



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 23, 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. September 9, 2024, 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 2024-180 (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.

6.2. 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.

6.3. 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.

6.4. 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.

6.5. 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.

6.6. 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.

6.7. 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.

6.8. 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.

6.9. 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.

6.10. 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.

6.11. 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.

6.12. 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.

7. RESOLUTIONS.

8. EMERGENCY BILLS.

9. PUBLIC IMPROVEMENTS.

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

10.1. Council Bill 2024-193 (Lee)

A general ordinance authorizing the City Manager, or designee, to accept a State Apprenticeship Expansion Formula (“SAEF”) Grant from the State of Missouri Department of Higher Education and Workforce Development’s Office of Apprenticeship and Work-Based Learning in the amount of \$117,256 to be utilized to fund the SAEF2 Program, and to enter into necessary agreements to carry out the grant; and amending the Economic Vitality and Workforce Development Department’s budget for Fiscal Year 2024-2025 in the amount of \$117,256 to appropriate the grant funds.

11. AMENDED BILLS.

12. COUNCIL BILLS FOR PUBLIC HEARING.

Citizens May Speak. Not Anticipated To Be Voted On.

12.1. Council Bill 2024-194 (Jenson)

A general ordinance amending the Springfield Land Development Code, Section 36-306, ‘Official zoning map and rules for interpretation,’ by rezoning approximately 2.7 acres of property generally located at 3801 West Sunshine Street from County C-2, General Commercial District to HC, Highway Commercial District; and adopting an updated Official Zoning Map. (By: McCurry Plaza, LLC; 3801 West Sunshine Street; Z-13-2024).

12.2. Council Bill 2024-195 (Hosmer)

A general ordinance amending Section 1-9 of the Springfield City Code, 'City Limits,' and Section 46-1 of the Springfield City Code, 'Boundaries of wards, precincts and council zones,' for the purpose of annexing approximately 21.64 acres of private property generally located at 3000 and 3038 West Republic Road, 4214 South Farm Road 135, 5539 South Campbell Avenue, 3833 and 3911 East State Highway D, and 3335 West Sunshine Street, and approximately 0.7 acres of South Farm Road 135 right-of-way into the City of Springfield as Annexation A-3-2024.

12.3. Council Bill 2024-196 (McGull)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 7.8 acres of property generally located at 3253 East Chestnut Expressway from HM, Heavy Manufacturing District to HC, Highway Commercial District; and adopting an updated Official Zoning Map. (By: Frisco Building, LLC; 3253 East Chestnut Expressway; Z-20-2024).

12.4. Council Bill 2024-197 (Simpson)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 11.5 acres of property generally located at 3525 East Battlefield Road from GR, General Retail with Conditional Overlay District No. 180 to GI, Government and Institutional Use District with Conditional Overlay District No. 259; and adopting an updated Official Zoning Map. (By: Lester E. Cox Medical Centers; 3525 East Battlefield Road; Z-21-2024 w/Conditional Overlay District No. 259).

12.5. Council Bill 2024-198 (Hardinger)

A general ordinance amending General Ordinance No. 3645, as amended, establishing Urban Conservation District No. 2, generally referred to as the Rountree Urban Conservation District, Section 4 - Subarea A through D Regulations, C. Building and Lot Standards, 3. Subarea C, f. Finished Ground Floor Level, to modify the finished ground floor elevations to allow for a four (4) foot maximum height if developed with a pedestrian-oriented frontage and a minimum building setback of at least four (4) feet.

12.6. Council Bill 2024-199 (McGull)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.6 acres of property generally located at 1345, 1351, 1357, 1400, and 1418 East Florida Street from GM, General Manufacturing District to R-TH, Residential Townhouse District; and adopting an updated Official Zoning Map. (By: William and Anedra Mosley; 1345, 1351, 1357, 1400, and 1418 East Florida Street; Z-11-2024).

12.7. Council Bill 2024-200 (Hosmer)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 2.6 acres of property generally located at 1739, 1745, and 1755 South National Avenue; 1138 East University Street; and 1111, 1119, 1133, and 1141 East Sunshine Street from R-SF, Single-Family Residential District to GR, General Retail District and establishing Conditional Overlay District No. 258, and adopting an updated Official

Zoning Map (By: BK&M, LLC; 1739, 1745, and 1755 South National Avenue; 1138 East University Street; and 1111, 1119, 1133, and 1141 East Sunshine Street; Z-22-2024 w/ Conditional Overlay District No. 258).

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 2024-201 (Carroll)

A general ordinance amending Ordinance 6863 to allocate the remaining \$83,662.43 from the City's Coronavirus State and Local Fiscal Recovery Funds, established by the American Rescue Plan Act of 2021 ("ARPA"), for the purpose of entering into an agreement with the Springfield-Greene County Library District for the Midtown Carnegie Branch Library Renovation Project; authorizing the City Manager, or designee, to execute the same; and amending the budget for Fiscal Year 2024-2025 in the amount of \$83,662.43.

14.2. Council Bill 2024-202 (Horton)

A special ordinance authorizing the City of Springfield, Missouri, to enter into an agreement with Tyrone L. Conklin for the purpose of purchasing the real estate located at 817 North Boonville Avenue for the not to exceed price of One Hundred Ten Thousand Dollars (\$110,000); authorizing the City Manager, or designee, to execute the same by and on behalf of the City of Springfield; and amending the Fiscal Year 2024-2025 budget in the amount of \$130,000, to include additional costs.

15. PETITIONS, REMONSTRANCES AND COMMUNICATIONS.

15.1. Jared Stevenson wishes to address City Council.

15.2. Megan Creson 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 Public Involvement Committee recommends the following appointment to the Citizens' Tax Oversight Committee: Dan Tenney with term to expire May 1, 2027.

16.3. The Public Involvement Committee recommends the following appointment to the Landmarks Board: Genevieve Henry with term to expire November 1, 2027.

- 16.4. The Public Involvement Committee recommends the following appointments to the Springfield-Greene County Environmental Advisory Board: Barry Rowell and Justin Sheppard with terms to expire October 1, 2026.
- 16.5. The Public Involvement Committee recommends the following appointment to the Springfield-Greene County Environmental Advisory Board: Louise Wienckowski with term to expire October 1, 2025.
- 16.6. The Public Involvement Committee recommends the following appointment to the Springfield-Greene County Environmental Advisory Board: Roddy Rogers with term to expire October 1, 2027.
- 16.7. The Public Involvement Committee recommends the following reappointment to the Springfield-Greene County Environmental Advisory Board: Kathleen Murnan with term to expire October 1, 2027.
- 16.8. The Mayor recommends the following appointment to the Springfield Convention and Visitors Bureau, Inc.: Ron Schneider with term to expire January 1, 2027.

17. UNFINISHED BUSINESS.

18. MISCELLANEOUS.

19. CONSENT AGENDA – FIRST READING BILLS.

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

20.1. Council Bill 2024-203 (Hosmer)

A special ordinance authorizing the City Manager, or designee, to accept a Section 402 State and Community Highway Safety Grant in the amount of \$27,600 from the Missouri Department of Transportation to continue supporting the City's current pedestrian safety education program, known as 'SGF Yields,' and its shareable version, 'SafeAcross'; amending the budget of the Department of Public Works for Fiscal Year 2024-2025 in the amount of \$27,600 upon award of the grant; and declaring that this Ordinance qualifies as a one-reading bill pursuant to Section 2.16(25) of the City Charter.

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

21.1. 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.

- 21.2. Confirm the following appointment to the Springfield-Greene County Public Library Board: Mar'Ellen Felin with term to expire October 1, 2025.
- 21.3. Confirm the following appointment to the Art Museum Board: Christina Pike with term to expire June 1, 2026.
- 21.4. Confirm the following reappointments to the Art Museum Board: Amanda Stadler and Lindsey Kelsay with terms to expire June 1, 2027.

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

September 9, 2024

6:30 PM

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

1. ROLL CALL.

Present: Mayor Pro Tem Simpson, Councilmember Jenson, Councilmember McGull, Councilmember Hardinger, Councilmember Lee, Councilmember Hosmer, Councilmember Horton, and Mayor McClure. Absent: Councilmember Carroll.

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.

Councilmember Jenson moved to approve the August 19, 2024, City Council Meeting, August 27, 2024, Special City Council Meeting, and September 3, 2024, Special City Council Meeting as presented. Mayor Pro Tem Simpson seconded the motion, and it was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Carroll. 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.

Councilmember Hosmer asked that Item 19.2 be removed from the consent agenda so he could ask a question of staff. Item 19.2, Council Bill 2024-192, was removed from Consent Agenda First Reading Bills, and became Item 14.12 under First Reading Bills Requiring Two Readings.

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

4. CEREMONIAL MATTERS.

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

Jason Gage, City Manager, noted the Finance Department was awarded the Government Finance Officer's Certificate of Achievement for the 47th consecutive year. He further noted the importance of this recognition. Mr. Gage noted the Springfield Fire Department Bomb Squad was recently recredited by the Federal Bureau of Investigations (FBI). He added the City's Intercultural Development Department received a certificate of recognition by the Missouri State University Office of Citizenship and Service-Learning Team.

Mr. Gage noted the Fire Department responded to over 3,000 calls for service from April to June and the average response time was six minutes and 29 seconds.

Mr. Gage noted the Community was involved in a number of community initiatives. He further noted the Gun Safety and Violence Reduction Collaborative announced a three-year grant combined with 90,000 of funding approved by City Council, which was part of a total investment of \$612,630 to investigate gun safety as it relates to gun violence and suicide of youth in relation to firearms. He added the collaborative wanted to emphasize a safe place for youth and young adults to convene for personal expression development workshops and safe space, and to work with trained outreach workers. Mr. Gage further noted the Community Partnership of the Ozarks purchased a building in the north downtown area for a purpose driven day center. He added City Council authorized \$3 million in American Rescue Plan Act (ARPA) funds for the initiative which anticipated opening in spring of next year.

Mr. Gage noted the City Employee Picnic would be held on October 2 from 11:00 a.m. to 2:00 p.m. at Jordan Valley Park.

Mayor McClure thanked and commended Praise Assembly of God church. He noted attending the ribbon cutting ceremony for the Northeast Community Park, which the church developed and funded as a gift to the community.

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.

Councilmember Hosmer asked if the Springfield Police Officers Association (SPOA) agreed to the five-person reduction or if it was agreed to by the Union. Mr. Gage responded he understood it to be agreed to by the union as part of the negotiation process. Mr. Gage added it would change the number of authorized strength by five. Mr. Gage further noted the Police Department does not reach five vacancies under normal circumstances and if successful in hiring there could be opportunity to restore the funds later if needed. Councilmember Hosmer expressed his belief it seemed counterintuitive to use money to help with law enforcement while reducing the number of authorized Police Officer positions. Mr. Gage responded the reduction of Police Officer authorized positions and the marijuana sales tax funds were separate items but both budgetary.

Ordinance 28043. Council Bill 2024-173 (Carroll) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Lee, Mayor McClure. Nays: None. Absent: Councilmember Carroll. Abstain: None.

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.

Councilmember Lee and Mayor McClure recused themselves from Council Bill 2024-178 and left the dais.

Steve Childers, Director of Planning and Development, provided a brief overview of the proposed. Mr. Childers noted the proposed had come before City Council at the last meeting. He further noted the purpose of the application was to rezone a parcel of property from Low-Density Multifamily Residential to Office District with a Conditional Overlay District. Mr. Childers added the rezoning failed at the last meeting. Three Councilmembers recused and one was absent creating a four-to-one vote. Mr. Childers noted the proposed resolution would initiate the rezoning process so the project could be reconsidered.

