017)

Secs. 74-334—74-350. Reserved.

DIVISION 2. DESIGNATED NEIGHBORHOOD AREAS

Sec. 74-351. Applicability of division.

Due to the problems experienced because of certain neighborhoods' proximity to college campuses within the city limits and the need to conserve the residential quality and nature of those neighborhoods, in addition to all other provisions of this article, the provisions of this division shall apply to the following designated neighborhood areas:

- (1) *Rountree Urban Conservation District.* All that area bounded generally on the north by the north property lines of lots on the north side of Cherry Street, on the west by National Avenue, on the south by the south property lines of lots on the south side of Grand Street, and on the east by the east property lines of lots on the east side of Delaware Avenue and by the Burlington-Northern Railroad right-of-way, as more completely described in General Ordinance No. 3645.
- (2) *Phelps Grove Neighborhood Area.* All that area bounded by the south side of Grand Street from Jefferson Avenue to National Avenue, the west side of National Avenue from Grand Street to Brookside Drive, the north side of Brookside Drive between National Avenue and Clay Avenue, the north side of Bennett Street between Clay and Jefferson Avenues, and the east side of Jefferson Avenue between Grand and Bennett Streets.

(G.O. No. 6210, § 1, 7-27-2015; G.O. No. 6409, § 1, 11-27-2017)

Sec. 74-352. Registration and occupancy permit; inspections.

- (a) *Registration; designation of agent.*

-
- (1) All rental housing containing less than two units shall be registered with the city manager and shall be subject to all provisions of this article.
 - (2) The owner of any apartment building, duplex, or any other dwelling unit which is utilized as rental housing shall be registered in accordance with division 1 above.
- (b) *Occupancy permit and registration required; exceptions; contents; transfer.* It shall be unlawful for any person to occupy or for any owner or agent thereof to permit the occupation of any building or addition thereto, or part thereof, for any purpose, until a certificate of occupancy has been issued by the city manager and it has been properly registered. The certificate of occupancy so issued shall state that the occupancy complies with all the provisions of this article. The requirement for a certificate of occupancy shall not apply to any structure in existence on January 1, 1986, or to any multifamily housing containing three or more units. The certificate of occupancy shall not be transferable to any other person, entity, or address.
 - (c) *Application for occupancy permit and registration; fee.* The fee for such occupancy permit shall be in an amount established by the city's then-applicable fee ordinance. There shall be no fee charged for single-family rental-residence registration.
 - (d) *Inspections.*
 - (1) The city manager is authorized and directed to make inspections of substantially all of the units in housing containing three or more units and all common areas. The inspection shall be to determine whether property subject to this article conforms to the requirements in this article. For the purpose of making such inspections, the city manager is authorized to enter, examine and survey at all reasonable times all such premises, on an annual basis.
 - (2) The city manager or his designee is authorized and directed to make inspections of each rental residence whenever there is a change in the occupancy of the rental residence.
 - (3) The owner of housing containing three or more units, and either the owner or the occupant of each dwelling unit in premises containing one or two units, shall give the city manager free access thereto at all reasonable times for the purpose of such inspection, examination and survey. If the owner or occupant shall refuse access to any such premises, the city manager shall have authority to request a search warrant pursuant to the provisions of article II of this chapter.
 - (e) *Violations; penalties.* Any property owner who has a tenant who sublets any residence in violation of this article shall be subject to administrative procedures under article II of this chapter to suspend or revoke the owner's occupancy permit.
 - (f) *Lease terms.* Each lease or rental contract entered into regarding rental housing containing one or two units which is zoned R-SF or R-TH and is located in the designated neighborhood areas shall contain the following language: "Occupancy limited to one family or three unrelated people, or one family or four unrelated people as determined by the zoning classification of the property. This language shall also be posted on all such rental property. A failure to comply with this section shall render the occupancy permit null and void.

(G.O. No. 6210, § 1, 7-27-2015; G.O. No. 6347, § 6, 3-6-2017; G.O. No. 6409, § 1, 11-27-2017)

Sec. 74-353. Administrative enforcement.

- (a) Any person who believes that a violation of this article is occurring or has occurred may file a complaint with the city manager.
- (b) In connection with violations of this article:

-
- (1) A contested case may be instituted under article II of this chapter to suspend or revoke an occupancy permit for the property described in the registration, or for such other remedies as provided in this chapter.
 - (2) A suspension shall remain in effect until the registrant demonstrates compliance with the terms of this article, or for such other period as prescribed by the administrative hearing officer.
 - (3) A registrant whose registration for certain premises is revoked may not reapply for registration of those premises for 60 days.

(G.O. No. 6210, § 1, 7-27-2015; G.O. No. 6409, § 1, 11-27-2017)

Secs. 74-354—74-380. Reserved.



EXPLANATION TO COUNCIL BILL 2024-190 (HARDINGER, HOSMER, CARROLL,

FILED: 08/21/2024

ORIGINATING DEPARTMENT: Building Development

TITLE: A general ordinance amending City of Springfield Code Chapter 26 – Buildings and Building Regulations, Article III. – Dangerous, Blighted and Nuisance Building Code, sections 26-62, 26-74, 26-77, 26-79, 26-80, 26-82, 26-83, and 26-84.

PURPOSE: The proposed changes to Chapter 26 of the City Code, will define chronic nuisance and substantial progress, grant Building Development Services ("BDS") the authority to issue summons, establish fines, and clarify key terms and definitions. By specifying what constitutes a chronic nuisance and what qualifies as substantial progress, BDS is equipped with the tools needed to enforce regulations effectively and uphold community standards. These amendments not only provide clarity for property owners but also streamline enforcement processes, ensuring a fair and consistent approach to addressing nuisance issues.

BACKGROUND INFORMATION: On August 21, 2023, the City Council passed Resolution 10722, tasking the City Manager and the Community Involvement Committee with reviewing, and making recommendations regarding nuisance abatement, following the Nuisance Property Work Group Report from February 23, 2023. This thorough review led to the recommendation to define "Substantial Progress" and "Chronic Nuisance" in the City Code, as well as to introduce fines for those who violate the ordinance. In the process of implementing these changes, staff also refined terms and language in other sections of Chapter 26 to streamline enforcement and enhance clarity.

Submitted By: Brad Musick, Assistant Director

Authorized for inclusion on the agenda pursuant to City Code section 2-33:
Maurice S. Jones, Deputy City Manager 8/30/2024

Attachments: 1. Chronic Nuisance_ ord

One-rdg. _____
P. Hrngs. _____
Pgs. 8
Filed: 09-03-24

Sponsored by: Hardinger, Hosmer,
Carroll, Lee

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-190

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING City of Springfield Code Chapter 26 – Buildings and Building
2 Regulations, Article III. – Dangerous, Blighted and Nuisance
3 Building Code, sections 26-62, 26-74, 26-77, 26-79, 26-80, 26-82,
4 26-83, and 26-84.
5 _____
6

7 WHEREAS, on August 21, 2023, City Council passed Resolution 10722 directing
8 the City Manager and the Community Involvement Committee (“CIC”) to review and
9 recommend measures to better enforce Chapter 26 – Building and Building Regulations
10 of the City Code; and
11

12 WHEREAS, the CIC recommended defining “chronic nuisance” and “substantial
13 progress” and codifying fines violation; and
14

15 WHEREAS, while working on such definitions and fines, staff refined terms and
16 language and updated antiquated cross-references in Chapter 26, to further streamline
17 enforcement and clarify City Code.
18

19 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
20 SPRINGFIELD, MISSOURI, as follows, that:
21

22 NOTE: Language to be added is **bold, underlined** and language to be deleted is
23 stricken.
24

25 Section 1 – City of Springfield Code Chapter 26 – Building and Building
26 Regulations, Article III. – Dangerous, Blighted and Nuisance Building Code, Section 26-
27 62, “Conditions of buildings or structures constituting public nuisance,” of the City Code
28 is hereby amended to read as follows:
29

30 **Sec. 26-62. Conditions of buildings or structures constituting public**
31 **nuisance.**
32
33

34 **(a)** Any building or structure having any of the following conditions is hereby
35 declared to be detrimental to the health, safety, or welfare of the residents of
36 the city and to constitute a public nuisance:
37

- 38 (1) Those whose interior walls or other vertical structural members list, lean
39 or buckle to such an extent that a plumb line passed through the center
40 of gravity of any such wall or vertical structural member falls outside of
41 the middle third of its base.
42
- 43 (2) Those which, exclusive of the foundation, show 33 percent or more of
44 damage or deterioration of the supporting members, or 50 percent of
45 damage or deterioration of the non-supporting enclosing or outside
46 walls or covering.
47
- 48
- 49 (3) Those which have improperly distributed loads upon the floors or roofs
50 or in which the floors or roofs are overloaded, or those having floors or
51 roofs of insufficient strength to be reasonably safe for the purpose for
52 which they are being used or intended to be used.
53
- 54 (4) Those which have been substantially damaged by fire, wind or other
55 causes.
56
- 57 (5) Those unoccupied and open at door, window, wall, or roof. As used
58 herein, an "unoccupied" building is one which is not being continuously
59 and lawfully inhabited for residential or any non-residential purpose. As
60 used herein, an unoccupied building is "open" at door, window, wall or
61 roof when the interior is exposed to the elements or is accessible for
62 entry by animals, trespassers, or others acting without the building
63 owner's consent.
64
- 65 (6) Those under construction upon which work has ceased to the point that
66 substantial progress has not been made for a period of 30 consecutive
67 calendar days after a notice has been issued under section 26-65 for
68 the completion or demolition thereof.
69
- 70 (7) Those in the process of demolition upon which work has ceased to the
71 point that substantial progress has not been made for a period of seven
72 consecutive calendar days after a notice has been issued under section
73 26-65 for the completion or demolition thereof.
74
- 75 (8) Those containing therein substantial accumulations of trash, garbage or
76 other materials susceptible to fire, or constituting or providing a
77 harboring place for vermin or other obnoxious animals or insects or in
78 any way threatening the health of the occupants thereof or the health of
79 persons in the vicinity thereof.

- (9) Those condemned as unfit for human habitation under section 74-45.
- (10) Those having inadequate facilities for egress in case of fire or panic.
- (11) Those which have parts thereof which are so attached or deteriorated that they may fall upon public ways or upon the property of others or may injure members of the public or the occupants thereof.
- (12) Those built in violation of the building, plumbing, electrical, fuel gas, property maintenance or zoning codes of the city or used in violation thereof.
- (13) Those boarded buildings, **that lack a valid, boarded building permit issued by the department of building development services under section 36-1212 of the Springfield City Code.** ~~as defined by section 36-1218 of the Springfield City Code, that do not have a valid boarded building permit issued by the City of Springfield in accordance with section 36-1229.~~

(b) For purposes of this section, substantial progress is such that would allow an outside, objective observer to reasonably conclude that there has been considerable abatement of the conditions that make a property a danger, a nuisance, or in need of maintenance.

Section 2 – City of Springfield Code Chapter 26 – Building and Building Regulations, Article III. – Dangerous, Blighted and Nuisance Building Code, Section 26-74, “Summary abatement where immediate danger exists,” of the City Code is hereby amended to read as follows:

Sec. 26-74. – Summary abatement where immediate danger exists.

In all cases where it reasonably appears that an immediate danger to the health, safety or welfare of any person exists, the director of building development services may take emergency measures to vacate, repair or demolish a building or structure, **or remove what remains of a demolished building or structure,** which is a public nuisance under the provisions of this article.

Section 3 – City of Springfield Code Chapter 26 – Building and Building Regulations, Article III. – Dangerous, Blighted and Nuisance Building Code, Section 26-77, “Penalty for failure to comply with order of director of building development services,” of the City Code is hereby amended to read as follows:

Sec. 26-77. Penalties. Penalty for failure to comply with order of director of building development services.

126 **(a) - Penalty for failure to comply with order of director of building**
127 **development services.**
128

129 It shall be unlawful for the owner, occupant, lessee, mortgagee, agent, and all
130 other persons having an interest in a building or structure not to comply with the order of
131 the director of building development services issued pursuant to section 26-70 or 26-74.
132 Any person who violates the order of the director of building development services shall
133 be subject to a fine and penalty under section 1-7 for each day that he fails to comply
134 with such order, but such fine shall be not less than \$50.00 per day for each day of
135 violation, each day constituting a separate offense, provided that the maximum total fine
136 for a continuing violation of an order shall not exceed \$1,000.00 unless the person who
137 violates the order is not a resident of the property, in which case such maximum fine
138 shall not exceed \$2,000.00. Nothing contained in this section shall limit the liability of
139 any person with respect to any special tax bill issued under section 26-71.

140
141 **(b) - Chronic Nuisance Penalty.**
142

143 **Any person that allows or causes chronic nuisance properties to exist in**
144 **the city shall, upon conviction in municipal court, be fined \$1,000.00 unless the**
145 **person who violates the order is not a resident of the property, in which case**
146 **such maximum fine shall be \$2,000.00. Chronic nuisance properties are:**
147

148 **(1) properties for which there has been a final order under section 26-70**
149 **two or more times under the same ownership; or,**
150

151 **(2) two or more properties under the same ownership for which there**
152 **has been a final order under section 26-70.**
153

154 **Section 4 – City of Springfield Code Chapter 26 – Building and Building**
155 **Regulations, Article III. – Dangerous, Blighted and Nuisance Building Code, Section 26-**
156 **79, “Owner to allow entry for purposes of inspection,” of the City Code is hereby**
157 **amended to read as follows:**
158

159 **Sec. 26-79. – Owner to allow entry for purposes of inspection.**
160

161 If **a city inspector has reason to believe that a structure** at such time **has** any of
162 the conditions listed in section 26-62 ~~are determined to be in existence by the city~~
163 ~~inspector,~~ the owner shall, upon request, provide entry to an **the** inspector of the city for
164 ~~purpose of to determining whether~~ **the structure**:
165

166 (1) ~~The building is characterized by violations of the applicable~~ **city** housing
167 ~~codes of the city; and/or~~

168
169 (2) ~~The building has been properly boarded in accordance with to section 36-~~
170 ~~121252.15.4; and/or~~
171

(3) ~~The building is characterized by violations of other provisions of section 26-62.~~

Section 5 – City of Springfield Code Chapter 26 – Building and Building Regulations, Article III. – Dangerous, Blighted and Nuisance Building Code, Section 26-80, “If entry denied for purpose of inspection,” of the City Code is hereby amended to read as follows:

Sec. 26-80. – If inspections entry denied for purpose of inspection.