Councilmember Hosmer asked if the City were going to change the way in which buffer zones were enforced. Mr. Childers responded there was a bufferyard required for the project. He added landscaping regulations were enforced by Building Development Services. He added the proposed was to approve the zoning and it was difficult to determine future enforcement. Councilmember Hosmer expressed his concern that neighborhoods were told there was a buffer zone, and the zone would not be enforced. He noted developers were supposed to maintain the bufferyards, but further expressed his belief maintenance was not enforced. Mr. Gage noted issues were followed up on when the City was aware of one. He added the City would research how to leverage itself to take more initiative.

Councilmember Hosmer noted Tree City USA expressed interest in checking for properties that had not been maintained. Mr. Gage responded they could not serve in an enforcement role but could possibly be a resource for determining what buffers had not been maintained.

Councilmember McGull asked if the proposed senior living facility for veterans and others proposed a bufferyard that was in compliance with the Comprehensive Plan and if so, was that plan unanimously approved by the Planning and Zoning Commission. Mr. Childers responded affirmatively. Councilmember McGull asked if the developer had any previous bufferyard abuses or anything of that nature. Mr. Childers responded not to his knowledge.

An opportunity was given for citizens to express their views.

Dave Bodeen, a representative for the Pinnacle Design Consultants, spoke in support of the proposed. Mr. Bodeen thanked City Council and staff. He noted the neighbors were fully in support of the change. He noted the neighbors' two main concerns were multi-story buildings and retention of a gate at the end of Buena Vista. Mr. Bodeen further noted they pledged for all construction, through the first 400 feet of the west 400 feet would be single level construction. He added, according to staff, there was nothing in the change that would spur removal of the gate. Mr. Bodeen noted the bufferyard would surpass the minimum standard and provide extra trees.

Councilmember Jenson asked what was done to ensure the bufferyard was sustainable long term. Mr. Bodeen responded the plants to be used come from the City of Springfield's recommended list.

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

Councilmember Horton expressed her support for the resolution. She noted not wanting to set a precedent of policymaking based on uncertainty for future concerns.

Mayor Pro Tem Simpson expressed his support for the proposed. He noted the responsibility as City Council was to consider the merits of the proposal. He further noted the proposed project was recommended for passage by the Planning and Zoning Commission and by City Staff. Mayor Pro Tem Simpson added the proposed was supported by the neighborhood, and provided homes for senior citizens, which directly aligned with the housing priority.

Councilmember Hosmer expressed his support for the proposed. He expressed his belief the City needed a plan for enforcement of buffer zones. He noted his opposition was in reference to primary enforcement. He expressed his belief existing laws need to be enforced.

Resolution 10783. Council Bill 2024-178 (Simpson) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger. Nays: None. Absent: Councilmember Carroll. Abstain: None.

Councilmember Lee and Mayor McClure returned to the dais.

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).

David Schaumburg, Assistant Director of Aviation, provided a brief overview of the proposed. Mr. Schaumburg noted the proposed was an item staff had been working on for a couple of years and was a unique opportunity within the bipartisan infrastructure law to pursue some competitive discretionary grants. He added this was a need for the Airport. Mr. Schaumburg further noted the Airport had ten passenger boarding bridges with five of those in need of replacement as they had surpassed their useful life. He added the bridge cost was at over \$1 million each, and receiving the funds would be a benefit to the Airport.

Councilmember McGull thanked Mr. Schaumburg for the update and asked if the old bridges would be salvaged. Mr. Schaumburg responded within the contract the installer would take them back and possibly salvage the metal material for other purposes.

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

Ordinance 28044. Council Bill 2024-179 (Carroll) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Carroll. Abstain: None.

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.

Darla Morrison, Director of Human Resources, provided a brief overview of the proposed. Ms. Morrison noted the proposed would allow the addition of two new job titles, one for the Police Department and one at the Springfield-Branson National Airport. She added both job titles were recommended as the result of completed job studies and would address Human Resource needs in both departments. Ms. Morrison further noted the proposed would allow the deletion of one vacant Airport position that was not currently utilized. There would be no budget adjustment required for either position.

Councilmember Jenson asked what necessitated the two job studies to be completed. Ms. Morrison responded in the Police Department, an incumbent had taken on higher level responsibilities and changes in operations for general aviation at the Airport triggered the other job study. Councilmember Jenson asked if all promotions required a job study. Ms. Morrison responded job title additions or deletions need to be approved by City Council. Councilmember Jenson asked if there would be a way to make the process more efficient. Ms. Morrison responded the Human Resources Department could currently make routine job title changes only without City Council approval.

Mayor McClure noted he served for several years on the Personnel Advisory Board at the State level and chaired it. He mentioned the same process was often utilized.

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

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.

Darla Morrison, Director of Human Resources, provided a brief overview of the proposed. Ms. Morrison noted the proposed was an update for the IBEW Crafts, Trades, and Labor collective bargaining agreement. She added both parties had agreed to the proposed amendment which provided guaranteed overtime for a specific position at the airport that was responsible for all flights that come in. Ms. Morrison further noted midnight was currently the last flight but could be delayed due to weather in Springfield or connecting cities. She added a trainer sometimes helps when this occurred and the proposed would provide for guaranteed overtime. Ms. Morrison noted there was no budget adjustment required.

Councilmember McGull expressed his support for the proposed. He noted the proposed makes sense as it would be a benefit for individuals visiting Springfield, which is a city of hospitality.

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

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.

Bob Jones, Grants Administrator, provided a brief overview of the proposed. Mr. Jones noted the proposed was a request for adjustments to the Comprehensive Housing Assistance Program (CHAP) regulations that would assist the Maplewood Villas Phase II project. He further noted Maplewood Villas II would create 32 rental units for seniors and veterans aged 55 and up. Mr. Jones further noted the development was just outside the current United States Department of Housing and Urban Development (HUD) funding target area and would be an exception which required City Council approval. Mr. Jones added the exception was a loan term of a 20-year fixed-rate loan at 0.75 percent interest. He noted the project gains extra points for the dollar amount, and it provided much needed affordable housing.

Councilmember Horton asked how much would remain in the revolving loan fund if the proposed were approved. Mr. Jones responded approximately \$2 million with some of that earmarked for specific projects. Councilmember Horton noted the interest rate drop from 5 percent to 0.75 percent was significant.

An opportunity was given for citizens to express their views.

Meleah Spencer, CEO of The Kitchen, Inc., spoke in support of the proposed. Ms. Spencer expressed her belief the project was a meaningful step forward in addressing a critical need in the community. She noted in December 2023 they received approval from the Missouri Housing development Commission for Maplewood Villas phase two through the low-income housing tax credit program. Ms. Spencer further noted Maplewood Villas Phase II was an extension of the original. She added all units were leased within 30 days of receiving occupancy permits. Ms. Spencer noted Maplewood Villas II would consist of 32 units, with 8 units specifically reserved for veterans, which would be referred by The Kitchen, Inc., and the Veterans Administration. She added of the remaining units, four would be for households at or below the 30 percent median income with rents at \$435 per month, and four units available at a market rate of \$750 per month. The remainder of the units would be available to households at or below 60 percent median income with rents at \$560 per month. Ms. Spencer noted all

units would feature two bedrooms and one bathroom with onsite case management.

Ms. Spencer further noted the current waiting list was 124 applicants.

Councilmember Jenson asked if the units would be Americans with Disabilities Act (ADA) compliant and if the rents were below the fair market rate for rents. Ms. Spencer responded affirmatively.

Councilmember Horton asked if there were any projects in the queue for The Kitchen, Inc. that would target families. Ms. Spencer responded they would be open to having another family development similar to Beacon Village. She added they also had Spero Place which did allow for families. Councilmember Horton noted the housing study showed need for those who were at the 30 percent or lower median family income. She asked how many units total would be reserved for this need. Ms. Spencer responded twelve.

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

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.

Dan Smith, Director of Public Works, provided a brief overview of the proposed. Mr. Smith noted the Missouri Department of Transportation (MoDOT) had been working on an Interstate 44 widening project to widen to six lanes between Kansas Avenue and Glenstone Avenue. He added the City had been coordinating with MoDOT on aesthetic improvements to the corridor and partnered with the Ozarks Transportation Organization (OTO). Mr. Smith further noted the proposed would provide \$2 million in federal Surface Transportation Block Grant (STBG) funds toward aesthetic improvements and pedestrian and bicycle improvements. Mr. Smith added there would be an underpass around the Doling Park area and another \$200,000 in federal STBG funds for overruns on the aesthetic, which the City was responsible for. Mr. Smith further noted the project was in accordance with the City's Quality of Place. Bridge esthetics included lighting and form liners to improve the appearance of the concrete.

Councilmember McGull expressed his support for the aesthetic improvements and noted highways established years ago did not lend themselves to traffic-calming and aesthetics. Mr. Smith noted the proposed would improve four bridge locations on the corridor.

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

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.

Dan Smith, Director of Public Works, provided a brief overview of the proposed. Mr. Smith noted the proposed would bring previously presented 1/4-cent and 1/8-cent proposed projects forward for City Council action. He further noted in 2019, citizens approved the current list of projects and programs that were being currently constructed and designed. He added citizens also approved the sunset to extend to 20 years. Mr. Smith noted one of the successes of the program was the input of citizens to determine the priorities of the projects and programs chosen. He added the last survey was completed in August to September of the previous year. Mr. Smith further noted 1500 responses were received, and the top items included high volume corridors, with resurfacing and maintenance of City Streets and improving traffic flow at the top. Mr. Smith further noted 64 percent of citizens were in favor of increasing the current level of investment in the City's roadway pavement conditions, and 60 percent were in favor of funding infrastructure projects dedicated to industry, business, and growth. He added how much benefit the project would bring to the community was considered. Safety, infrastructure condition, economic development and flood mitigation were considered. Mr. Smith noted City Council zones were considered to ensure work was allocated around the City. Mr. Smith noted the proposed projects included corridor studies for Campbell Avenue from Primrose to Powell, Sunshine Street from Grant Avenue to Glenstone Avenue, and Division Street from Glenstone Avenue to U.S. 65 Highway. The proposed would also provide construction funding for projects on Fremont Avenue, Kansas Avenue, Campbell Avenue, and Scenic Avenue. Mr. Smith noted the Stormwater Program included surveys of infrastructure conditions which found several needs, Art Museum improvements included approximately \$14.5 million debt service for phase one, and the Jefferson Avenue Footbridge included approximately \$4 million in debt service for additional funding needed. Mr. Smith added proposed City-wide programs included resurfacing, sidewalk repair, reforestation, landscaping, and other day-to-day items.

Councilmember Jenson asked the anticipated use for Center City Development funds. Mr. Smith responded he did not have specifics for that, but they had at various times covered local match for streetscapes and other needs in the Center City area. Councilmember Jenson asked if noise dampening in parking garages could be an eligible use for those funds. Mr. Smith responded affirmatively noting the need would have to fit the definition of a capital improvement and was City owned infrastructure. Councilmember Jenson noted next year was the last year body-worn cameras would be paid for out of Minor Neighborhood Improvement funds.

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

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.

Brian Wirth, Superintendent of Clean Water Services, provided a brief overview of the proposed. Mr. Wirth noted the proposed budget adjustment in the amount of \$1.6 million from retained earnings of the Clean Water Fund would be utilized for Southwest Wastewater Treatment Plant ozone generator restoration. Mr. Wirth further noted the plant was required to disinfect as the final step of the treatment process for the operating permit. He added they disinfect with ozone. Mr. Wirth noted they have two Mitsubishi ozone generators that were functioning at 70 percent of the design capacity. He added the proposed investment represented the cost from the Ozone System Services Group to restore the systems to the original desired capacity.

Councilmember Hosmer asked if the ozone was used right before the water was discharged. Mr. Wirth responded it was the last step before the water was discharged into Wilson's Creek. Councilmember Hosmer asked if the system caught other materials. Mr. Wirth responded ozone was a strong oxidizer which also breaks down other things.

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

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.

Louise Knauer, Board Vice Chair for City Utilities, introduced the proposed. Ms. Knauer noted the City Utilities Board held an extended study session to discuss priorities. She added the charge was to provide safe, reliable, and affordable utility services to the community. Ms. Knauer further noted the Board continued to focus on the resiliency of their infrastructure and advancement of the quality of life by investing in critical assets. Ms. Knauer added the budget included a strong focus on infrastructure, natural gas and water main renewals, electric pole replacements and backup generator, and vegetation management. Mr. Knauer further noted the budget included a transit fare reduction effective October 1, 2024, if approved.

Gary Gibson, President/CEO of City Utilities, provided a brief overview of the proposed. Mr. Gibson thanked the City Utilities Board and City Council for time spent reviewing the budget. He noted the budget focused on reliability and balanced affordability and sustainability. Mr. Gibson further noted the challenge over the next several years was to remain ahead of the changing electric landscape.

Amy Derald, Sr. Vice President, Chief Financial and Supply Chain Officer of City Utilities, provided a brief overview of the proposed. Ms. Derald noted City Utilities expected to have approximately 39 percent zero emissions, primarily from wind. She further noted City Utilities was proud of their diverse portfolio of power supply coming from dispatchable generation, as well as wind and a minor amount from solar. Ms. Derald added they also purchase any power needs that were cost-effective from Southwest Power Pool. Ms. Derald noted there was significant participation in energy efficiency programs, including weatherization. Ms. Derald further noted Springfield had the lowest residential bill when considering electric, natural gas and water services when compared to 13 peer cities. She added City Utilities expects slightly higher receipts at a total of \$656 million, with expectations for a normal winter. Ms. Derald noted City Utilities expected expenditures of \$641 million, with fuels as the bulk of the

expenditures expected to be a little less in 2025. She added they were requesting \$895,437,900 for disbursement authority, which included normal expenditures and a business volatility and contingency fund of \$55 million. Ms. Derald noted this also included a future power supply amount of \$200 million. She further noted community services were budgeted at \$17.6 million for the next year. She added public transit services would be a deficit.

Councilmember Jenson asked what costs were comprised in the \$4.6 million increase for customers and administrative expenditures. Ms. Derald responded that included customer service, finance cost, customer meter costs, information technology, and bad debts.

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

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.

Austin Beshears, Director of Rates and Fuels for City Utilities, provided a brief overview of the proposed. Mr. Beshears noted the first of a series of three base electric and water rate increases were implemented in 2024. He further noted the proposed would allow for a series of three annual natural gas rate increases, averaging from 2.5 percent to 3.9 percent, to be effective in October 2025, 2026, and 2027. He added the increases were phased out to minimize the impact on customers. Mr. Beshears noted the increases were projected to generate approximately \$11.5 million from 2025 through 2029. He added the average customer impact was estimated to be approximately \$7.44. Mr. Beshears noted the natural gas rate proposal was designed in accordance with the Board of Public Utilities rate policy standards. He added the rates needed to generate revenue necessary to provide services that customers need, to be stable, and be fair to customers. City Utilities engaged a consultant on the cost-of-service study and the rate design. He added natural gas rates supported the costs of the natural gas system along with natural gas' share of common costs, including the transit system. Mr. Beshears noted there had not been a base natural gas rate increase in nearly five years. He added non-residential impacts would vary by customer class and usage. Mr. Beshears further noted natural gas customers paid approximately 75 percent of the national average and 55 percent of the state average.

Councilmember McGull asked if City Utilities was looking at the further use of liquified natural gas. Mr. Beshears responded City Utilities had a propane air peak shaving plant to use as a resource during peak winter storms but was not sure liquified natural gas had been reviewed.

Councilmember Hosmer asked if the rate increases for residential customers were the same as for commercial industrial customers. Mr. Beshears responded there was a slight variation with everyone's increase within the approximately 3 percent total. He added residential customers outside the city limits would have the same increase. Councilmember Hosmer asked about the change to the curtailable gas service rate. Mr. Beshears responded the multiplier over the index price was change two years ago and the general terms and conditions were clarified.

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

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.

Kelly Turner, Vice President of Customer Operations and Communications for City Utilities (CU), provided a brief overview of the proposed. Mr. Turner noted the Connect SGF Transit Optimization study was completed at the beginning of the year. He noted the transit fare structure was evaluated with the study showing the fares were exceedingly affordable. Mr. Turner further noted the proposed provide a 20 percent reduction in transit fares and a transfer increase from 10 cents to 25 cents. He added, if approved, the fares would go into effect on October 1.

An opportunity was given for citizens to express their views.

Natasha Longpine, the Transportation Planning Manager with the Ozarks Transportation Organization (OTO), spoke in support of the proposed. Ms. Longpine noted OTO had a long history of partnering with CU Transit and considering how transit could best serve the region. Ms. Longpine further noted the rate reduction would provide additional access for those most under-resourced in the community. She added OTO hoped City Council and the community understood the value the high-quality transit service provided.

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

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.

Martin Gugel, Interim Director of Building Development Services, provided a brief overview of the proposed. Mr. Gugel noted the proposed was a result of the direction of the City Council passed resolution that 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. He added it was determined to repeal the rental registration program that had been inactive since 2019. Mr. Gugel further noted it had become obsolete as the data could be acquired from other alternative sources. He added repealing the program would streamline processes and better allocate resources towards effective nuisance abatement measures.

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

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.

Martin Gugel, Interim Director of Building Development Services, provided a brief overview of the proposed. Mr. Gugel noted the proposed would amend City Code based on review of the nuisance property code for substantial progress and chronic nuisances. He added recommendations were made to better define substantial progress and would allow an outside observer to reasonably conclude there had been considerable abatement of the conditions that made the property a danger, nuisance, or in need of maintenance. Mr. Gugel noted two changes in the purposed regarding the nuisance itself would be properties in which there was a final order under Section 26-70 two or more times under the same ownership, or properties with two or more properties under the same ownership. He expressed his belief the clarifications would help in handling nuisance properties.

Councilmember Jenson asked how many entities would be identified as chronic nuisance properties under the changes. Mr. Gugel responded he would provide that information. Councilmember Jenson asked if Mr. Gugel believed the changes would allow the department to take a stronger enforcement approach against violators. Mr. Gugel responded affirmatively.

Councilmember Horton asked for an update on the Full-Time Employee Property Care Teams that were approved by City Council. Mr. Gugel responded hiring that staff member would be a good start but there could also be opportunities from the community and volunteers.

An opportunity was given for citizens to express their views.

Brian Paschall addressed City Council. Mr. Paschall expressed his belief something needed to be done about nuisance properties. He added there were nuisance properties in his neighborhood. Mr. Paschall noted he had contacted the City and added the properties in his neighborhood had trash and mosquito problems. Mr. Paschall expressed his belief these issues could have health impacts. Mr. Paschall offered as a possible solution the blighted houses could be adopted and renovated.

Councilmember Horton noted the properties were private property and noted Mr. Paschall had taken the proper steps by calling the Citizens Resource Center. She added one recommendation was to gain citizen input on a rental property inspection program and encouraged the input when that time comes.

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

14.12. 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.

This item was removed from Consent Agenda - First Reading Bills Item 19.2 and became Item 14.12 under First Reading Bills - Two Readings Required.

Dan Smith, Director of Public Works, was available to answer questions. Councilmember Hosmer noted there was previous discussion on putting cameras up at MoDOT locations and asked if there had been any progress on that. Mr. Smith responded the Police Chief had worked with MoDOT to place certain flock cameras in MoDOT right-of-way but did not believe they were connected to the signal system. Councilmember Hosmer asked about placing City cameras at these locations. Mr. Smith responded that would be a better question for the Police Chief. Councilmember Hosmer asked if it could be determined how many State intersections have cameras. He noted the Police Chief reported four of the crime hotspots were State maintained intersections. He expressed his belief it would be a benefit to the City to have access to that technology. Mr. Smith responded they would find out and relay the information.

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. Tim Havens wishes to address City Council.

Tim Havens addressed City Council. Mr. Havens expressed his belief the role of management was to be proactive in addressing issues. He further expressed his belief elevator issues at Jenny Lind apartments were an emergency issue. He noted many residents of Jenny Lind were elderly and disabled. He further noted the elevator issues cause a problem for the residents. Mr. Havens expressed his belief the fines for not maintaining the property needed to be heftier and the City should be more proactive.

15.2. Brian Paschall wishes to address City Council.

Brian Paschall addressed City Council. Mr. Paschall noted issues he had experienced with homeless individuals. He further noted homeless individuals congregate near old City Hall. Mr. Paschall further noted the number of fires that had been set among the abandoned rail line. He added there had been issues with homeless individuals stealing electricity and water from citizens and businesses. He noted homeless individuals do not adhere to crosswalk safety protocol. Mr. Paschall expressed his belief some of the agencies that support the homeless should be responsible.

15.3. Robert Iacob wishes to address City Council.

Robert Iacob addressed City Council. Mr. Iacob expressed his belief there was some miscommunication regarding collection of short-term rental tax. Mr. Iacob agreed the tax needed to be paid and noted Airbnb had stated all tax had been collected and remitted as of August 30. Mr. Iacob further noted the City showed no tax for his business had been collected or remitted. Mr. Iacob expressed his belief the short-term rental type III ordinance was extremely restrictive.

15.4. Kari Hoggard wishes to address City Council.

Kari Hoggard addressed City Council. Ms. Hoggard spoke concerning the safety of motorcycle traffic downtown. She expressed her belief the recreational traffic had taken over downtown. Ms. Hoggard suggested better signage on the parking garage may be helpful.

15.5. Kristine wishes to address City Council.

Cristine Thomas, a downtown business owner, addressed City Council. Ms. Thomas expressed her concern about the safety of downtown traffic. She added vehicles were doing tricks in proximity to patrons of downtown businesses. Ms. Thomas expressed her belief it would be beneficial to post reduced speed signs and flashing yellow lights at the intersections leading into Park Central Square, and to repaint crosswalks for better visibility. She added more police presence could also be beneficial to the area.

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.

* Clerk's Note: Steve Kirks withdrew from consideration.

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.

This item was removed from Consent Agenda - First Reading Bills Item 19.2 and became Item 14.12 under First Reading Bills - Two Readings Required.

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 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.

Ordinance 28045. Council Bill 2024-174(Jenson) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Lee, Mayor McClure. Nays: None. Absent: Councilmember Carroll. Abstain: None.

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 Hardinger, Councilmember Lee, and Mayor McClure. Nays: Councilmember Hosmer. Absent: Councilmember Carroll. Abstain: None.