If ~~the~~ a city inspector, per section 26-79, has requested consent to enter a structure from any person with authority to give such consent, ~~entry to building from the property owner per section 26-79~~ and if consent is refused, the director of building development services may seek an administrative search warrant for entry ~~as provided for in~~ under section 36-12531217 of the City Code.

Section 6 – City of Springfield Code Chapter 26 – Building and Building Regulations, Article III. – Dangerous, Blighted and Nuisance Building Code, Section 26-82, “Emergency procedures,” of the City Code is hereby amended to read as follows:

Sec. 26-82. – Emergency procedures

The city council hereby finds and declares that unoccupied buildings which are open at door and/or window, wall or roof constitute a potential danger and/or a public nuisance and constitute an emergency under this article. The director of building development services may, upon his determination that a building is unoccupied and open at door and/or window, wall, or roof, temporarily close such building by proceeding as follows:

- (1) The director shall post the property with a notice pursuant to section 26-65, pertaining to notice of public nuisance, for not less than 24 hours.
- (2) After the property has been posted for not less than 24 hours, the director shall hold a hearing to give the owner and any interested parties an opportunity to respond.
- (3) The director is authorized to employ a contractor for the purpose of securing the building pursuant to the city purchasing manual, chapter 3, "Exceptions to Normal Purchasing Procedures," sections A, B, C and D, pertaining to emergency purchases.
- (4) Whenever the city shall have caused the work to be done as provided for in this subsection, the director of building development services shall certify the cost of the work to the city clerk, who shall cause to be prepared a special tax bill or special assessment therefor, pursuant to the terms and conditions set forth in section 26-71, pertaining to manner of payment of tax bills for work.

(5) If a building or structure is in violation of only subsection 26-62(5), and the city has temporarily boarded the building under section 26-82, the director of building development services shall issue a notice pursuant to section 26-65 to the property owner to abate the nuisance by removing any temporary boarding materials and to repair or restore the opening(s) back to their original material, design, function and/or intent, or to apply for a boarded building permit in accordance with subsection 36-1229(D)12.

Section 7 – City of Springfield Code Chapter 26 – Building and Building Regulations, Article III. – Dangerous, Blighted and Nuisance Building Code, Section 26-83, “Unlawful to board an unoccupied building without permit,” of the City Code is hereby amended to read as follows:

Sec. 26-83. – Unlawful to board an unoccupied building without permit.

It shall be unlawful for the owner of any unoccupied building to board, or to keep boarded, such building at door, window, wall, or roof except with a valid boarded building permit issued by the department of building development services of the city. ~~In the case of any building which has been boarded prior to the effective date of this ordinance, a boarded building permit must be obtained by the owner within 180 days after the effective date of the ordinance.~~

Section 8 – City of Springfield Code Chapter 26 – Building and Building Regulations, Article III. – Dangerous, Blighted and Nuisance Building Code, Section 26-84, “Inspection of building prior to issuance of boarded building permit,” of the City Code is hereby amended to read as follows:

Sec. 26-84 – Inspection of building prior to issuance of boarded building permit.

~~In order to~~To obtain a boarded building permit, the property owner shall~~must~~ first make an application for such permit ~~it~~ on a form prescribed by the director of building development services of the city. ~~Prior to the issuance of~~
Before receiving the permit, the owner shall~~must~~ allow a city inspector to enter~~ry~~ into the building by a city inspector for the purpose of determining whether the building to be boarded~~it~~ is in violation **Chapter 26**, of article~~Article~~ III, Dangerous building code of chapter 26; the Springfield Housing Code; or subsection 36-1252.15.4~~1212~~ of the Springfield City Code. ~~In the event~~If such violations are found to exist, the building inspector may commence appropriate proceedings under the dangerous building code.

Section 9 – Savings Clause. Nothing in this ordinance shall be construed to affect any suit or proceeding now pending in any court or any rights acquired or liability incurred nor any cause or causes of action occurred or existing, under any act or ordinance repealed hereby. Nor shall any right or remedy of any character be lost,

264 impaired, or affected by this Ordinance.

265
266 Section 10 – Severability Clause. If any section, subsection, sentence, clause, or
267 phrase of this ordinance is for any reason held to be invalid, such decision shall not
268 affect the validity of the remaining portions of this Ordinance. The Council hereby
269 declares that it would have adopted the ordinance and each section, subsection,
270 sentence, clause, or phrase thereof, irrespective of the fact that any one or more
271 sections, subsections, sentences, clauses, or phrases be declared invalid.

272
273 Section 11 – This Ordinance shall be in full force and effect from and after
274 passage.

275
276 Passed at meeting: _____

277
278 _____
279 Mayor
280 Attest: _____, City Clerk

281
282 Filed as Ordinance: _____

283
284
285 Approved as to form: Duke M. Donald, Assistant City Attorney

286
287
288 Approved for Council action: Jason A. Hayes City Manager



EXPLANATION TO COUNCIL BILL 2024-191 (CARROLL)

FILED: 08/01/2024

ORIGINATING DEPARTMENT: Health

TITLE: A special ordinance authorizing the City Manager, or designee, to accept funds in the amount of \$36,500 from Mercy Hospital Springfield, through The Bobby Allison Fund, for use by the Springfield-Greene County Health Department's Family Connects Program; and amending the Fiscal Year 2024-2025 budget in the amount of \$36,500 to appropriate the grant funds.

PURPOSE: Authorizing the City Manager, or designee, to accept funds in the amount of \$36,500 from Mercy Hospital Springfield through The Bobby Allison Fund for use by the Springfield-Greene County Health Department's Family Connects Program; and amending the Fiscal Year 2024-2025 budget in the amount of \$36,500 to appropriate the funds.

BACKGROUND INFORMATION: The Springfield-Greene County Health Department ("SGCHD") has the opportunity to accept \$36,500 in funding from Mercy Hospital Springfield ("Mercy") through The Bobby Allison Fund for Mercy's participation in SGCHD's Family Connects Program that offers free newborn and postpartum health assessments for all families with newborns in Greene County, Missouri. The funds will be used to support the compilation of reports to measure the impact and efficacy of the Family Connects Program.

This budget adjustment accepts the increase in funds and budgets the amount of \$36,500 in expenditures in the SGCHD Fiscal Year 2024-2025.

REMARKS: The Springfield-Greene County Health Department recommends approval of this Council bill and budget adjustment appropriating the grant funds.

Submitted By:

Authorized for inclusion on the agenda pursuant to City Code section 2-33:

Collin Quigley, Deputy City Manager 8/29/2024

Attachments:

1. Bobby Allison Mercy Family Connects Grant_Ord
2. BA_ Exh A

One-rdg. _____
P. Hrngs. _____
Pgs. 4
Filed: 09-03-24

Sponsored by: Carroll

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-191

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AUTHORIZING the City Manager, or designee, to accept funds in the amount of
2 \$36,500 from Mercy Hospital Springfield, through The Bobby Allison
3 Fund, for use by the Springfield-Greene County Health Department's
4 Family Connects Program; and amending the Fiscal Year 2024-2025
5 budget in the amount of \$36,500 to appropriate the grant funds.
6 _____
7

8 WHEREAS, the Springfield-Greene County Health Department ("SGCHD") has
9 the opportunity to accept \$36,500 in funding from Mercy Hospital Springfield ("Mercy"),
10 through The Bobby Allison Fund, for Mercy's participation in SGCHD's Family Connects
11 Program that offers free newborn and postpartum health assessments for all families
12 with newborns in Greene County, Missouri; and
13

14 WHEREAS, this funding will be used to support the compilation of reports to
15 measure the impact and efficacy of the Family Connects Program.
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 Manager, or designee, is hereby authorized to accept grant
21 funds in the amount of \$36,500 from Mercy Hospital Springfield, through The Bobby
22 Allison Fund, and to execute contracts necessary to carry out the intent of this Grant on
23 forms approved by the City Attorney.
24

25 Section 2 – The Fiscal Year 2024-2025 budget of the Springfield-Greene County
26 Health Department is hereby amended in the accounts and in the amounts as shown on
27 Budget Adjustment No. 018, a copy of which is attached hereto and incorporated herein
28 by reference as "Exhibit A."
29

30 Section 3 – City Council finds that the budget adjustment made above has been
31 recommended by the City Manager.
32

33 Section 4 – The City Manager, or designee, is directed to cause the appropriate
34 accounting entries to be made in the books and records of the City. In the event
35 additional funding is provided under this Grant by the grantor, the Director of Finance is
36 hereby authorized to adjust this appropriation by an amount not to exceed 20 percent.
37

38 Section 5 – This Ordinance shall be in full force and effect from and after
39 passage.
40

41
42 Passed at meeting: _____
43

44
45 _____
46 Mayor

47 Attest: _____, City Clerk
48

49 Filed as Ordinance: _____
50

51
52 Approved as to form: Mary B. Bozarth, Assistant City Attorney
53

54
55 Approved for Council action: Jason A. Hage, City Manager

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit A

Budget Adjustment
018

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
27020	11	53590	416030	103246		\$ 36,500	Family Connects funding from Mercy Hospital/Bobby Allison Fund
Net Revenue Adjustment						\$ 36,500	

Expenditures:

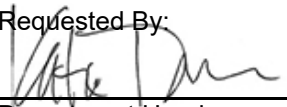
Fund	Dept	Org	Account	P&G	Location	Amount	Description
27020	11	53590	500110	103246		\$ 36,500	Family Connects funding from Mercy Hospital/Bobby Allison Fund
Net Expenditure Adjustment						\$ 36,500	

Fund Balance Appropriation:

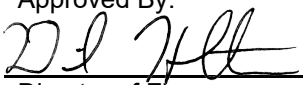
Fund	Title	Amount

Explanation: To amend the FY24-25 budget by appropriating \$36,500 from Mercy Hospital/Bobby Allison Fund to be used for the Family Connects Program.

Requested By:


Department Head 9-03-2024
Date

Approved By:


Director of Finance 9-03-2024
Date

City Manager Date

Authorization:

Council Bill No. 2024-191
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____



EXPLANATION TO COUNCIL BILL 2024-192 (LEE)

FILED: 08/20/2024

ORIGINATING DEPARTMENT: Public Works

TITLE: A special ordinance authorizing the City Manager, or designee, to enter into a Municipal and Cost Apportionment Agreement with the Missouri Highways and Transportation Commission to share costs associated with quality of place and other aesthetic improvements on new lighting and signal poles located at the northbound and southbound US Highway 65 ramps at Evans Road.

PURPOSE: Authorizing the City Manager, or designee, to enter into a Municipal and Cost Apportionment Agreement ("Exhibit 1") with the Missouri Highways and Transportation Commission ("MHTC") to cover costs associated with Quality of Place/aesthetic improvements on new lighting and signal poles located at the northbound and southbound US65 ramps at Evans Road.

BACKGROUND INFORMATION: While overall costs of the associated MHTC project are estimated at \$3,787,400, this Municipal and Cost Apportionment Agreement addresses only the estimated \$28,900 costs for applying black powder coating to lighting and signal poles located at the northbound and southbound US65 ramps at Evans Road. The City will contribute \$28,900 of 1/8-cent Transportation Sales Tax funds from the Cost Share Program that are already budgeted to pay the estimated costs for the aesthetic powder coating.

Additionally, the proposed agreement includes language that the City is responsible for 100 percent of powder coating costs in excess of \$28,900 and will receive 100 percent of any underruns associated with powder coating. Overruns for powder coating, if any, will be paid from 1/8-cent Transportation Sales Tax funds from the Cost Share Program that are already budgeted. The agreement also indicates that the City is responsible for maintaining and touching up powder coating of lighting and signal poles.

Supports the following City Council Priorities:

- Quality of Place
- Public Safety
- Economic Vitality
- Fiscal Sustainability and Accountability

REMARKS: Public Works recommends approval of this Council bill.



Submitted By: Martin Gugel, Interim Director of Building Development Services

Authorized for inclusion on the agenda pursuant to City Code section 2-33:

Maurice S. Jones, Deputy City Manager 8/29/2024

Attachments:

1. MHTC US65-Evans Road Aesthetics_ord
2. MHTC US65-Evans Road Aesthetics_Exh1

One-rdg. _____
P. Hrngs. _____
Pgs. 17
Filed: 09-03-24

Sponsored by: Lee

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-192

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AUTHORIZING the City Manager, or designee, to enter into a Municipal and Cost
2 Apportionment Agreement with the Missouri Highways and
3 Transportation Commission to share costs associated with quality of
4 place and other aesthetic improvements on new lighting and signal
5 poles located at the northbound and southbound US Highway 65
6 ramps at Evans Road.
7 _____
8

9 WHEREAS, US Highway 65 ("US65") is under the jurisdiction of the Missouri
10 Highways and Transportation Commission ("MHTC"); and
11

12 WHEREAS, MHTC is performing improvements to the traffic signals on Evans
13 road at US65; and
14

15 WHEREAS, the City of Springfield, Missouri ("City") has requested aesthetic
16 improvements to the lighting and signals, specifically black powder coating, at an
17 estimated cost of \$28,900 to be paid from 1/8-cent Transportation Sales Tax funds from
18 the Cost Share Program that are already budgeted; and
19

20 WHEREAS, the City will be 100 percent responsible for aesthetic cost overruns
21 and receive 100 percent of any aesthetic cost underruns; and
22

23 WHEREAS, any cost overruns will be paid from 1/8-cent Transportation Sales
24 Tax funds from the Cost Share Program that are already budgeted; and
25

26 WHEREAS, the City will be responsible for maintaining the powder coating.
27

28 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
29 SPRINGFIELD, MISSOURI, as follows, that:
30

31 Section 1 – City Council hereby authorizes the City Manager, or designee, to
32 enter into a Municipal and Cost Apportionment Agreement in substantial conformity with
33 "Exhibit 1" attached hereto and incorporated herein by reference.