EXPLANATION TO COUNCIL BILL 2024-180 (HOSMER)

FILED: 09/10/2024

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:

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: 09/10/2024

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:

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

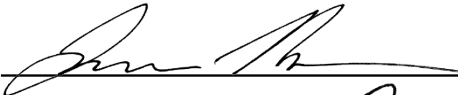
41 Section 3 – This Ordinance shall be in full force and effect from and after
42 passage.
43

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

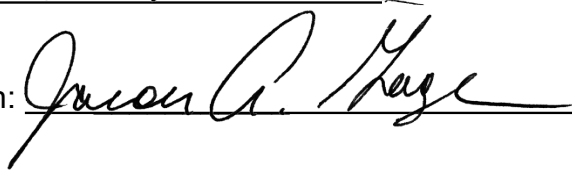
56
57 Approved for Council action: , City Manager

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: 09/10/2024

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:

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: 09/10/2024

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:

- 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@greencountymo.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

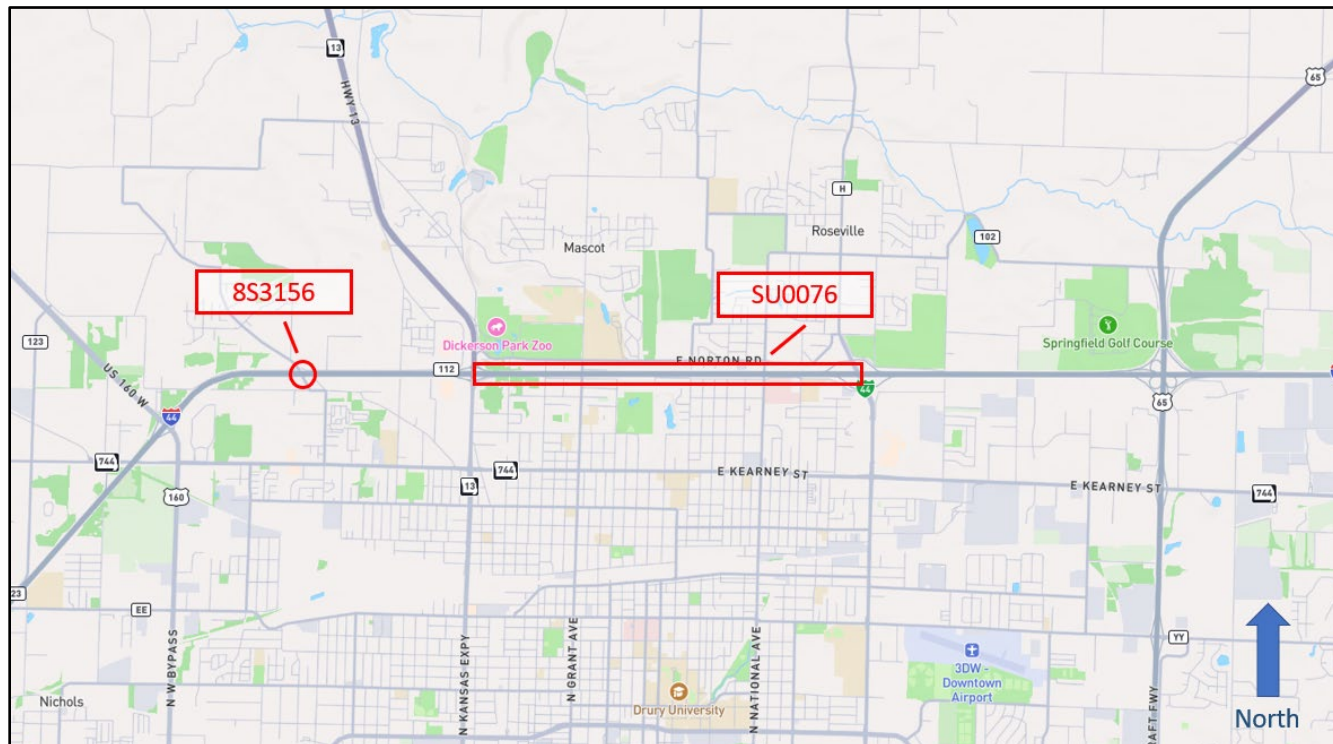


EXHIBIT B

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: 09/10/2024

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:

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

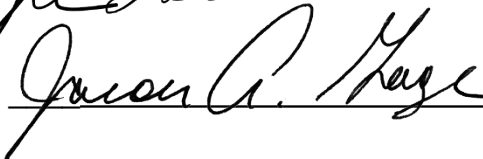
Approved for Council action:  _____, City Manager

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) (includes funding for one (1) existing PE FTE)	(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 (includes bike routes)	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:

Dan Smith
Department Head

9-03-2024
Date

Approved By:

DL Hill
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: 09/10/2024

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:

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.

Section 4 – 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: *Jim Millington*, Deputy City Attorney

Approved for Council action: *Jason A. Hage*, City Manager

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: 09/10/2024

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:

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 “Exhibit 1,” 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

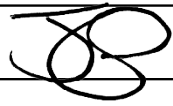
27 Passed at meeting: _____
28

29 _____
30 Mayor
31

32 Attest: _____, City Clerk
33

34 Filed as Ordinance: _____

35

36 Approved as to form:  _____, City Attorney

37

38 Approved for Council action:  _____, City Manager

39

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

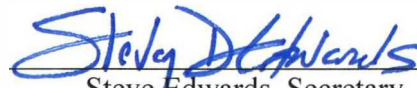
WHEREAS, City Utilities' staff has presented and received input on a draft proposed Fiscal Year 2025 Operating Budget (the "Budget") from the Board and City Council, as well as the public by virtue of a public hearing opportunity, and has now presented to the Board a final proposed Budget in the form 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 Derald 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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BOARD OF PUBLIC UTILITIES

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As of 6/30/2024

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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

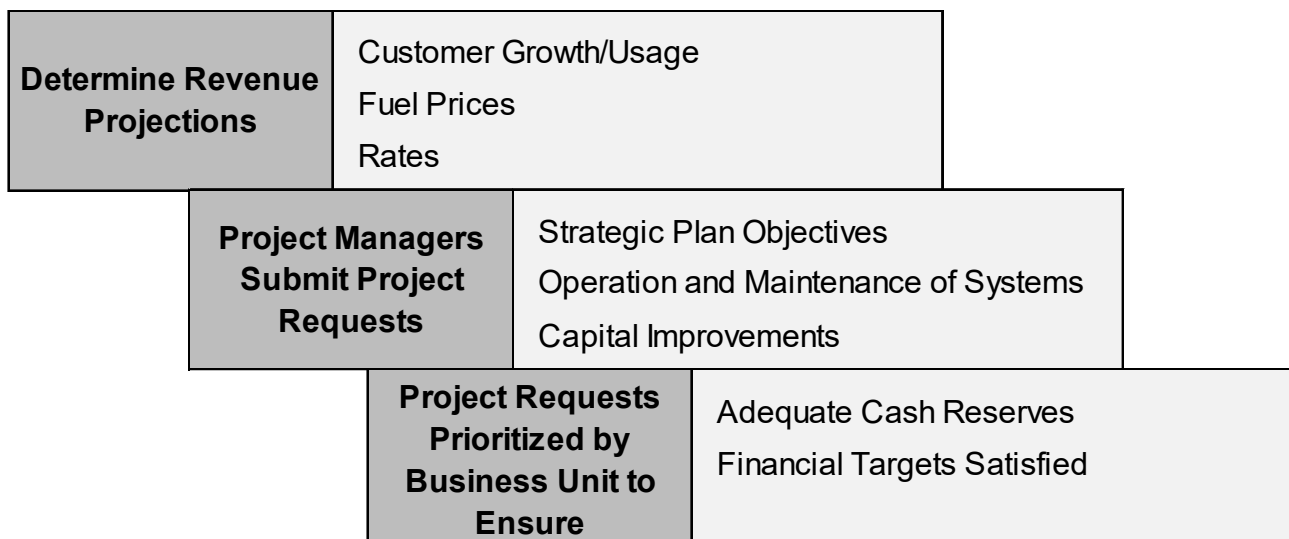
City Utilities' planning process is deliberate with a focus on sustainable financial strength while safely providing reliable services for our customers with affordable rates. The process is dynamic and incorporates the impact of changing variables such as customer demands, fuel prices, governmental 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.

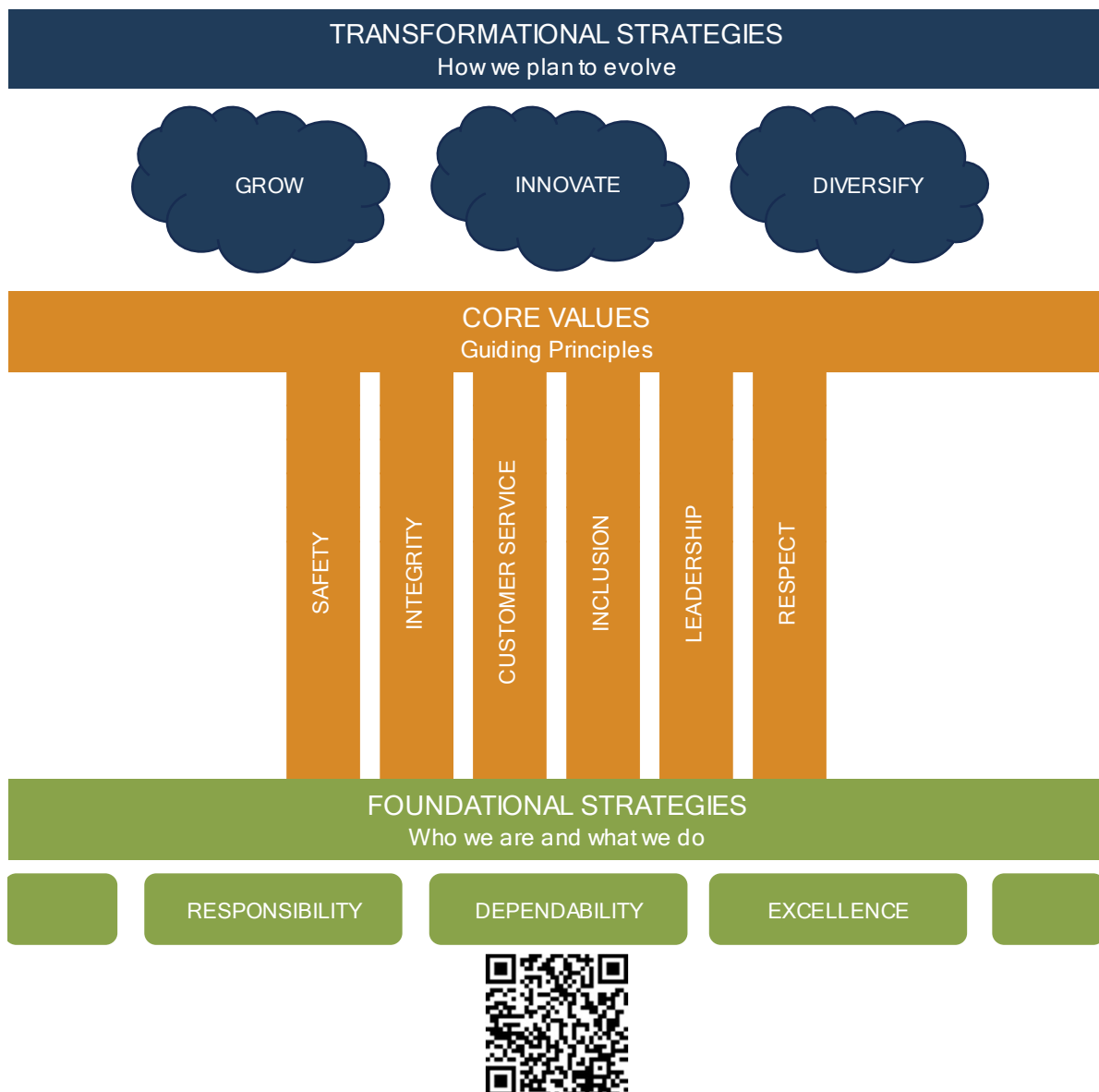
Glossary

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

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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.

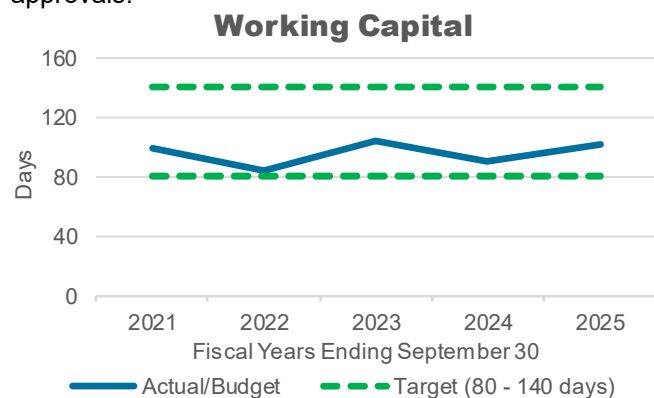
The Operating Plan is presented to the Board of Public Utilities for consideration and approval. Following approval by the Board of Public Utilities, the Operating Budget is presented to City Council for consideration and approval.

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.

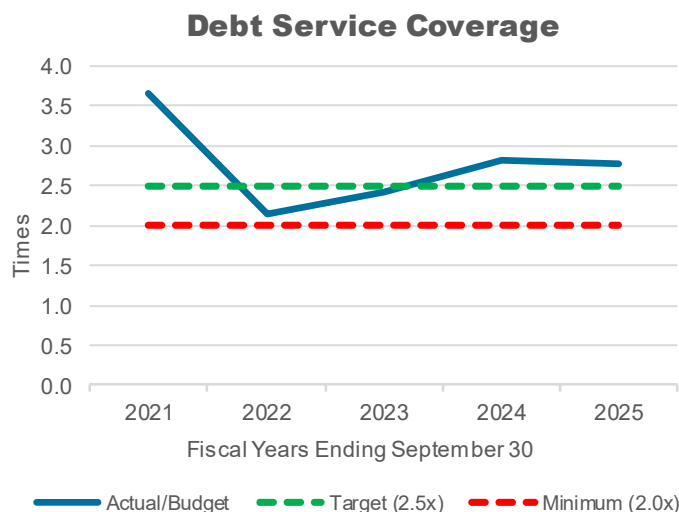
Any business unit with Operating Earnings projected to be below the Operating Requirement is scrutinized for budget reductions, additional revenue sources, or possible financing alternatives. It is common for Operating Earnings to be less than the Operating Requirement when large capital improvements 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

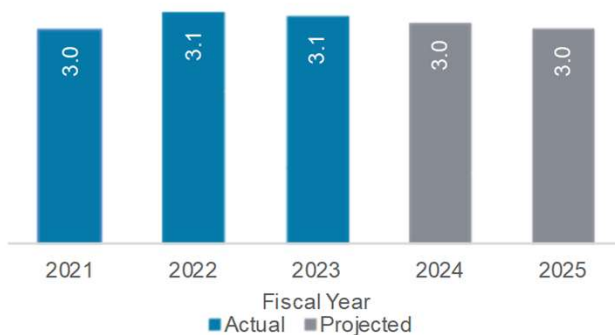
Electric, Natural Gas, and Water sales demonstrate the impact of customer growth and usage projections of system sales included in the Operating Budget. Sales projections are based on normal weather and fiscal 2024 projections include actual sales through February. These projections exclude interdepartmental 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

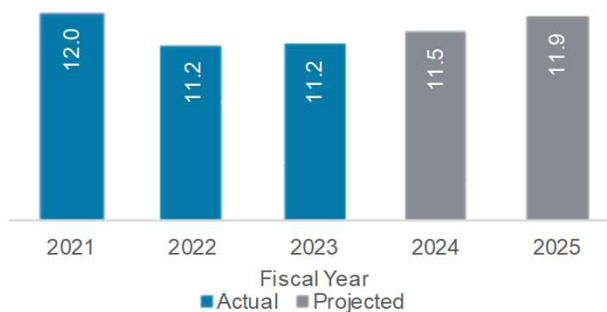


Natural Gas

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

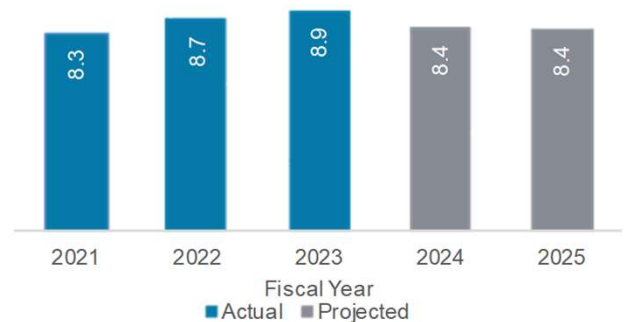


Water

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

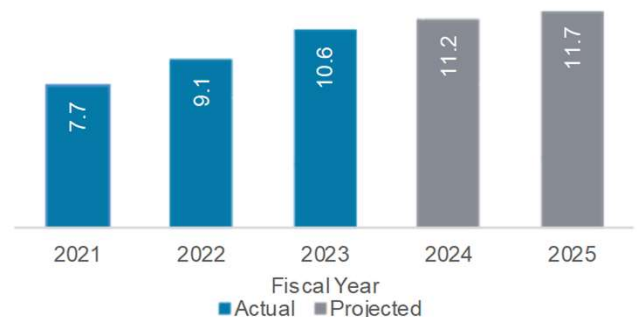


Transit

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.

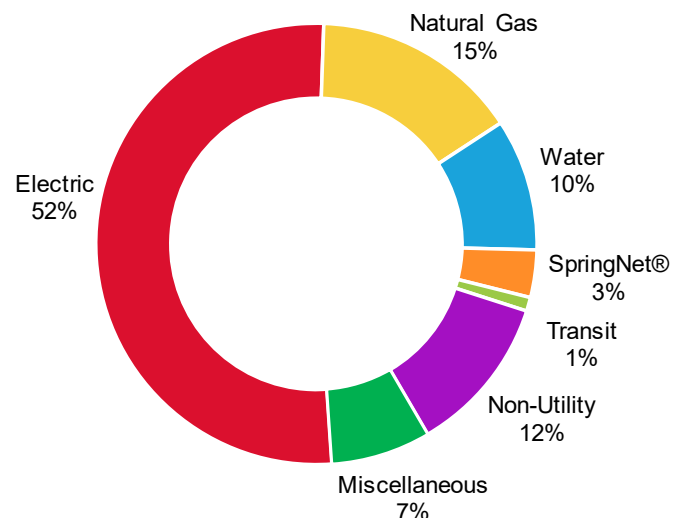
SpringNet® revenues are expected to decrease from fiscal 2024 to 2025. In the first quarter of 2024, SpringNet® entered into an agreement with Vertical Bridge Towers, LLC and site leases were acquired from SpringNet® with rights to market and expand site lease agreements.

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.

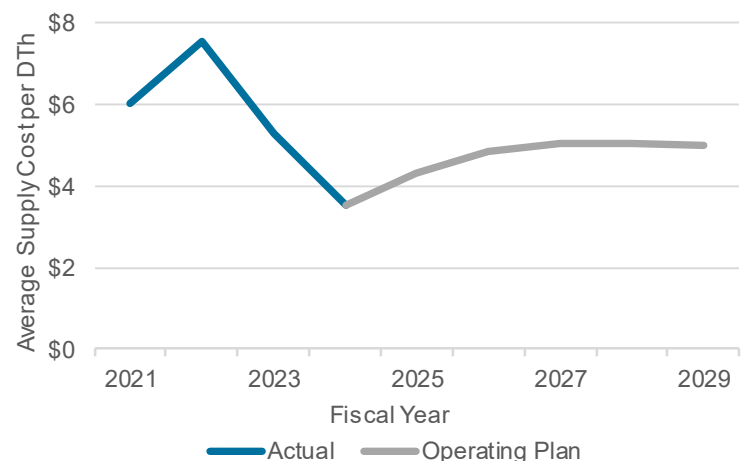
Current projections reflect the assumption that coal from the Powder River Basin in Wyoming will be consumed by John Twitty Energy Center (JTEC) coal-fired generating units. The average delivered cost of coal is projected to be \$2.57 per million British Thermal Units (BTU) with freight costs included.

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.

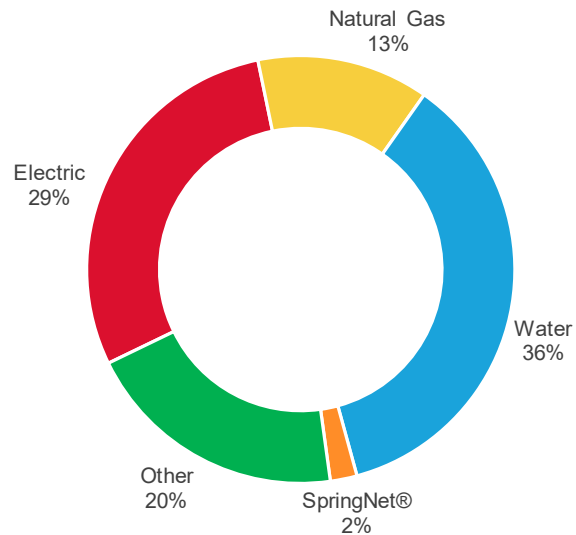
Capital expenditures for the 2025 Operating Budget have a projected cost of \$94 million. This is an increase of \$10 million compared to the 2024 Reprojected Budget. Due to the ongoing process of maintaining City Utilities' infrastructure, many of the capital projects are recurring in nature. Recurring 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.

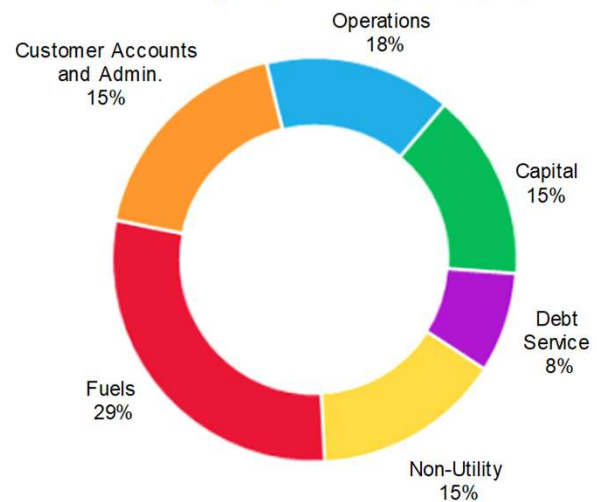
Capital Expenditures by Category



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.