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

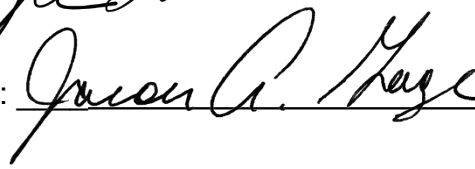
36
37 Passed at meeting: _____

38
39 _____
40 Mayor

41
42 Attest: _____, City Clerk

43
44 Filed as Ordinance: _____

45
46 Approved as to form:  _____, Assistant City Attorney

47
48 Approved for Council action:  _____, City Manager
49
50

CCO Form: DE63
Approved: 12/17 (BDG)
Revised: 03/24 (TLP)
Modified:

Municipal and Cost Apportionment Agreement
Route: US 65/Evans Road Interchange
County: Greene
Job No.:8P3236
eAgreement #: 2024-06-84313

**MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION
MUNICIPAL AND COST APPORTIONMENT AGREEMENT**

THIS AGREEMENT is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission") and the City of Springfield, Missouri, a municipal corporation (hereinafter, "City").

WITNESSETH:

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations contained herein, the parties agree as follows:

(1) IMPROVEMENT DESIGNATION: The public improvement designated as U.S. 65, Greene County, Job No.8P3236 shall consist of replacing the signals on Evans Road at U.S. 65 ramps.

(2) IMPROVEMENT WITHIN CITY: The improvement within the City is located as follows:

At Evans Road and U.S. 65 north ramps and at Evans Road and U.S. 65 south ramps.

(3) EXTENT OF AGREEMENT: This Agreement shall apply only to the portion of the improvement lying within the city limits as they exist on the date this Agreement is executed by the City.

(4) LOCATION: The general location of the public improvement is shown on an attached sketch marked "Exhibit A" and made a part of this Agreement. The detailed location of the improvement is shown on the plans prepared by the Commission for the above-designated route and project.

(5) PURPOSE: It is the intent of this Agreement to outline the parties' responsibilities with respect to the construction and maintenance of those improvements to the State Highway System located within the City limits described in paragraphs (1) and (2) above and designated as Commission Job No. 8P3236. The parties' responsibilities with respect to the funding of said improvements are outlined further herein.

(6) PROJECT RESPONSIBILITIES: With regard to project responsibilities

under this Agreement, the parties agree to contribute as follows:

(A) The Commission will be responsible for the preparation of detailed right-of-way and construction plans and project specifications. This includes design, letting of project, and inspection of project. The plans shall be prepared in accordance with and conform to Commission requirements.

(B) The Commission will acquire right-of-way as needed for the project in accordance with Commission requirements.

(C) The Commission will be responsible for letting the work for the herein improvement, which includes advertising the project for bids and awarding the construction contract. The Commission will solicit bids for the herein improvement in accordance with plans developed by the Commission, or as the plans may from time to time be modified in order to carry out the work as contemplated.

(D) The Commission will be responsible for construction of the herein improvements, which includes administration of the construction contract and inspection of the project work. The project shall be constructed in accordance with and conform to Commission requirements.

(7) PAYMENT RESPONSIBILITIES: With regard to payment responsibilities under this Agreement, the parties agree to as follows:

(A) The total project cost is estimated to be three million seven hundred eighty-seven thousand four hundred dollars (\$3,787,400). The total project cost will include preliminary engineering, right of way acquisition, utilities, construction, construction contingencies, and inspection. Included in this total is the cost of aesthetic costs for powder coating for lighting and signals per the City's request, estimated to be twenty-eight thousand nine hundred dollars (\$28,900). The cost will include construction of the aesthetic for powder coating for lighting and signals. The details of the estimated cost breakdown are listed in "Exhibit B", which is attached hereto and made part thereof.

(B) The City will be responsible for one hundred percent (100%) of the aesthetic costs for powder coating for lighting and signals. The current estimate of the City's responsibilities is twenty-eight thousand nine hundred dollars (\$28,900). The City shall remit a check in the amount of twenty-eight thousand nine hundred Dollars (\$28,900) to cover estimated construction costs no later than five (5) days prior to the Commission's advertisement of the project for bids. This check should be made payable to the *Missouri Highway and Transportation Commission – Local Fund*. If the City fails to make any of the required deposits, the Commission is under no obligation to continue with the project.

(C) The City will be responsible for one hundred percent (100%) of the balance of the cost of powder coating for lighting and signals at U.S. 65 and Evans Road interchange in excess of twenty-eight thousand nine hundred dollars (\$28,900) and will receive one hundred percent (100%) of cost underruns for this portion of the work.

(D) The Commission is responsible for the balance of the project estimated to be three million seven hundred forty-three thousand dollars (\$3,743,000), excluding the City's responsibility of twenty-eight thousand nine hundred dollars (\$28,900) and the City of Republic's responsibility of fifteen thousand five hundred dollars (\$15,500) as detailed in eAgreement # 2024-06-84309, and will receive all cost savings on this portion of the work.

(E) If, at the time of the letting, the lowest responsive bid is higher than the estimated construction and inspection cost amount, the City, upon written notification from the Commission shall remit a check in the amount of its share of the difference between the estimated amount and the lowest responsive bid no later than one (1) day prior to the date of the Commission meeting wherein the subject bid will be considered for award or a later date set by the Commission in its sole discretion. In the event the Commission, in its sole discretion, extends the day the City payment is due, it shall notify the City of the new due date in writing, which shall be binding immediately upon the City's receipt of the written notice. The check must be made payable to the *Missouri Highways and Transportation Commission – Local Fund*. The Commission, in its sole discretion, reserves the right to take action at the said Commission meeting and either reject all bids if the City fails to make the payment by the due date, or award the contract to the lowest responsive bidder contingent upon receipt of the additional funds from the City by the extended due date. If the Commission makes a contingent award of the contract and the City fails to make the required deposit(s) by the extended due date, the contingency of the contract award by the Commission shall be deemed unsatisfied, the award of the contract shall be deemed null and void and the Commission shall be under no obligation to continue with the project.

(8) COMMINGLING OF FUNDS: The City agrees that all funds deposited by the City, pursuant to this Agreement with the Commission, may be commingled by the Commission with other similar monies deposited from other sources. Any deposit may be invested at the discretion of the Commission in such investments allowed by its Investment Policy. All interest monies shall be payable to the *Local Fund* and credited to the project. If the amount deposited plus any applicable credited interest with the Commission shall be less than the actual obligation of the City for this project, the City, upon written notification by the Commission, shall tender the necessary monies to the Commission to completely satisfy its obligation. Upon completion of the project, any excess funds or interest credited to the City shall be refunded to the City based on its pro rata share of the investment.

(9) RIGHT-OF-WAY USE: The City grants the right to use the right-of-way of public roads, streets, alleys and any other property owned by the City as necessary for construction and maintenance of said public improvement.

(10) CLOSE AND VACATE: The City shall temporarily close and vacate all streets or roads, or parts thereof, which may be necessary to permit the construction of the project in accordance with the detailed plans.

(11) RIGHT-OF-WAY ACQUISITION: Upon approval of all agreements, plans and specifications by the Commission and the Federal Highway Administration (FHWA), the Commission will file copies of the plans with the city clerk of the City and the county clerk of the county and proceed to acquire at its expense, at no cost or expense to the City, any necessary right-of-way required for the construction of the improvement.

(12) UTILITY RELOCATION:

(A) The Commission and the City shall cooperate to secure the temporary or permanent removal, relocation, or adjustment of public utilities or private lines, poles, wires, conduits, and pipes located on the right-of-way of existing public ways as necessary for construction of the improvement and the cost shall be borne by such public utilities or the owners of the facilities except where the City is by existing franchise or agreement obligated to pay all or a portion of such cost, in which case the City will pay its obligated portion of the cost.

(B) The Commission shall secure the removal, relocation, or adjustment of any public or private utilities located upon private easements and shall pay any costs incurred therein.

(C) It is understood and agreed by the parties to this Agreement that no city-owned utility facilities will require relocation or adjustment in connection with this improvement, but that should utility facilities be discovered at any time during development or construction of this improvement, relocation or adjustment of the same will be done and performed under a supplemental agreement covering the subject, and in accordance with Commission policy then in effect on division of costs for adjustment of utility facilities.

(D) In cases of public utilities owned by the City which must be moved, adjusted, or altered to accommodate construction of this improvement, and such city-owned utilities, poles, wires, conduits, and pipes are located within the present city limits and located on an existing city street, not state highway right-of-way, but being taken over by the Commission as a part of its highway right-of-way, the City will perform the necessary removal, adjustment, alterations and relocation, and the Commission will reimburse the City except as otherwise provided. The City shall perform the removal, adjustment, alterations and relocation in accordance with the detail plans, estimates of costs and bills of materials prepared by the City in accordance with Federal Aid Policy Guide, Title 23 CFR Subchapter G, Part 645, Subpart A (FAPG 23 CFR 645A), dated December 9, 1991 and any revision of it, and approved by the Commission's District Engineer, and shall perform all work and keep the records of the costs in accordance with FAPG 23 CFR 645A and its revisions. Upon the completion of any such work and on receipt by the Commission of the original and four copies of a bill for the actual costs incurred by the City in making any such removal, adjustment, alteration and relocation, the Commission shall reimburse the City for the actual cost necessitated by construction of this public improvement. The Commission's obligation toward the cost of any such

removal, adjustment, alteration and relocation shall extend only to those costs incurred in accordance with FAPG 23 CFR 645A and its revisions.

(E) Should it be necessary to alter, relocate or adjust any city-owned utility facilities outside the present city limits on public right-of-way or on state highway right-of-way within or outside the city limits or within the right-of-way of a public way other than a city street or alley, the alteration, relocation, or adjustment shall be made by the City at its cost.

(F) The City agrees that any installation, removal, relocation, maintenance, or repair of public or private utilities involving work within highway right-of-way included in this project shall be done only in accordance with the general rules and regulations of the Commission and after a permit for the particular work has been obtained from the Commission's District Engineer or his authorized representative. Similarly, the City will allow no work on the highway right-of-way involving excavation or alteration in any manner of the highway as constructed, including but not limited to driveway connections, except in accordance with the rules and regulations of the Commission and only after a permit for the specific work has been obtained from the Commission's District Engineer or his authorized representative. The City shall take whatever actions that are necessary to assure compliance with this Subsection.

(13) LIGHTING

(A) The installation, operation, and maintenance by the Commission of any lighting system on the public improvement covered by this Agreement shall be only in accordance with the Commission's policy on highway lighting in effect at the time of any such installation and only to the extent the Commission then deems warranted. No street lighting system shall be installed or maintained by or for the City on the improvement without approval of the Commission.

(B) The Commission will, at its cost and expense, install, operate, and maintain basic highway intersection or interchange lighting at warranted locations on the improvement. The construction, installation, and maintenance of any other or further lighting system on the public improvement covered by this Agreement shall be only in accordance with the Commission's policy on highway lighting in effect, and to the extent deemed warranted by the Commission, at the time of any such installation. No lighting system shall be installed or maintained by the City on the improvement without approval of the Commission.

(14) TRAFFIC CONTROL DEVICES: The installation, operation and maintenance of all traffic signals, pavement markings, signs, and devices on the improvement, including those between the highway and intersecting streets shall be under the exclusive jurisdiction and at the cost of the Commission. The City shall not install, operate, or maintain any traffic signals, signs or other traffic control devices on the highway or on streets and highways at any point where they intersect this highway without approval of the Commission.

(15) DRAINAGE: The Commission will construct drainage facilities along the improvement and may use any existing storm and surface water drainage facilities now in existence in the area. The City shall be responsible for receiving and disposing of storm and surface water discharged from those drainage facilities which the Commission constructs within the limits of highway right-of-way to the extent of the City's authority and control of the storm sewer facilities or natural drainage involved.

(16) PERMITS: The Commission shall secure any necessary approvals or permits from the Surface Transportation Board, the Public Service Commission of Missouri, or any other state or federal regulating authority required to permit the construction and maintenance of the highway.

(17) COMMENCEMENT OF WORK: After acquisition of the necessary right-of-way, the Commission shall construct the highway in accordance with final detailed plans approved by the Federal Highway Administration (or as they may be changed from time to time by the Commission with the approval of the FHWA) at such time as federal and state funds are allocated to the public improvement in an amount sufficient to pay for the federal and state government's proportionate share of construction and right-of-way costs. The obligation of the Commission toward the actual construction of the public improvement shall be dependent upon the completion of plans in time to obligate federal funds for such construction, upon approval of the plans by the FHWA, upon the award by the Commission of the contract for the construction, and upon the approval of the award by the FHWA.