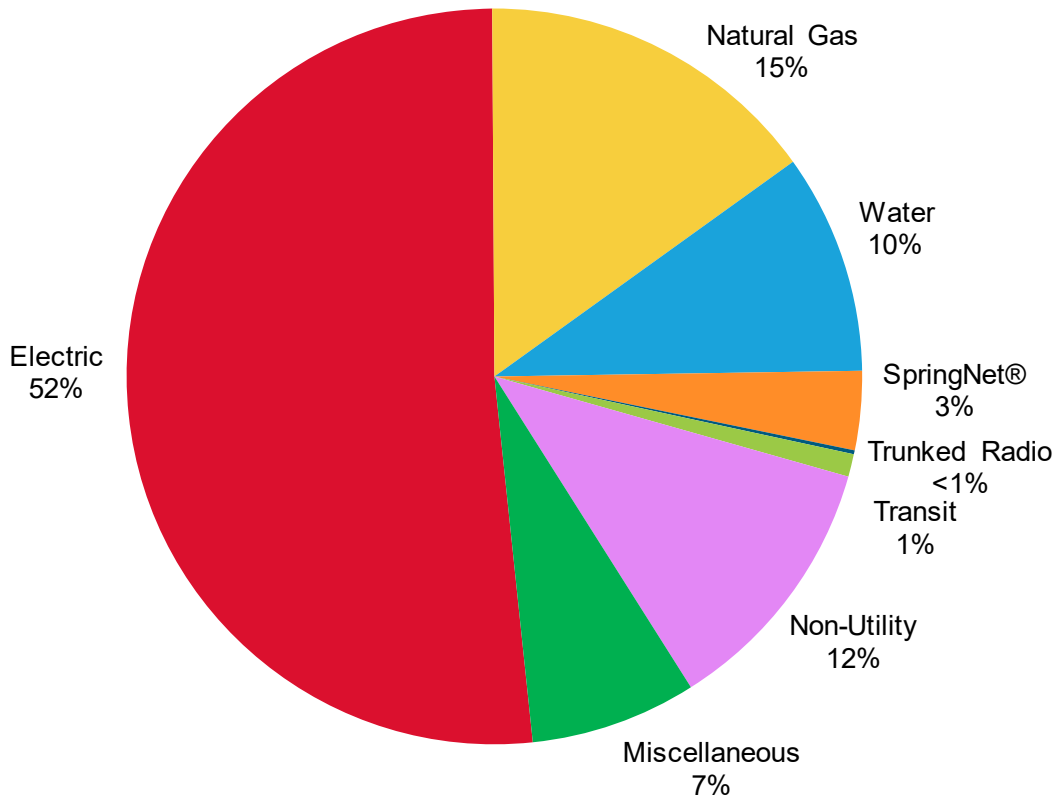
RECEIPTS HIGHLIGHTS

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Summary of Receipts by Category

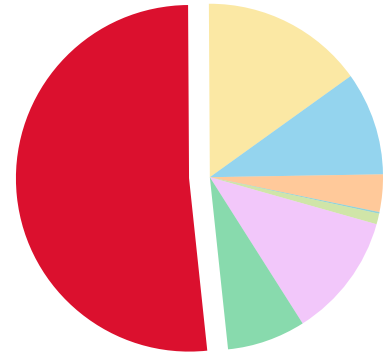
Receipts (000s)	Actual 2023	Reprojected 2024	Budget 2025
Electric Revenues and Receipts	\$ 334,517	\$ 321,697	\$ 338,182
Natural Gas Revenues and Receipts	128,862	86,276	99,583
Water Revenues and Receipts	59,342	60,277	63,383
SpringNet® Revenues and Receipts	22,831	23,488	22,802
Trunked Radio Revenues 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.

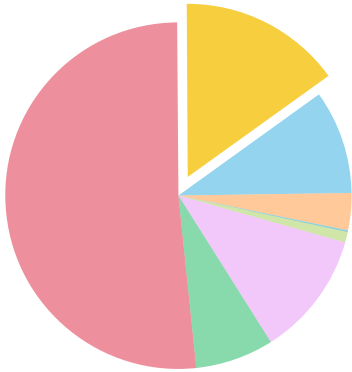
Reprojected Adjustment

- 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

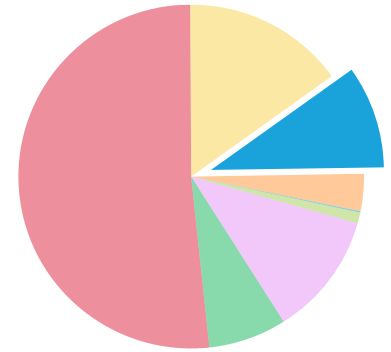
- Sales revenues for fiscal 2024 are expected to decrease from budget projections by \$19 million primarily due to a decrease in the purchase price of natural gas. Reprojected sales volumes decreased by about 705,000 dekatherms (Dth) from budget projections.
- The projected system sales volumes in fiscal 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.

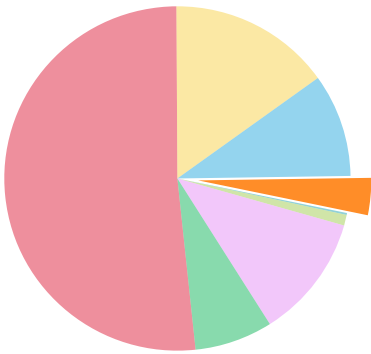
Reprojected Adjustment

- 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.

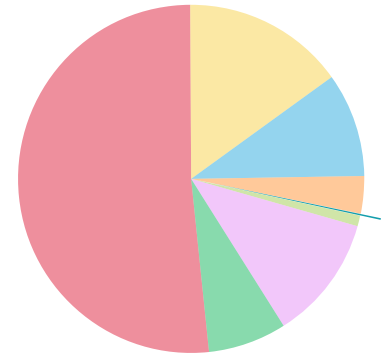
Non-cash adjustments represent interdepartmental sales and GASB87 Lease Revenue adjustments. These adjustments are included to calculate total receipts.

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.

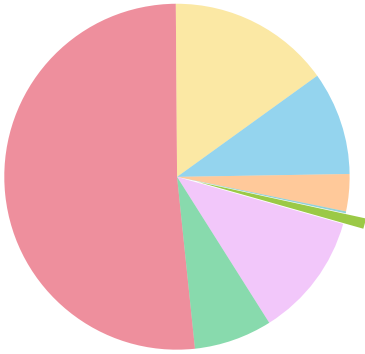
Reprojected Adjustment

- 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.

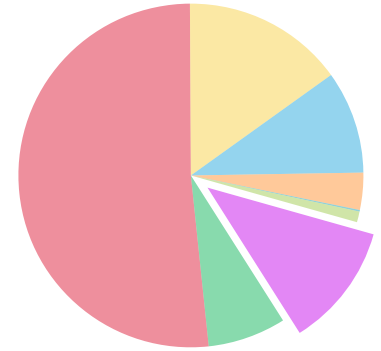
Operating subsidies from the Federal Transit Administration (FTA) and the State of Missouri provide partial funding for the operation of the transit system.

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



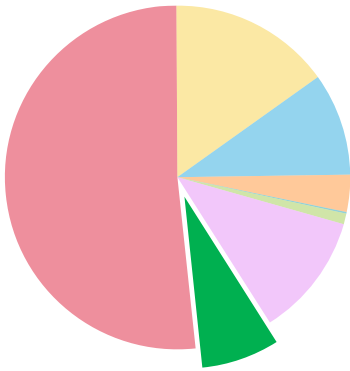
Overview

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
Electric	2
Natural Gas	4
Water	5
Transit	7
SpringNet®	8
Information Technology	9
Facilities	10
Vehicles and Equipment	11

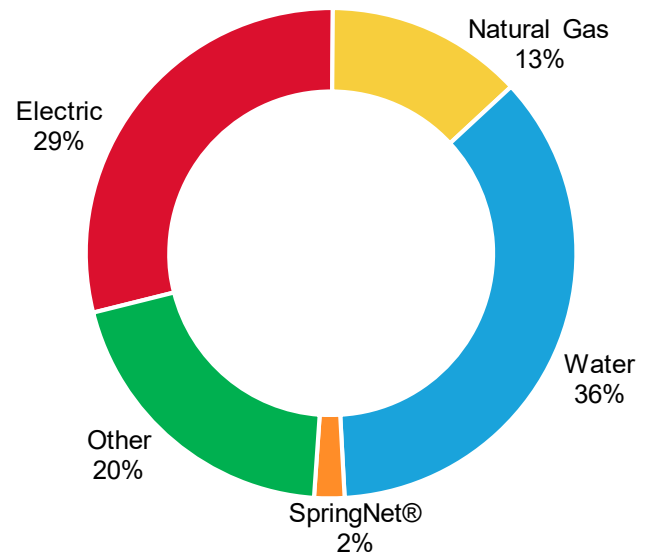
Capital Improvements Summary

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
Totals	\$ 2,904

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**

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

Cybersecurity and IT Resiliency	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.

OPERATING EXPENDITURES

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Water Supply and Treatment	5
Water Distribution	6
Transit	6
Facilities	7
Vehicles and Equipment	8
SpringNet®	8
Information Technology	9
Human Resources	10
Finance	11
General Operations Support	12
Administrative Support	13
Customer Support	14
Debt Service	15
Non-Utility	15

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 *	Reprojected	Budget
	2023	2024	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)****Reconciliation of Net Operating Income to
Net Cash Provided by Operating Activities**

	Actual 2023	Reprojected 2024	Budget 2025
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
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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

Cash and Cash Equivalents at Beginning of Period**Cash and Cash Equivalents at End of Period**

	9,348	(440)	0
	27,092	36,440	36,000
	\$ 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.

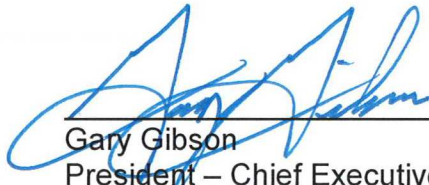
Article 16.9 of the Springfield City Charter further states that the approval of the said budget by the Council shall be deemed to be an appropriation of the money authorized for disbursement thereby, and no further action needs to be taken by the Council.

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: 09/10/2024

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, 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: Gary Gibson, President - Chief Executive Officer

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

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

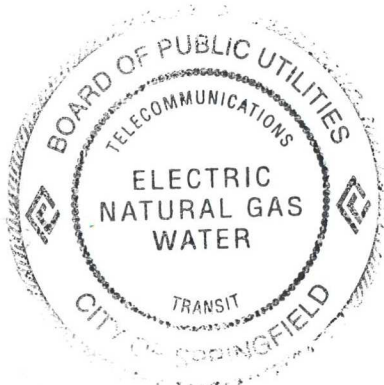


Exhibit A-1

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

	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
<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. Hmgs. _____
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: 09/10/2024

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:

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: _____

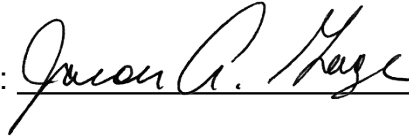
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Mayor

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”;

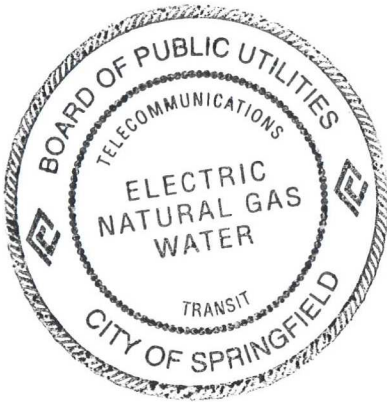
BE IT FURTHER RESOLVED, that the forms of City Council Ordinance and Explanation attached hereto as Exhibits B and C, respectively, are approved and should be submitted to City Council for its approval, and upon such approval said “Schedule of Fares for Transportation of Passengers” shall become effective 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
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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
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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.