(18) MAINTENANCE:

(A) Except as provided in this Agreement, upon completion of the public improvement, the Commission will maintain all portions of the improvement within the Commission owned right-of-way with the exception of the powder coating for lighting and signals. The City will be responsible for maintaining and touching up powder coating of lighting and signals. Maintenance by the Commission shall not in any case include maintenance or repair of water supply lines, sanitary or storm sewers (except those storm sewers constructed by the Commission to drain the highway), city-owned utilities within the right-of-way or the removal of snow other than the machine or chemical removal from the traveled portion of the highway.

(B) When it is necessary to revise or adjust city streets, the right-of-way acquired for these adjustments and connections will be deeded to the City.

(19) POLICE POWERS: It is the intent of the parties to this Agreement that the City shall retain its police powers with respect to the regulation of traffic upon the improvement contemplated. However, the City will enact, keep in force, and enforce only such ordinances relating to traffic movement and parking restrictions as may be approved by the Commission and as are not in conflict with any regulations for federal aid. The

Commission shall not arbitrarily withhold approval of reasonable traffic regulations, signs, and markings which will permit the movement of traffic in accordance with accepted traffic regulation practices.

(20) RESTRICTION OF PARKING: Since the improvement is being designed and constructed to accommodate a maximum amount of traffic with a minimum amount of right-of-way, the City shall take whatever actions that are necessary to prevent parking upon the highway or any part of the area of the highway right-of-way within the limits of the improvement.

(21) OUTDOOR ADVERTISING: No billboards or other advertising signs or devices or vending or sale of merchandise will be permitted within the right-of-way limits of the project and the City shall take whatever actions that are necessary to enforce this Section.

(22) WITHHOLDING OF FUNDS: In the event that the City fails, neglects, or refuses to enact, keep in force or enforce ordinances specified or enacts ordinances contrary to the provisions in this Agreement, or in any other manner fails, neglects or refuses to perform any of the obligations assumed by it under this Agreement, the Commission may, after serving written request upon the City for compliance and the City's failure to comply, withhold the expenditure of further funds for maintenance, improvement, construction, or reconstruction of the state highway system in the City.

(23) FEDERAL HIGHWAY ADMINISTRATION: This Agreement is entered into subject to approval by the Federal Highway Administration and is further subject to the availability of federal and state funds for this construction.

(24) INDEMNIFICATION: To the extent allowed or imposed by law, the City shall defend, indemnify and hold harmless the Commission, including its members and department employees, from any claim or liability whether based on a claim for damages to real or personal property or to a person for any matter relating to or arising out of the City's wrongful or negligent performance of its obligations under this Agreement.

(25) AMENDMENTS: Any change in this Agreement, whether by modification or supplementation, must be accomplished by a formal contract amendment approved and signed by representatives of the City and Commission, respectively, each of whom being duly authorized to execute the contract amendment on behalf of the City and Commission, respectively.

(26) COMMISSION REPRESENTATIVE: The Commission's Southwest District Engineer is designated as the Commission's representative for the purpose of administering the provisions of this Agreement. The Commission's representative may designate by written notice other persons having the authority to act on behalf of the Commission in furtherance of the performance of this Agreement.

(27) CITY REPRESENTATIVE: The City's Manager is designated as the City's

representative for the purpose of administering the provisions of this Agreement. The City's representative may designate by written notice other persons having the authority to act on behalf of the City in furtherance of the performance of this Agreement.

(28) NOTICES: Any notice or other communication required or permitted to be given hereunder shall be in writing and shall be deemed given three (3) days after delivery by United States mail, regular mail postage prepaid, or upon receipt by personal or facsimile delivery, addressed as follows:

- (A) To the City:
Mr. Jason Gage
City Manager
City of Springfield
840 Boonville Ave.
4th Floor
Springfield, MO 65802
417-864-1006
- (B) To the Commission:
Ms. Stacy Reese
District Engineer
Missouri Department of Transportation
3025 E. Kearney
Springfield, MO 65803
stacy.reese@modot.mo.gov

or to such other place as the parties may designate in accordance with this Agreement. To be valid, facsimile delivery shall be followed by delivery of the original document, or a clear and legible copy thereof, within three (3) business days of the date of facsimile transmission of that document.

(29) ASSIGNMENT: The City shall not assign, transfer or delegate any interest in this Agreement without the prior written consent of the Commission.

(30) LAW OF MISSOURI TO GOVERN: This Agreement shall be construed according to the laws of the State of Missouri. The City shall comply with all local, state and federal laws and regulations relating to the performance of the contract.

(31) VENUE: It is agreed by the parties that any action at law, suit in equity, or other judicial proceeding to enforce or construe this Agreement, or regarding its alleged breach, shall be instituted only in the Circuit Court of Cole County, Missouri.

(32) SOLE BENEFICIARY: This Agreement is made for the sole benefit of the parties hereto and nothing in this Agreement shall be construed to give any rights or benefits to anyone other than the Commission and the City.

(33) AUTHORITY TO EXECUTE: The signers of this Agreement warrant that they are acting officially and properly on behalf of their respective institutions and have been duly authorized, directed and empowered to execute this Agreement.

(34) SECTION HEADINGS: All section headings contained in this Agreement are for the convenience of reference only and are not intended to define or limit the scope of any provision of this Agreement.

(35) AUDIT OF RECORDS: The City must maintain all records relating to this Agreement, including but not limited to invoices, payrolls, etc. These records must be available at all reasonable times at no charge to the Commission and/or its designees or representatives during the period of this Agreement and any extension thereof, and for three (3) years from the date of final payment made under this Agreement.

(36) COMMISSION RIGHT OF WAY: All improvements made within the state-owned right-of-way shall become the Commission's property, and all future alterations, modifications, or maintenance thereof, will be the responsibility of the Commission, except as otherwise provided by this Agreement or a separate written agreement.

(37) NO INTEREST: By contributing to the cost of this project or improvement, the City gains no interest in the constructed roadway or improvements on Commission right of way whatsoever. The Commission shall not be obligated to keep the constructed improvements or roadway in place if the Commission, in its sole discretion, determines removal or modification of the roadway or improvements, is in the best interests of the state highway system. In the event the Commission decides to remove the landscaping, roadway, or improvements, the City shall not be entitled to a refund of the funds contributed by the City pursuant to this Agreement.

(38) ADDITIONAL FUNDING: In the event the Commission obtains additional federal, state, local, private or other funds to construct the improvement being constructed pursuant to this Agreement that are not obligated at the time of execution of this Agreement, the Commission, in its sole discretion, may consider any request by the City for an off-set for the deposited funds, a reduction in obligation, or a return of, a refund of, or a release of any funds deposited by the City with the Commission pursuant to this Agreement. In the event the Commission agrees to grant the City's request for a refund, the Commission, in its sole discretion, shall determine the amount and the timing of the refund. Any and all changes in the parties' financial responsibilities resulting from the Commission's determination of the City's request for a refund pursuant to this provision must be accomplished by a formal contract amendment signed and approved by the duly authorized representative of the City and the Commission.

(39) NO ADVERSE INFERENCE: This Agreement shall not be construed more strongly against one party or the other. The parties to this Agreement had equal access to, input with respect to, and influence over the provisions of this Agreement. Accordingly, no rule of construction which requires that any allegedly ambiguous provision be

interpreted more strongly against one party than the other shall be used in interpreting this Agreement.

(40) ENTIRE AGREEMENT: This Agreement represents the entire understanding between the parties regarding this subject and supersedes all prior written or oral communications between the parties regarding this subject.

(41) VOLUNTARY NATURE OF AGREEMENT: Each party to this Agreement warrants and certifies that it enters into this transaction and executes this Agreement freely and voluntarily and without being in a state of duress or under threats or coercion.

(42) CANCELLATION: The Commission may cancel this Agreement at any time for a material breach of contractual obligations or for convenience by providing the City with written notice of cancellation. Should the Commission exercise its right to cancel this Agreement for such reasons, cancellation will become effective upon the date specified in the notice of cancellation sent to the City.

[remainder of page intentionally left blank]

IN WITNESS WHEREOF, the parties have entered into this Agreement on the date last written below.

Executed by the City on _____(Date).

Executed by the Commission on _____(Date).

MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION

CITY OF SPRINGFIELD

Chief Engineer

Deputy City Manager

ATTEST:

ATTEST:

Secretary to the Commission

City Clerk

APPROVED AS TO FORM:

Director of Finance

Commission Counsel

Contract Paralegal

APPROVED AS TO FORM:

Assistant City Attorney

Ordinance Number:_____

EXHIBIT A



Exhibit B

Project Name: Signal Replacements

MoDOT Project Number: 8P3236

Description: Replace signals on Kearney St at Mayfair Ave, on Loop 44 at Haseltine Rd, on Evans Rd at Rte.65 ramps, on Bus. 65 at Seminole St, Portland St and Barataria St in Springfield and on Rte. 60 at Rte. MM in Republic.

Total Project Cost Estimate: \$3,787,400

Local Entity: City of Springfield

	Current Estimate	Aesthetic Costs
Preliminary Engineering	\$673,000	\$0
Right of Way Acquisition (including easements)	\$12,000	\$0
Construction	\$2,504,400	\$28,900
Construction Engineering	\$598,000	\$0
Total	\$3,787,400	\$28,900

Project Responsibilities:

Design	MoDOT
Right of Way Acquisition	MoDOT
Letting	MoDOT
Inspection	MoDOT

Financial Responsibilities:

District	\$3,743,000
City of Springfield	\$28,900
City of Republic	\$15,500
Total:	\$3,787,400

How are overruns and underruns handled?

The City of Springfield will be responsible for 100% of overruns for the cost of powder coating for the lighting and signals at U.S. 65 and Evans Road and will receive 100% of cost underruns for this portion of the work. The Commission is responsible for 100% of costs in excess of \$3,787,400 excluding the City of Springfield and City of Republic's responsibilities and will receive all cost savings.



EXPLANATION TO COUNCIL BILL 2024-174 (JENSON)

FILED: 08/20/2024

ORIGINATING DEPARTMENT: Public Works

TITLE: A special ordinance authorizing the City Manager, or designee, to enter into a License Agreement with Missouri State University, for the purpose of allowing the installation and maintenance of a public shuttle shelter onto City right-of-way at 901 East Elm Street.

PURPOSE: A special ordinance authorizing the City Manager, or designee, to enter into a license agreement with Missouri State University ("MSU"), for the purpose of installing and maintaining a public shuttle shelter on public right-of-way at 901 East Elm Street.

BACKGROUND INFORMATION: This Licensing Agreement permits MSU to install and maintain a public shuttle shelter and adjacent concrete sidewalk at 901 East Elm Street to create an ADA-compliant bus stop that will be served by the Bear Line. Proof of insurance has been received by the Department of Public Works to protect the interests of the City of Springfield in connection with this project.

Supports the following City Council Priorities:

- Quality of Place
- Public Safety

REMARKS: Public Works recommends approval of this Council bill.

Submitted By: Martin Gugel, Interim Director of Building Development Services

Authorized for inclusion on the agenda pursuant to City Code section 2-33:

Attachments:

1. MSU Bus Stop_Ord
2. 7.15.24 Encroachment Contract - MSU Bus Stops

One-rdg. _____
P. Hrngs. _____
Pgs. 16
Filed: 08-13-24

Sponsored by: Jenson

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-174

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AUTHORIZING the City Manager, or designee, to enter into a License Agreement
2 with Missouri State University, for the purpose of allowing the
3 installation and maintenance of a public shuttle shelter onto City
4 right-of-way at 901 East Elm Street.
5 _____
6

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

10 Section 1 – The City Manager, or designee, is hereby authorized to enter into a
11 License Agreement to Use Public Right-of-Way with the Board of Governors of Missouri
12 State University to be substantially in the form and content as that document attached
13 hereto and incorporated herein by reference as “Exhibit A,” for the purpose of allowing
14 an encroachment onto City right-of-way for the installation and maintenance of a public
15 shuttle shelter at 901 East Elm Street.
16

17 Section 2 – This Ordinance shall be in full force and effect from and after
18 passage.
19

20 Passed at meeting: _____
21

22 _____
23 Mayor
24

25 Attest: _____, City Clerk
26

27 Filed as Ordinance: _____
28

29 Approved as to form: Kyle Tolbert, Assistant City Attorney
30

31 Approved for Council action: Jenson C. Hage, City Manager
32
33

Exhibit A

ROUTING ORDER	(1) Licensee	(2) Public Works Traffic Engineering	(3) Finance Department
	(4) Public Works	(5) Law Department	(6) City Clerk's Office
EFFECTIVE DATE	TERMINATION DATE	CONTRACT NUMBER:	
() RENEWAL OF CONTRACT NO. (X) NEW CONTRACT			
CITY		LICENSEE	
City of Springfield 840 Boonville, P.O. BOX 8368 Springfield, MO 65802 Phone: (417) 864-1950 Fax: (417) 864-1929 Attn: Dan Smith Dept: Public Works		Board of Governors of Missouri State University 901 South National Springfield, MO 65897 Phone: Fax: Attn:	

LICENSE AGREEMENT TO USE PUBLIC RIGHT-OF-WAY FOR A SHUTTLE SHELTER

THIS AGREEMENT, made and entered into this ____ day of _____, 20__, by the Board of Governors of Missouri State University, hereinafter "Licensee," and the City of Springfield, Missouri, a municipal corporation, Grantor, hereinafter "City."

1. The City, in consideration of the covenants and agreements hereinafter contained, to be kept and performed by Licensee, hereby grants permission to Licensee to erect, install, and maintain the encroachment(s), generally described as a shuttle shelter located at 901 E. Elm St., and more specifically described on **Exhibit A**, attached hereto and incorporated herein by reference. Licensee shall erect, install, and maintain in good repair said encroachment(s) in strict accordance with the terms and conditions of this Agreement.

2. The Licensee is the owner of the encroachment(s) and shall be bound by the duties and obligations assigned herein to the Licensee during Licensee's possession and after, until the encroachment(s) is removed and any and all claims are settled or adjudicated.

3. All signs and markings on the encroachment(s) shall conform to **Exhibit A**. Licensee grants to City a cross-easement to the property identified on **Exhibit A** as may be necessary to allow City to enter said property to remove the encroachment(s) in the event Licensee fails to comply with the terms of this Agreement or fails to remove the encroachment(s) on termination of this license. Licensee consents that in such event that a lien may be placed by the City on the property for the reasonable cost of removal of the encroachment(s). Except for negligent acts of City, Licensee also agrees that City, its agents and employees, shall be immune from any damage to the structures at 901 E. Elm St. occasioned by the removal of such encroachment(s) under this paragraph in addition to the rights of the City, its agents and employees under paragraphs 3 and 5.

4. Licensee shall at all times during the term of this agreement carry a premises-liability-insurance policy on the property. Such policy shall name the City as an additional insured. This year, such insurance shall be in an amount of not less than Three Million and 00/100 Dollars (\$3,000,000) combined, single-limits coverage with an insurance company qualified to transact business in Missouri and acceptable to City. Licensee agrees to furnish the City with a certificate of insurance evidencing that Licensee will have at all times during the terms of this agreement the above-required insurance. The certificate of insurance shall be filed with the City within ten (10) days after the date of effectiveness of this agreement. All insurance policies shall provide at least thirty (30) days' written notice to be given to the City prior to modification or cancellation of such insurance. Such notice shall be mailed to the City Attorney, City of Springfield, P.O. Box 8368, Springfield, MO 65801. Licensee further agrees that the proceeds of such insurance policy shall first be used to pay any damages, costs, attorney's fees incurred by or assessed against City, its employees, officers and agents, and second any damages, costs, or attorney's fees incurred by or assessed against Owner, its employees, officers and agents, and before any award or costs of Licensee, its employees, officers or agents is/are paid. Failure of the Contractor to maintain coverage shall not relieve it of any contractual responsibility or obligation or liability in general hereunder.

5. City shall have the right at its discretion to terminate this license or refuse to allow the Licensee to continue to have the encroachment(s) over, under, or across City's property or right-of-way if City determines that City property is being substantially damaged by the encroachment(s), or that the Licensee has failed to maintain the required insurance on file with City, or that the encroachment(s) constitutes a hazard to the traveling public or other persons. City shall furnish Licensee with notice prior to exercising such right, City will provide Licensee with an opportunity to cure. If Licensee fails to cure within a reasonable time period, Licensee shall thereafter immediately remove the encroachment(s) and restore City property or right-of-way to the same or better condition as existed prior to the installation of the encroachment(s). In the event Licensee fails to promptly remove the encroachment(s) and restore the right-of-way within the time required by the notice, City may cause the same to be done at the cost of Licensee.

6. This license shall terminate thirty (30) days after any transfer of Licensee's interest in the abutting property unless a new encroachment(s) license has been issued, provided that the obligations of this Agreement survive and continue to run with the land until the encroachment(s) and all parts thereof have been removed or a new license with adequate insurance and indemnification guarantees are provided to City. This license shall be recordable in the land records of the Greene County recorder's office.

7. To the extent permitted by Missouri Law, and without waiving sovereign, government, or official, or any other immunity under Missouri Law, Licensee, as a further consideration for the aforesaid license, hereby agrees to defend, indemnify, and save harmless City from any and all claims, demands, causes of action, damages, judgments, costs, attorney's fees, and expenses that City may sustain, incur, or become liable for because of loss, destruction, or damage to property, and because of injury or death to any persons resulting from any act, failure to act, or negligence of Licensee, or its contractors or agents in the installation, erection, construction, repair, maintenance, or removal of the encroachment(s), or by any reason of any defects in the design or installation of the encroachment(s), the location of the encroachment(s) or its placement, collapse, failure, or combustion of the encroachment(s), in whole or in part. Licensee agrees to be responsible for all losses, destruction, or damage to any property of City, including said right-of-way, growing out of the erection, installation, construction, maintenance, repair, or removal of said encroachment, or the failure of Licensee to comply fully with the obligations of Licensee

hereunder. Licensee further agrees to reimburse City for any fines, costs, damages, or attorney's fees resulting from the presence of the encroachment on the right-of-way.

8. In no event, shall City be liable to Licensee or any third person for damage or injury to Licensee's facilities and property placed on the right-of-way pursuant to this license or to Licensee's real property if City is required to remove the encroachment. The obligation of Licensee to indemnify City shall survive the termination of the license as to occurrences taking place prior to removal of the encroachment.

9. Nondiscrimination. No person on the grounds of disability, age, race, color, religion, sex (including marital status, family status, pregnancy, sexual orientation, gender identity, gender expression, or any other subcategory of sex recognized by applicable law), national origin (including ancestry, or any other subcategory of national origin recognized by applicable law), veteran status or any other classification protected by federal and/or applicable state constitutional and/or statutory laws shall be excluded from participation in, or be denied benefits of, or be otherwise subjected to discrimination in the performance of this Agreement.

10. Additional terms: Licensee shall abide by the terms and conditions of the permit to be issued by the Department of Public Works to construct said encroachment. Signs or banners on the sidewalk café fence or barrier shall not violate the current sign ordinance adopted by the City of Springfield.

11. The obligations of this license shall run with the land identified in **Exhibit A** and shall be binding upon Licensee's respective grantees, heirs, personal representatives, successors and assigns, as long as the encroachment shall remain upon City property or right-of-way.

12. Signing this agreement does not grant a right or interest in this license.

13. All notices required or permitted herein under and required to be in writing may be given by first class mail addressed to City and Licensee at the addresses shown above or by facsimile transmission to the numbers shown. The date of delivery of any notice by mail shall be the date falling on the second full day after the day of its mailing.

14. This agreement shall contain 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 all parties.

15. 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.

[Remainder of page intentionally blank.]

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the day and year herein stated.

CITY OF SPRINGFIELD, MISSOURI

**BOARD OF GOVERNORS OF MISSOURI STATE
UNIVERSITY:**

By: _____
City Manager or Designee

By: _____

Name & Title: _____

Approved as to Form:

Approved as to Form:

City Attorney or Assistant City Attorney

Attorney for Board of Governors

Approved by:

Traffic Engineer



WYRICK SHUTTLE SHELTER

SPRINGFIELD CAMPUS

Project Number: 240130-066

Drawing Issue Date: 06.17.2024



- General Project Notes
1.

ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE INTERNATIONAL BUILDING CODE, 2012 EDITION.
2.

ALL ELECTRICAL WORK SHALL BE IN ACCORDANCE WITH THE 2011 EDITION OF THE NATIONAL ELECTRIC CODE.
3.

THESE DRAWINGS ARE DIAGRAMMATIC AND HAVE BEEN PREPARED ON THE BASIS OF RECORD DRAWINGS, CONTRACTOR'S DOCUMENTS, INSPECTIONS AT THE BUILDING SITE AND ASSUMPTIONS. FIELD VERIFY ALL EXISTING DIMENSIONS.
4.

CONTRACTOR SHALL FIELD VERIFY ALL EXISTING CONDITION PRIOR TO SUBMITTING BID. CHANGE ORDERS FOR UNANTICIPATED EXISTING CONDITIONS THAT COULD HAVE BEEN EXAMINED PRIOR TO BID WILL NOT BE APPROVED.
5.

CONTRACTOR SHALL SCHEDULE AND EXECUTE ALL WORK WITH REGARD TO THE OWNER'S USE OF THE BUILDING.
6.

CONTRACTOR TO PROVIDE SUBMITTALS AND SHOP DRAWINGS FOR ALL MATERIALS AND PRODUCTS TO BE USED ON THE PROJECT AS SOON AS POSSIBLE AFTER THE AWARD OF THE CONTRACT. THE SUBMITTALS SHALL BE REVIEWED FOR EQUAL QUALITY AND PERFORMANCE AS COMPARED TO THE SPECIFIED PRODUCTS. THE OWNER SHALL MAKE ALL FINAL DETERMINATIONS.
7.

CONTRACTOR SHALL BE RESPONSIBLE FOR THE FULL COORDINATION OF WORK INCLUDING ALL SUBCONTRACTORS AND WITH ANY OTHER CONTRACTORS ON THE PROJECT. CONFLICTS SHALL BE BROUGHT TO THE ATTENTION OF THE OWNER PRIOR TO THE START OF WORK.
8.

CONTRACTOR TO PROVIDE ALL LABOR, EQUIPMENT AND MATERIALS.
9.

SPECIFIED EQUIPMENT SHALL SET THE STANDARD FOR PERFORMANCE AND QUALITY. NO EQUIPMENT OR MATERIAL SUBSTITUTIONS SHALL BE ALLOWED WITHOUT PRIOR WRITTEN APPROVAL OF THE OWNER.
10.

ANY DAMAGE TO THE SITE AND MSU PROPERTY SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. CONTRACTOR SHALL REPAIR OR REPLACE ANY SUCH ITEMS, PROVIDE LABOR, MATERIAL AND CLEAN-UP, AT CONTRACTOR'S EXPENSE AND TO THE SATISFACTION OF MSU & OR CITY WITHOUT ADDITIONAL COSTS.
11.

CONTRACTOR TO NOT BLOCK SIDEWALKS AND STREETS AT ALL TIME.
12.

ALL SURFACES SHALL BE PROPERLY PREPARED BEFORE THE APPLICATION OF FINISH MATERIALS. CONTRACTOR SHALL INSPECT AND ACCEPT SUBSTRATE PRIOR TO INSTALLATION OF FINISH MATERIALS. TO BEGIN THE APPLICATION OF FINISH MATERIAL MEANS THE CONTRACTOR ACCEPTS THE SURFACE AND SUBSEQUENT RESPONSIBILITY FOR THE APPEARANCE OF THE FINAL FINISH.
13.

CONTRACTOR SHALL MAINTAIN ALL LIFE SAFETY SYSTEMS AND MEANS OF EGRESS DURING CONSTRUCTION.
14.

CONTRACTOR TO ONLY PARK AT DESIGNATED PARKING SPACES APPROVED BY OWNER PRIOR TO WORK.
15.

CONTRACTOR TO ONLY PLACE DUMPSTER AT DESIGNATED PARKING SPACES APPROVED BY OWNER PRIOR TO WORK.
16.

UPON COMPLETION OF THE PROJECT, A "PUNCHLIST" WILL BE COMPILED BY THE OWNER, WHICH WILL CONSIST OF ITEMS IN NEED OF CORRECTION AND UNSATISFACTORY AND/OR INCOMPLETE WORK. FINAL PAYMENT WILL BE CONTINGENT UPON THE CORRECTION AND SUBSEQUENT APPROVAL OF THESE ITEMS.
17.

THE CONSTRUCTION SITE SHALL AT ALL TIMES BE KEPT FREE FROM DEBRIS, WASTE AND RUBBISH. THE PREMISES SHALL BE MAINTAINED IN A MANNER TO PROVIDE A SAFE ENVIRONMENT FOR WORKERS AND THE PUBLIC. CONDUCT CLEANING AND DISPOSAL OPERATIONS TO COMPLY WITH ALL LOCAL ORDINANCES, DNR AND ANTI POLLUTION LAWS.
18.

CONTRACTOR TO BE COURTEOUS AND POLITE AT ALL TIMES; OBSCENE LANGUAGE, GESTURES, ETC. WILL NOT BE TOLERATED.
19.

CONTRACTOR TO FOLLOW MSU'S TOBACCO USE POLICY. MISSOURI STATE UNIVERSITY IS A TOBACCO-FREE CAMPUS.
20.

CONTRACTOR TO FOLLOW THE UNIVERSITY POLICY USE OF UAS (UNMANNED AIRCRAFT SYSTEMS, DRONES AND OTHER MODEL AIRCRAFT, COMMONLY KNOWN AS DRONES OR OTHER REMOTELY OPERATED MODEL AIRCRAFT). CONTRACTOR TO OBTAIN APPROVAL AND SEND A COPY TO MSU PROJECT MANAGER PRIOR TO USING UAS.

Sheet Index

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COVER SHEET

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C2

SITE PLAN - LOCATION #1 & #2

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STRUCTURAL NOTES

C4

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C5

SHELTER PAD PLAN

C6

SHELTER & SEATING PLAN

C7

SHELTER DETAIL

C8

SHELTER 3D VIEW

General Symbol Legend

XX

KEYNOTE TAG

?

DEMOLITION KEYNOTE TAG

(E)

ABBREVIATION FOR EXISTING

U.O.N.