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28 Passed at meeting: _____

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Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

38 Approved as to form: _____, City Attorney

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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

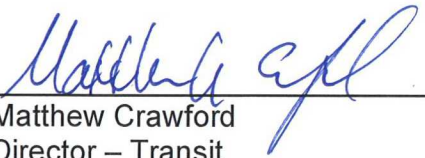
As part of a comprehensive transit optimization study, City Utilities evaluated potential fare changes. The fares for the bus system had not been changed since a fare increase approved in 2007, with full implementation concluding in 2009. The study examined options for bus fare increases that might be 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:

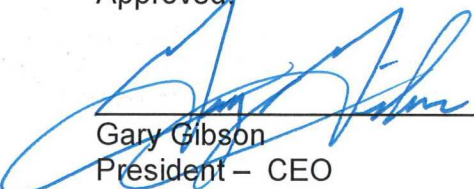
If this ordinance is passed, the revised *City Utilities of Springfield, Missouri Schedule of Fares for Transportation of Passengers* will become effective October 1, 2024, and will supersede the schedule approved by City Council on June 18, 2007.

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: 09/10/2024

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:

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.
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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.

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36 Section 3 – This ordinance shall be in full force and effect from and after
37 passage.

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39 Passed at meeting: _____

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41 _____
42 Mayor

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44 Attest: _____, City Clerk

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47 Filed as Ordinance: _____

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49 Approved as to form: Duke M. Donald, Assistant City Attorney

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52 Approved for Council action: Jason A. Hays, City Manager
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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: 09/10/2024

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:

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 (3) Those which have improperly distributed loads upon the floors or roofs
49 or in which the floors or roofs are overloaded, or those having floors or
50 roofs of insufficient strength to be reasonably safe for the purpose for
51 which they are being used or intended to be used.
52
- 53 (4) Those which have been substantially damaged by fire, wind or other
54 causes.
55
- 56 (5) Those unoccupied and open at door, window, wall, or roof. As used
57 herein, an "unoccupied" building is one which is not being continuously
58 and lawfully inhabited for residential or any non-residential purpose. As
59 used herein, an unoccupied building is "open" at door, window, wall or
60 roof when the interior is exposed to the elements or is accessible for
61 entry by animals, trespassers, or others acting without the building
62 owner's consent.
63
- 64 (6) Those under construction upon which work has ceased to the point that
65 substantial progress has not been made for a period of 30 consecutive
66 calendar days after a notice has been issued under section 26-65 for
67 the completion or demolition thereof.
68
- 69 (7) Those in the process of demolition upon which work has ceased to the
70 point that substantial progress has not been made for a period of seven
71 consecutive calendar days after a notice has been issued under section
72 26-65 for the completion or demolition thereof.
73
- 74 (8) Those containing therein substantial accumulations of trash, garbage or
75 other materials susceptible to fire, or constituting or providing a
76 harboring place for vermin or other obnoxious animals or insects or in
77 any way threatening the health of the occupants thereof or the health of
78 persons in the vicinity thereof.
79

- (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 2024-192 (LEE)

FILED: 09/10/2024

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:

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.

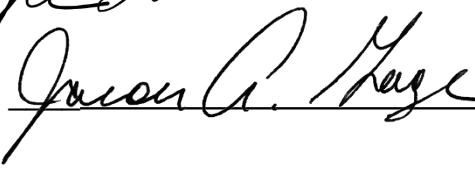
36
37 Passed at meeting: _____

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 2024-193 (LEE)

FILED: 09/04/2024

ORIGINATING DEPARTMENT: Economic Vitality

TITLE: A general ordinance authorizing the City Manager, or designee, to accept a State Apprenticeship Expansion Formula ("SAEF") Grant from the State of Missouri Department of Higher Education and Workforce Development's Office of Apprenticeship and Work-Based Learning in the amount of \$117,256 to be utilized to fund the SAEF2 Program, and to enter into necessary agreements to carry out the grant; and amending the Economic Vitality and Workforce Development Department's budget for Fiscal Year 2024-2025 in the amount of \$117,256 to appropriate the grant funds.

PURPOSE: Authorizing the City Manager, or designee, to accept a State Apprenticeship Expansion Formula ("SAEF") Grant from the State of Missouri Department of Higher Education and Workforce Development's Office of Apprenticeship and Work-Based Learning ("OAWBL") in the amount of \$117,256.00 to be utilized to fund the SAEF2 program and to enter into necessary agreements to carry out the grant; and amending the Economic Vitality & Workforce Development Department's budget for the Fiscal Year 2024-2025 in the amount of \$117,256.00 to appropriate the grant funds ("Exhibit A").

BACKGROUND INFORMATION: The United States Department of Labor announced the availability of approximately \$100,000,000 in funds for a second round of SAEF and awarded Base Formula Funding to Missouri's OAWBL. OAWBL is tasked with increasing the number of individuals in registered apprenticeship programs ("RAPs"), including pre-apprenticeship opportunities leading to RAPs, among other work-based learning programs. To support these initiatives, OAWBL regularly seeks out grants and, when possible, provides opportunities for entities to apply for funding to support apprenticeship expansion.

Economic Vitality & Workforce Development Department applied for this funding and was awarded the opportunity to accept \$117,239.00 in SAEF2 grant funds to support 77 individuals in pre-apprenticeship programs with an emphasis on increasing access for underrepresented and underserved populations within the construction and healthcare sectors.

This Ordinance authorizes the acceptance of grant funds from the state or federal government and may be passed as a one-reading ordinance pursuant to City Charter Section 2.16(25) as it relates to a contract for acceptance of grant funds from a state or federal agency.



Submitted By: Ericka Schmeeckle, Assistant Director of Workforce Development

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

Maurice S. Jones, Deputy City Manager 9/16/2024

- Attachments:**
1. SAEF2 Grant Acceptance_Ord
 2. 025 WFD SAEF2 Grant BA_exhA

One-rdg. X
P. Hrngs.
Pgs. 5
Filed 09-17-24

Sponsored by: Lee

First Reading:

Second Reading:

COUNCIL BILL 2024-193

GENERAL ORDINANCE

AN ORDINANCE

1 AUTHORIZING the City Manager, or designee, to accept a State Apprenticeship
2 Expansion Formula (“SAEF”) Grant from the State of Missouri
3 Department of Higher Education and Workforce Development’s Office
4 of Apprenticeship and Work-Based Learning in the amount of
5 \$117,256 to be utilized to fund the SAEF2 Program, and to enter into
6 necessary agreements to carry out the grant; and amending the
7 Economic Vitality and Workforce Development Department’s budget
8 for Fiscal Year 2024-2025 in the amount of \$117,256 to appropriate
9 the grant funds.

10
11
12 WHEREAS, the United States Department of Labor announced the availability of
13 approximately \$100,000,000 in funds for a second round of a State Apprenticeship
14 Expansion Formula (“SAEF”) grants and awarded Base Formula Funding to Missouri’s
15 Office of Apprenticeship and Work-Based Learning (“OAWBL”); and
16

17 WHEREAS, OAWBL provides opportunities for entities to apply for funding to
18 support apprenticeship expansion; and
19

20 WHEREAS, the City of Springfield’s Economic Vitality and Workforce
21 Development Department applied for, and was awarded, \$117,256 in SAEF2 grant
22 funds from Missouri’s OAWBL; and
23

24 WHEREAS, if accepted, these funds will support seventy-seven (77) individuals
25 in pre-apprenticeship programs with an emphasis on increasing access to such
26 programs for underrepresented and underserved populations within the construction
27 and healthcare sectors.
28

29 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
30 SPRINGFIELD, MISSOURI, as follows, that:
31

32 Section 1 – The City Manager, or designee, is hereby authorized to accept
33 \$117,256 in State Apprenticeship Expansion Formula (“SAEF”) Grant funds from the

State of Missouri Department of Higher Education and Workforce Development's Office of Apprenticeship and Work-Based Learning, and to execute agreements for and with the same to be in a form approved by the City Attorney.

Section 2 – The Fiscal Year 2024-2025 budget is hereby amended in the accounts and in the amounts as shown on Budget Adjustment No. 025, a copy of which is attached hereto and incorporated herein by reference as "Exhibit A."

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.

Section 5 – This Ordinance may be passed as a one-reading ordinance pursuant to City Charter Section 2.16(25) as it relates to a contract for acceptance of grant funds from a state or federal agency.

Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Resolution _____

Approved as to form: Laura Vales, Assistant City Attorney

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

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit A

Budget Adjustment
025

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
24370	21	28210	416010	000000	00000	\$ 117,256	Green 4 Greene budget for 5 years
Net Revenue Adjustment						\$ 117,256	

Expenditures:

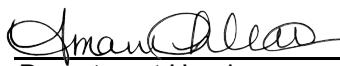
Fund	Dept	Org	Account	P&G	Location	Amount	Description
24370	21	28110	000000	000000	00000	11,742	Administrative Costs
24370	21	28210	500110	000000	00000	20,892	Salaries
24370	21	28210	500210	000000	00000	3,759	Lagers
24370	21	28210	500250	000000	00000	1,598	FICA
24370	21	28210	500260	000000	00000	2,160	Health Insurance
24370	21	28210	500280	000000	00000	105	Workmens Comp
24340	21	28210	502650	000000	00000	77,000	Pre-Apprenticeship
Net Expenditure Adjustment						\$ 117,256	

Fund Balance Appropriation:

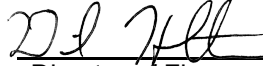
Fund	Title	Amount
24370		

Explanation: To amend the FY2024-25 budget by appropriating funds from federal grant revenue to support the Department of Workforce Development's SAEF 2 grant for FY 24-25.

Requested By:

 9-17-2024
Department Head Date

Approved By:

 9-17-2024
Director of Finance Date

City Manager Date

Authorization:

Council Bill No. 2024-193
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____

EXPLANATION TO COUNCIL BILL 2024-194 (JENSON)

FILED: 08/30/2024

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 2.7 acres of property generally located at 3801 West Sunshine Street from County C-2, General Commercial District to HC, Highway Commercial District; and adopting an updated Official Zoning Map. (By: McCurry Plaza, LLC; 3801 West Sunshine Street; Z-13-2024).

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 2.7 acres of property generally located at 3801 West Sunshine Street from County C-2, General Commercial District to HC, Highway Commercial District. (Staff and Planning and Zoning Commission recommend approval.)

BACKGROUND INFORMATION:
ZONING CASE NUMBER Z-13-2024

The applicant is requesting to rezone approximately 2.7 acres of property generally located at 3801 West Sunshine Street from County C-2, General Commercial District to HC, Highway Commercial District. The applicant intends to construct a new commercial development.

REMARKS: The Planning and Zoning Commission held a public hearing on August 22, 2024, and recommended to approve, by a vote of 9 to 0. The Planning and Development staff recommends the application be approved (see the attached Development Review Staff Report).

FINDINGS FOR STAFF RECOMMENDATION:

1. The applicant is requesting to rezone approximately 2.7 acres of property generally located at 3801 West Sunshine Street from County C-2, General Commercial District to HC, Highway Commercial District. The applicant intends to construct a new commercial development.