UNLESS OTHERWISE NOTED

EXISTING LINE WORK

DEMOLITION LINE WORK

NEW LINE WORK

Project Location Map

SEE SHEET C1

Missouri State UNIVERSITY

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901 South National Avenue
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REVISIONS

NO.	DATE	BY
2	06.17.2024	YS

Project Title:

WYRICK SHUTTLE SHELTER
SPRINGFIELD CAMPUS

Project #: 240130-066

Issue Date: 06.17.2024

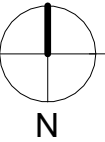
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Sheet Title:

COVER SHEET

Sheet #:

G1



SITE PLAN - SHELTER PROPOSED LOCATION
NOT TO SCALE

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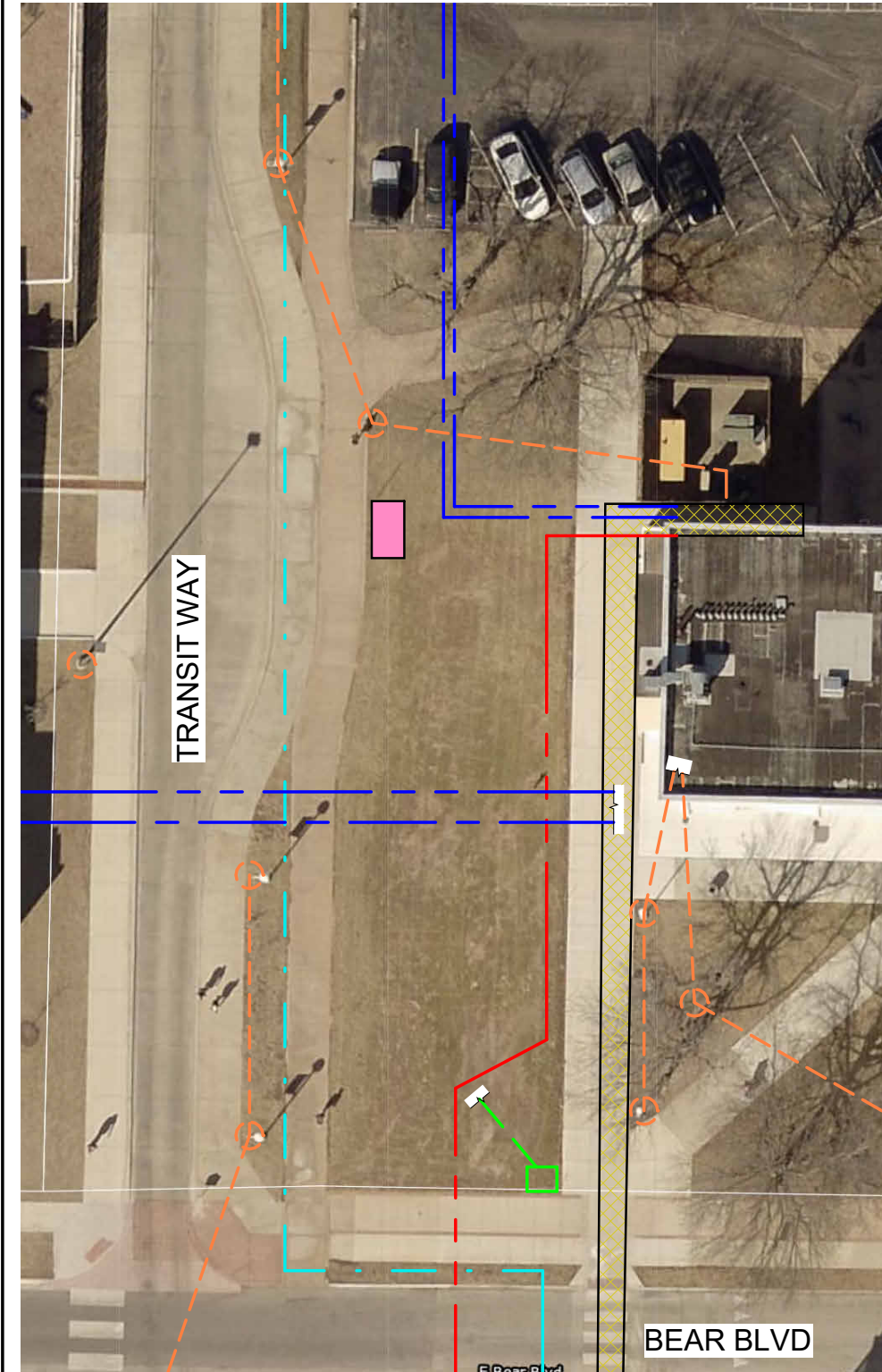
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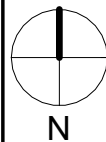
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SITE PLAN - PROPOSED LOCATION

Sheet #:

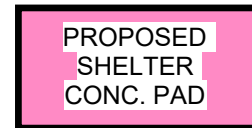
C1



 **SITE PLAN - NEW LOCATION #1**
NOT TO SCALE

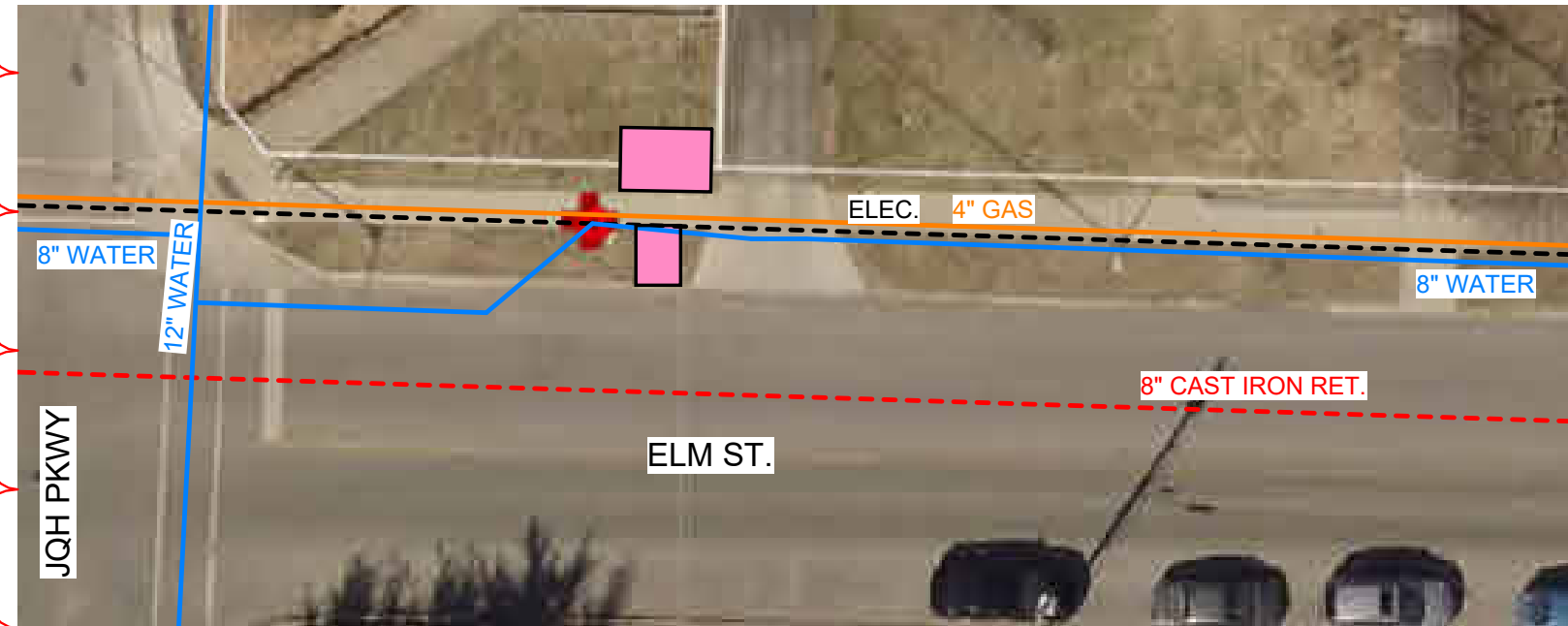
UTILITY LEGEND:

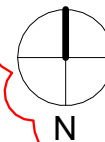
- MSU CW SUPPLY 
- MSU CW RETURN 
- MSU FIRE WATER 
- MSU IRRIGATION 
- MSU LIGHT POLE 
- MSU STORM WATER 
- CITY ABANDONED 
- CITY WATER 
- CITY SEWER 
- CITY GAS 
- CITY ELECTRICAL 



NOTES:

1. CONTRACTOR TO PERFORM PROPERTY SURVEY AND PROPERTY LINES LOCATED.
2. CONTRACTOR TO CONTACT MO ONE CALL PRIOR TO EXCAVATING SITE AND GET UTILITIES LOCATED.
3. PROPERTY AND UTILITY ILLUSTRATION ARE DIAGRAMMATIC AND HAVE BEEN PREPARED ON THE BASIS OF DRAWING FROM CITY OF SPRINGFIELD. FIELD VERIFY AFTER PERFORMING PROPERTY SURVEY AND UTILITY LOCATES.



 **SITE PLAN - NEW LOCATION #2**
NOT TO SCALE

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SPRINGFIELD CAMPUS**

Project #: 240130-066

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Sheet Title:

**SITE PLAN -
LOCATION #1 & #2**

Sheet #:

C2

MEANS & METHODS:

CONTRACTOR SHALL BE RESPONSIBLE FOR ALL MEANS AND METHODS OF CONSTRUCTION.

GENERAL FOUNDATION AND SLAB ON GRADE NOTES (NO SPECS, NO GEOTECH):

- 1. IN AREA OF THE FOOTINGS, EXISTING ORGANIC MATERIAL, UNSUITABLE SOIL, ABANDONED FOOTINGS AND ANY OTHER EXISTING UNSUITABLE MATERIALS SHALL BE REMOVED PER CITY'S REQUIREMENTS.
- 2. FOOTINGS ARE DESIGNED FOR A NET ALLOWABLE SOIL BEARING OF 1500 PSF, FOR EITHER NATURALLY OCCURRING SOIL OR COMPACTED ENGINEERED FILL.
- 3. CONTRACTOR IS RESPONSIBLE TO MAINTAIN EXCAVATIONS AND BACKFILL MATERIALS AT AN APPROPRIATE MOISTURE CONTENT FOR PROPER SOIL BEARING CAPACITY AND COMPACTION.

CONCRETE NOTES:

- 1. CONCRETE SHALL HAVE 28-DAY COMPRESSIVE STRENGTH OF 4000 PSI AND SHALL BE AIR-ENTRAINED TO 6% PLUS OR MINUS 1% WITH AN AIR-ENTRAINING ADMIXTURE CONFORMING TO ASTM C260. THE MAXIMUM WATER TO CEMENT RATIO SHALL BE 0.45 BY WEIGHT WITH A SLUMP OF 4"+-1".
- 2. NO LIME SAND FINE AGGREGATE MAY BE USED.
- 3. ALL REINFORCING STEEL SHALL CONFORM TO ASTM A615 GRADE 60.
- 4. IF ADDITIONAL FLOWABILITY IS REQUIRED FOR PLACEMENT OF ANY CONCRETE MIX, A WATER-REDUCING ADDITIVE CONFORMING TO ASTM C494, TYPE A, D, E OR F SHALL BE USED. NO ADDITIONAL WATER MAY BE ADDED TO THE MIX AT THE SITE. SLUMP FOR CONCRETE CONTAINING WATER-REDUCING OR HIGH-RANGE WATER-REDUCING ADMIXTURE SHALL NOT EXCEED 8" AFTER ADMIXTURE IS ADDED TO CONCRETE WITH A 2"-4" SLUMP.
- 5. TESTING OF FRESH CONCRETE SHALL BE DONE BY A QUALIFIED TESTING LABORATORY RETAINED BY THE OWNER AND APPROVED BY THE ENGINEER. TESTING SHALL INCLUDE:
 - A. SLUMP
 - B. AIR CONTENT
 - C. CONCRETE TEMPERATURE
 - D. 28 DAY COMPRESSIVE STRENGTH
 - E. NOTE ANY WATER OR ADMIXTURES ADDED ON-SITE

REFER TO ASTM C172 AND C94. PERFORM ONE SLUMP AND ONE AIR CONTENT TEST FOR EACH DAYS POUR AND ADDITIONAL TESTS WHEN THE CONCRETE CONSISTENCY SEEMS TO HAVE CHANGES IN THE OPINION OF THE INSPECTOR. REFER TO ASTM C143, C173 AND C231. PERFORM TEMPERATURE TESTS HOURLY WHEN THE AMBIENT AIR TEMPERATURE IS BELOW 40 DEGREES F OR ABOVE 80 DEGREES F AND ONE TEMPERATURE TEST FOR EACH SET OF COMPRESSIVE-STRENGTH SPECIMENS. REFER TO ASTM C1064. PERFORM ONE COMPRESSIVESTRENGTH TEST FOR EACH DAYS POUR AND AN ADDITIONAL TEST FOR EACH 50 CUBIC YARD MORE THAN THE FIRST 25 CUBIC YARD. TEST ONE SPECIMEN AT 7 DAYS AND 2 SPECIMENS AT 28 DAYS. REFER TO ASTM C31 AND C39.
- 6. DETAILING, MATERIALS AND INSTALLATION OF CONCRETE REINFORCING STEEL SHALL MEET REQ. AS SET FORTH BY CRSI AND THE AMERICAN CONCRETE INSTITUTE AND THE APPLICABLE BUILDING CODE.
- 7. WHEN PLACING CONCRETE IN HOT WEATHER, REFER TO ACI 305R, WHEN PLACING CONCRETE IN COLD WEATHER, REFER TO ACI 306.1.



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WYRICK SHUTTLE
SHELTER
SPRINGFIELD
CAMPUS

Project #: 240130-066

Issue Date: 06.17.2024

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Sheet Title:

STRUCTURAL
NOTES

Sheet #:

C3

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NO.	DATE	BY
1	06.05.2024	YS

Project Title:

**WYRICK SHUTTLE
SHELTER
SPRINGFIELD
CAMPUS**

Project #: **240130-066**

Issue Date: **06.17.2024**

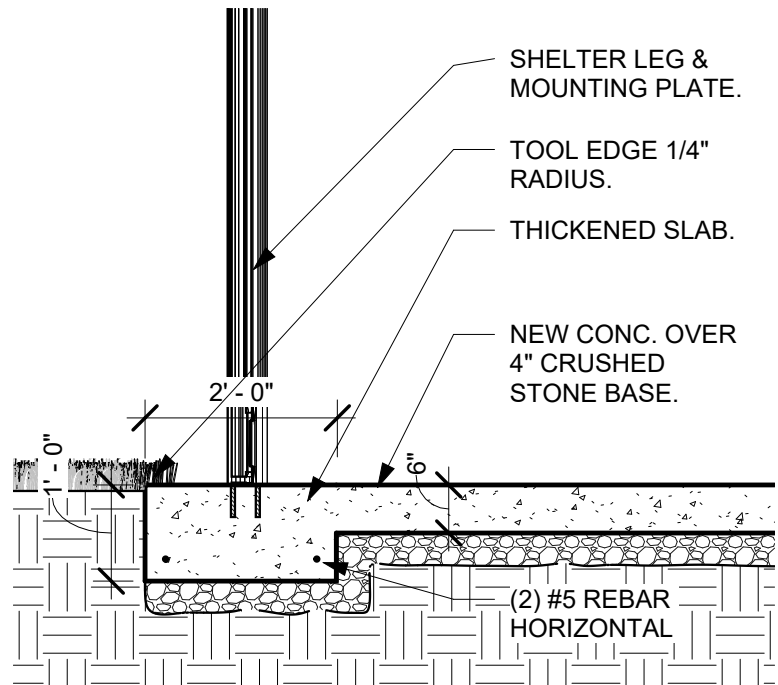
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Sheet Title:

**SHELTER PAD
PLAN**

Sheet #:

C4

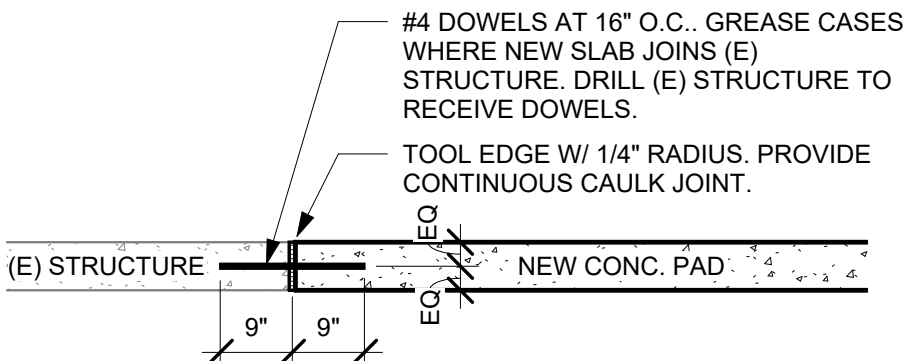


3 NEW SLAB DETAIL TYP.

1/2" = 1'-0"

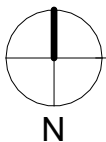
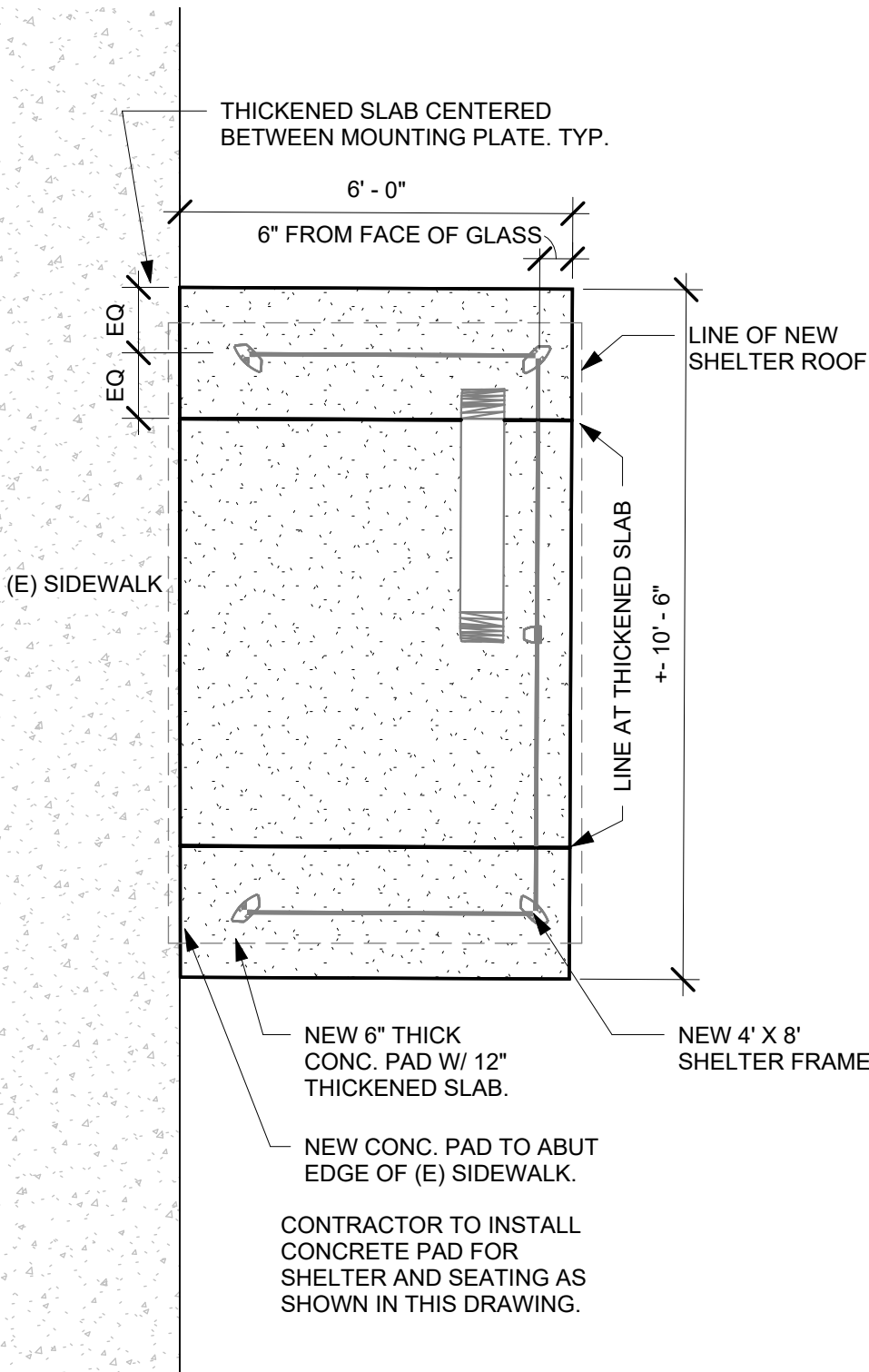
GENERAL NOTES:

1. CONTRACTOR TO PROVIDE ALL MATERIAL AND EQUIPMENT U.O.N..
2. MSU TO PROVIDE SHELTER & SEATING.
3. NEW CONCRETE PAD TO HAVE POSITIVE DRAINAGE AWAY FROM STRUCTURE AT MAX. 2%.
4. CONTRACTOR TO CONTACT MO ONE CALL PRIOR TO EXCAVATING SITE AND GET UTILITIES LOCATED.
5. CONTRACTOR TO PROTECT EXISTING STRCUTURE, UTILITIES AND EXISTING LANDSCAPING...ETC.
6. CONTRACTOR TO REPAIR DISTURBED GRASS AREAS AND DAMAGES MADE TO (E) STRUCTURE DURING CONSTRUCTION. FOLLOW OWNER'S REQUIREMENTS.
7. CONTRACTOR TO VERIFY, PROPOSE AND INSTALL CONTRACTION JOINT AS NECESSARY.



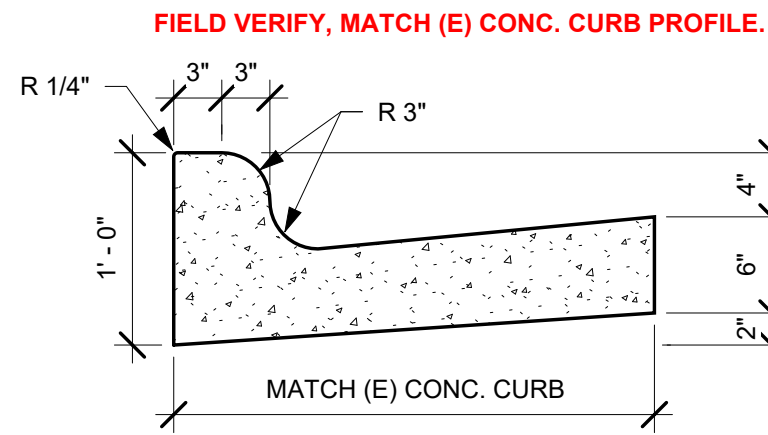
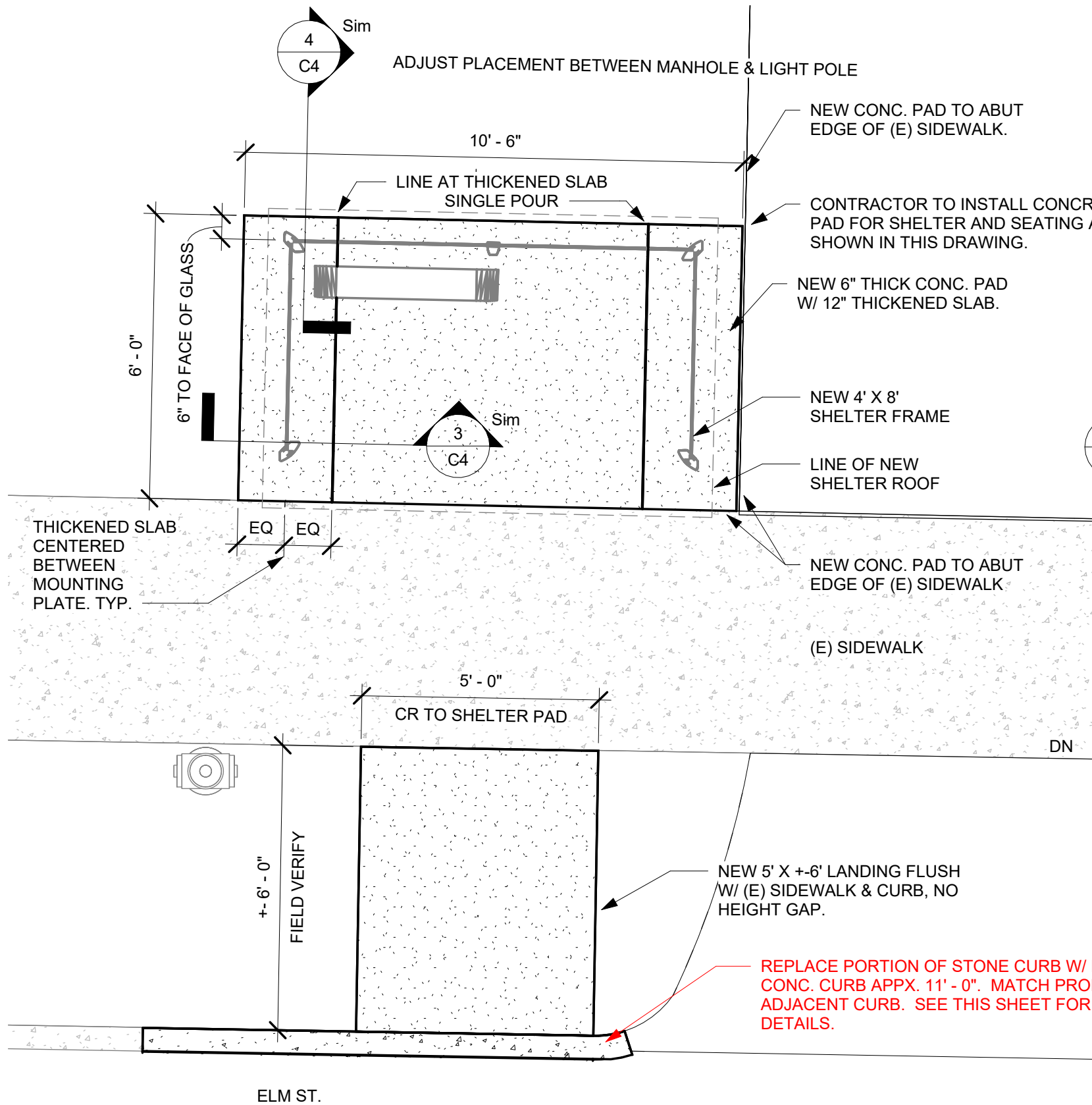
4 CONSTRUCTION JOINT TYP.

1/2" = 1'-0"



SHELTER PAD PLAN - LOCATION #1 - WOODS HOUSE

3/8" = 1'-0"



- NOTE!**
- INSTALLATION OF A NEW BUS SHELTER SHALL COMPLY WITH PROWAG R309 TRANSIT STOPS AND TRANSIT SHELTERS.
 - IF SLOPES CANNOT BE MET WITH THE LOCATIONS AND ELEVATIONS OF THE CURRENT CITY INFRASTRUCTURE, THEN THE SIDEWALK AND/OR CURB SHALL BE ADJUSTED, BUT ALSO STAY WITHIN PROWAG COMPLIANCE, TO MEET THE REQUIREMENTS OF R309. [HTTPS://WWW.ACCESS-BOARD.GOV/PROWAG/TECHNICAL.HTML](https://www.access-board.gov/prowag/technical.html).
 - CONCRETE PAD FOR SHELTER AND CONCRETE SIDEWALK FROM THE EXISTING SIDEWALK TO THE CURB MUST BE A MAXIMUM OF 2% RUNNING SLOPE AND CROSS SLOPE.

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SPRINGFIELD CAMPUS**

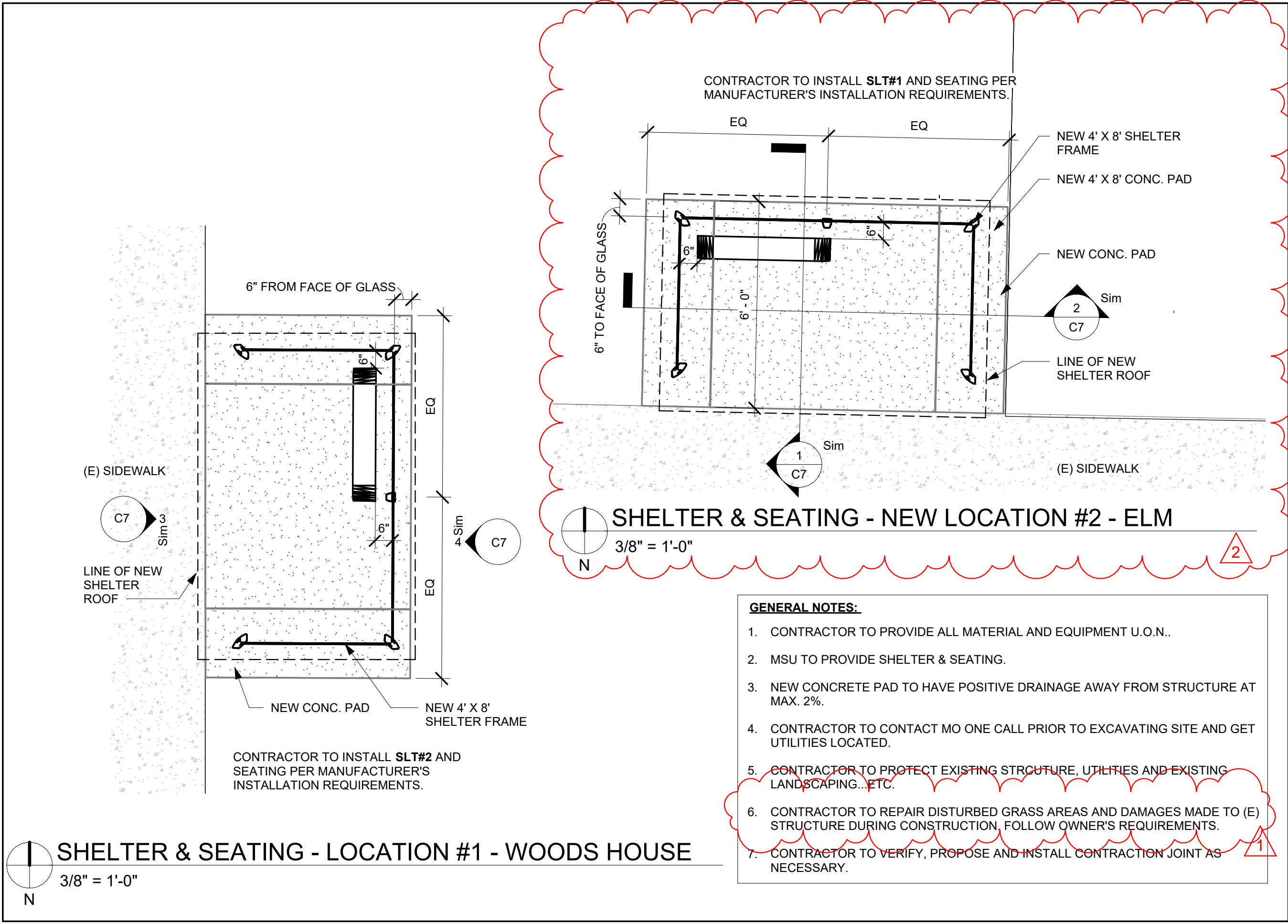
Project #: **240130-066**

Issue Date: **06.17.2024**

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Sheet Title:
SHELTER PAD PLAN

Sheet #:
C5



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Project Title:
**WYRICK SHUTTLE
SHELTER
SPRINGFIELD
CAMPUS**

Project #: **240130-066**

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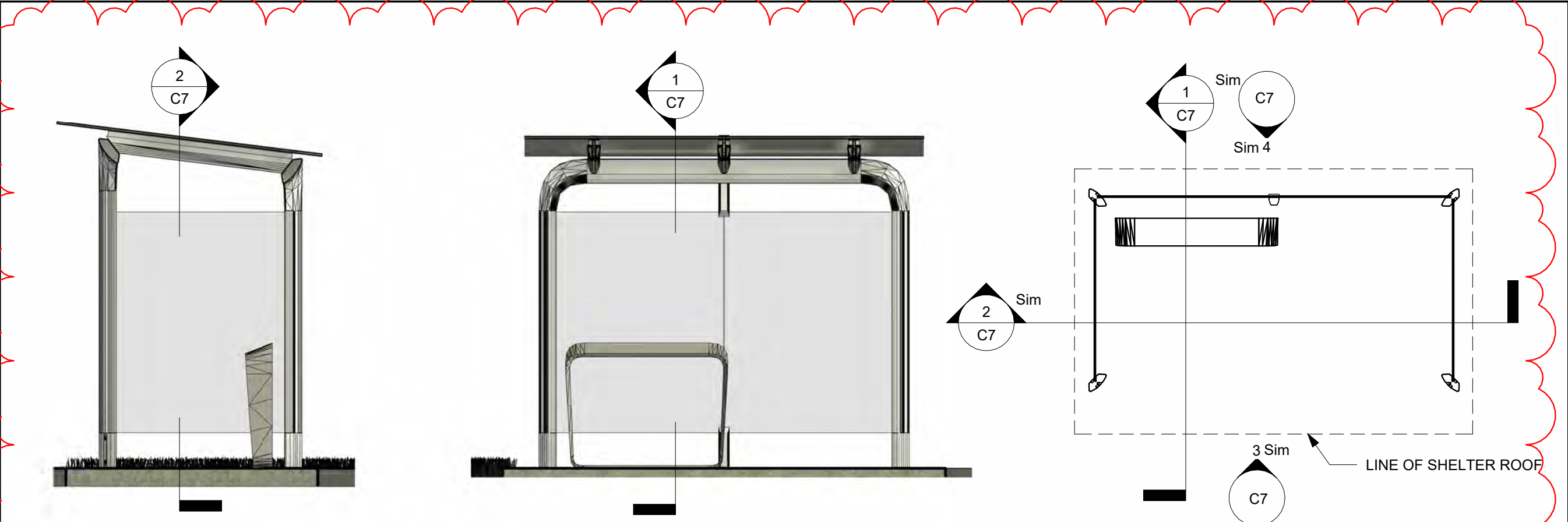
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Sheet Title:
**SHELTER &
SEATING PLAN**

Sheet #:
C6

GENERAL NOTES:

- CONTRACTOR TO PROVIDE ALL MATERIAL AND EQUIPMENT U.O.N..
- MSU TO PROVIDE SHELTER & SEATING.
- NEW CONCRETE PAD TO HAVE POSITIVE DRAINAGE AWAY FROM STRUCTURE AT MAX. 2%.
- CONTRACTOR TO CONTACT MO ONE CALL PRIOR TO EXCAVATING SITE AND GET UTILITIES LOCATED.
- CONTRACTOR TO PROTECT EXISTING STRCUTURE, UTILITIES AND EXISTING LANDSCAPING...ETC.
- CONTRACTOR TO REPAIR DISTURBED GRASS AREAS AND DAMAGES MADE TO (E) STRUCTURE DURING CONSTRUCTION. FOLLOW OWNER'S REQUIREMENTS.
- CONTRACTOR TO VERIFY, PROPOSE AND INSTALL CONTRACTION JOINT AS NECESSARY.



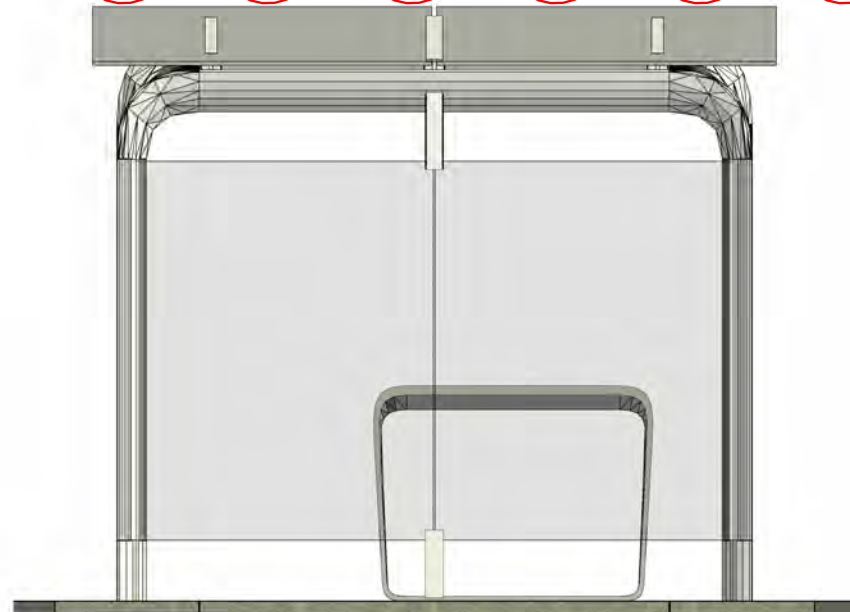
1
C7
SHELTER SECTION - 1 TYP.
NOT TO SCALE

2
C7
SHELTER SECTION - 2 TYP.
NOT TO SCALE

5
C7
SHELTER LAYOUT - TYP.
NOT TO SCALE



3
C7
SHELTER - FRONT ELEV.
NOT TO SCALE



4
C7
SHELTER - BACK ELEV. TYP.
NOT TO SCALE

REVISIONS		
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2	06.17.2024	YS

Project Title:
**WYRICK SHUTTLE
SHELTER
SPRINGFIELD
CAMPUS**

Project #: **240130-066**

Issue Date: **06.17.2024**

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Sheet Title:
SHELTER DETAIL

Sheet #:
C7

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Project Title:

**WYRICK SHUTTLE
SHELTER
SPRINGFIELD
CAMPUS**

Project #: 240130-066

Issue Date: 06.17.2024

Drawn By: YS

Sheet Title:

**SHELTER 3D
VIEW**

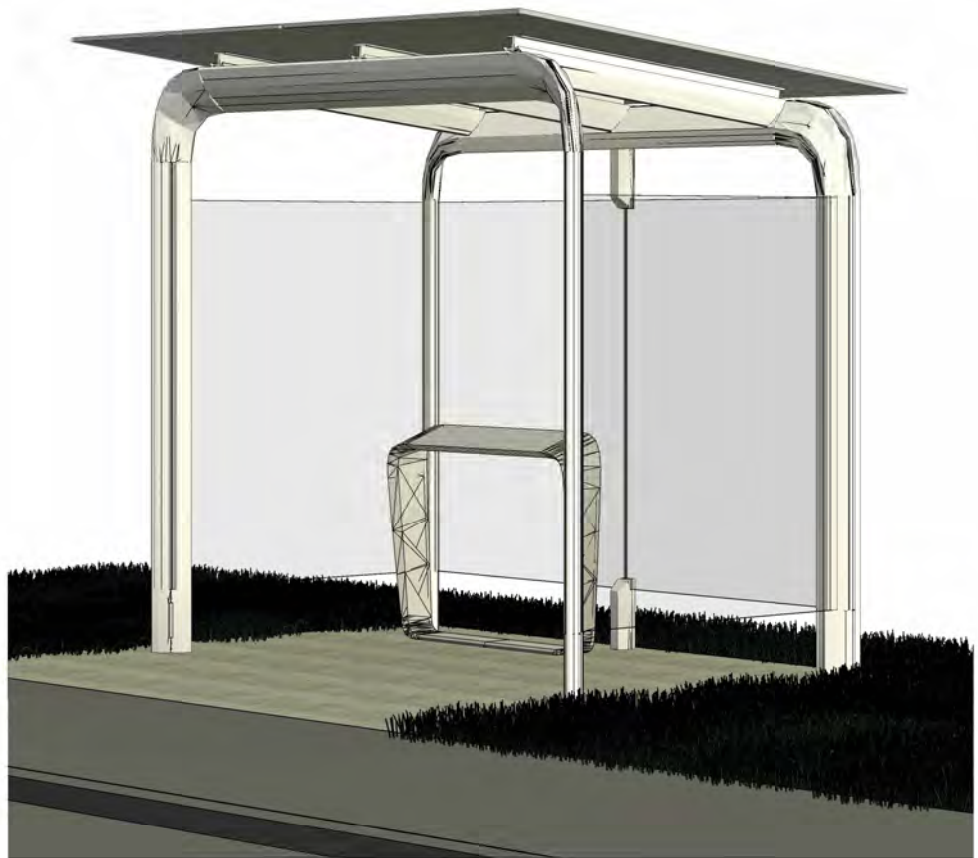
Sheet #:

C8



1
C8 SHELTER LOCATION #2 - TYP.
NOT TO SCALE

2



2
C8 SHELTER LOCATION #1 - TYP.
NOT TO SCALE



Michael L. Parson
Governor

Crystal D. Wessing
Division Director

Kenneth J. Zellers
Commissioner

State of Missouri
OFFICE OF ADMINISTRATION
Division of General Services
760 Truman Building, 301 West High Street
Post Office Box 809
Jefferson City, Missouri 65102

January 4, 2024

RE: Request for Proof of Insurance

To Whom It May Concern:

This certifies that Missouri State University, its agencies, officials and employees are protected from causes of action under Missouri law and all other courts of competent jurisdiction to the extent as defined by the State Legal Expense Fund, Chapter 105.711 RSMo. This fund is administered cooperatively by this office and the Office of Attorney General.

This is also to certify that Missouri State University, is self-insured for purposes of workers' compensation.

Any claim against Missouri State University, its agencies, officials or employees should be made to this office.

Sincerely,

A handwritten signature in cursive script that reads "Grayson Imhoff".

Grayson Imhoff
State Risk Manager
Risk Management Section
573-751-4044
573-751-7819 fax