2. This application is consistent with the City Corridor placetype which predominantly consists of commercial and service-related development varying in scale, ranging from standalone businesses to large retail centers. City Corridors provide a wide range of shopping, service, entertainment, and employment destinations for both residents and visitors. Common uses within the placetype include chain restaurants, gas stations,

hotels, national retailers, movie theaters, smaller offices, and a variety of support services.

3. The subject property has access to City Utilities' infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this.

4. There are few changing conditions in the area affected that make the proposed rezoning necessary. The subject area is currently zoned County C-2, and many other properties are currently zoned HC and being used commercially along the Sunshine Street corridor.

5. The range of uses in the proposed HC district is compatible with the existing uses on other properties in the immediate vicinity. The existing County C-2, General Commercial District allowed for many of the same Highway Commercial uses, which included retail sales of new and used automobiles.

6. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.

7. The impact of the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity. The applicant is proposing a similar zoning district to what exists.

8. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.

9. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. The property would be allowed to have County C-2 uses, but it will fit within the City's Zoning Ordinance if rezoned to HC.

STAFF RECOMMENDATION: Staff recommends approval based on the proposal's general conformance to the Comprehensive Plan's City Corridor placetype and on the finding of facts above.

Submitted By: Daniel Neal, Senior City Planner

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

Maurice S. Jones, Deputy City Manager 9/12/2024

Attachments: 1. Z-13-2024 - 3081 West Sunshine Street_Ord
2. Z-13-2024_exh A

3. Z-13-2024_exh B
4. Z-13-2024_exh C

One-rdg. _____
P. Hrngs. X
Pgs. 21
Filed: 09-17-24

Sponsored by: Jenson

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-194

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, 'Official
2 zoning map and rules for interpretation,' by rezoning approximately
3 2.7 acres of property generally located at 3801 West Sunshine
4 Street from County C-2, General Commercial District to HC,
5 Highway Commercial District; and adopting an updated Official
6 Zoning Map.
7 _____
8

9 WHEREAS, an application has been filed for a zoning change of the property
10 generally located at 3801 West Sunshine Street from County C-2, General Commercial
11 District to HC, Highway Commercial District; and
12

13 WHEREAS, following proper notice, the Planning and Zoning Commission held a
14 public hearing on August 22, 2024, a copy of the Record of Proceedings from said
15 public hearing being attached hereto and incorporated herein by this reference as
16 "Exhibit B," and said Commission made a unanimous recommendation of approval; and
17

18 WHEREAS, the City has reviewed the applicant's request and prepared a staff
19 report concerning the application, which is attached hereto and incorporated herein by
20 this reference as "Exhibit C"; and
21

22 WHEREAS, proper notice was given of a public hearing before City Council, and
23 said hearing was held in accordance with the law.
24

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

28 Section 1 – The property generally located at 3801 West Sunshine Street and
29 described in "Exhibit A," which is attached hereto and incorporated herein by this
30 reference, is hereby rezoned from County C-2, General Commercial District to HC,
31 Highway Commercial District. Springfield Land Development Code, Section 36-306,
32 'Official zoning map and rules for interpretation,' is hereby amended, changed, and
33 modified consistent with this Ordinance.

34 Section 2 – City Council hereby directs the City Manager, or designee, to update
35 the City's digital zoning map to reflect this rezoning, and City Council adopts the map
36 thereby amended as the Official Zoning Map of Springfield, Missouri, as provided for in
37 the Springfield Land Development Code, Section 36-306, 'Official zoning maps and
38 rules of interpretation.'

39
40 Section 3 – The Official Zoning Map herein adopted shall be maintained and
41 archived in the same digital form in which this Council has approved its adoption.

42
43 Section 4 – This Ordinance shall be in full force and effect from and after
44 passage.

45
46 Passed at meeting: _____

47
48 _____
49 Mayor

50
51 Attest: _____, City Clerk

52
53 Filed as Ordinance: _____

54
55 Approved as to form: Laura Vales, Assistant City Attorney

56
57 Approved for Council action: Jason A. Hays, City Manager
58
59

EXHIBIT A
LEGAL DESCRIPTION

A TRACT OF LAND AS LYING IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER AND THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 29 NORTH, RANGE 22 WEST AS DESCRIBED IN THE GREENE COUNTY, MISSOURI, RECORDER'S OFFICE IN BOOK 2023, PAGE 038009-23 AND SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 29 NORTH, RANGE 22 WEST; THENCE ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 29 NORTH, RANGE 22 SOUTH 89°02'39" EAST, 157.82 FEET TO A POINT LYING ON THE SOUTHERLY RIGHT-OF-WAY OF UNIVERSITY STREET, SAID POINT BEING THE POINT OF BEGINNING, THENCE CONTINUING ALONG SAID NORTH LINE SOUTH 89°02'39" EAST, 769.97 FEET TO A POINT LYING ON THE NORTHERLY RIGHT-OF-WAY OF SUNSHINE STREET; THENCE LEAVING SAID NORTH LINE AND ALONG SAID RIGHT-OF-WAY 307.34 FEET ALONG A 4535.24 FOOT RADIUS CURVE TO THE LEFT WHOSE CHORD BEARS SOUTH 77°53'59" WEST FOR 307.29 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY 665.70 FEET ALONG A 5016.45 FOOT RADIUS CURVE TO THE LEFT WHOSE CHORD BEARS SOUTH 72°26'50" WEST FOR 665.21 FEET, SAID POINT ALSO BEING ON THE EASTERLY RIGHT-OF-WAY OF MCCURRY AVENUE; THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY AND ALONG SAID EASTERLY RIGHT-OF-WAY THE FOLLOWING COURSES, NORTH 31°31'49" WEST, 68.01 FEET; THENCE NORTH 00°44'51" EAST, 183.07 FEET; THENCE NORTH 45°44'51" EAST, 14.14 FEET TO A POINT ON THE AFOREMENTIONED SOUTHERLY RIGHT-OF-WAY OF UNIVERSITY STREET; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY AND ALONG SAID SOUTHERLY RIGHT-OF-WAY THE FOLLOWING COURSES, SOUTH 89°15'09" EAST, 30.39 FEET; THENCE 160.79 FEET ALONG A 430.00 FOOT RADIUS CURVE TO THE LEFT WHOSE CHORD BEARS NORTH 80°08'21" EAST FOR 159.85 FEET TO THE POINT OF BEGINNING. ALL LYING IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER AND IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 29 NORTH, RANGE 22 WEST, IN GREENE COUNTY, MISSOURI. CONTAINING 2.76 ACRES, MORE OR LESS. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE.

EXHIBIT B
RECORD OF PROCEEDINGS
Planning and Zoning Commission – August 22, 2024

Z-13-2024
3801 West Sunshine Street
Applicant: McCurry Plaza, LLC

Mr. Neal stated that this is a request to rezone approximately 2.7 acres of property from County C-2, General Commercial District to HC, Highway Commercial District.

Mr. Caleb Freeland, 3213 S. West Bypass looking to rezone to Highway Commercial and here to answer any questions.

Ms. Broekhoven closed the public hearing.

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to approve Z-13-2024, Commissioner Doennig seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles, Commissioner Doennig and Commissioner Scott. Nays: None. Absent: None. Abstain: None.

A handwritten signature in black ink, appearing to read 'Bob Hosmer', written over a horizontal line.

Bob Hosmer, AICP
Planning Manager



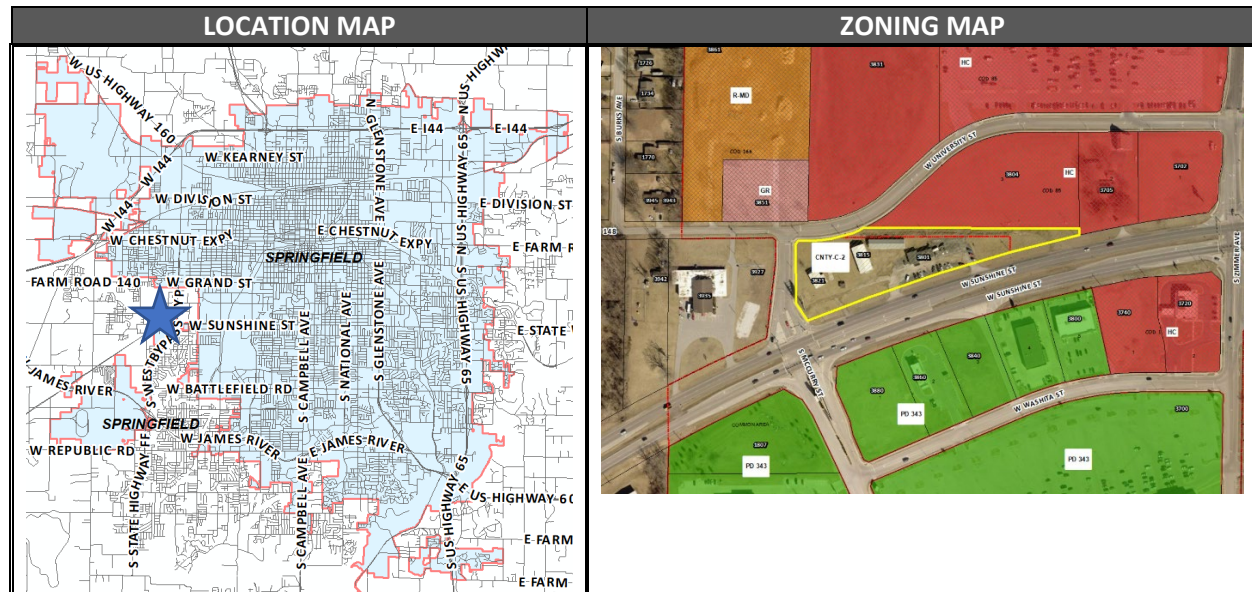
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Z-13-2024
Location:	3801 West Sunshine Street
Total Acres:	2.7 acres
Applicant:	McCurry Plaza, LLC
Existing Land Use:	Commercial, automotive sales use
Neighborhood Meeting:	July 18, 2024
Planning and Zoning Commission:	August 22, 2024
City Council:	September 23, 2024
Public Notification:	Mail, posted property, and legal in Daily Events
Staff:	Daniel Neal, Senior Planner
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to recommend approval of rezoning case Z-13-2024 (All commission motions are made in the affirmative).
Required Vote:	A majority of those present (5 members are a quorum).

PROJECT SUMMARY:

Request to rezone approximately 2.7 acres of property generally located at 3801 West Sunshine Street from County C-2, General Commercial District to HC, Highway Commercial District.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE STREETVIEW:



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

The subject property is outside the City limits in unincorporated Greene County where it is currently zoned County C-2, General Commercial District. The property has recently been annexed by City Council.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

(a) Rezoning. If the application is for a reclassification of property to a different zoning district classification on the zoning map, the report of the planning and zoning commission may consider:

1. Whether the proposed zoning district classification is consistent with the Springfield Comprehensive Plan;
2. Whether there are any changed or changing conditions in the area affected that make the proposed rezoning necessary;
3. Whether the range of uses in the proposed zoning district classification are compatible with the uses permitted on other property in the immediate vicinity;
4. Whether adequate utility and sewer and water facilities exist or can be provided to serve the uses that would be permitted on the property if it were rezoned;
5. The impact the uses, which would be permitted if the property were rezoned, will have upon the volume of vehicular and pedestrian traffic and traffic safety in the vicinity;
6. Whether the proposed rezoning would correct an error in the application of this article as applied to the subject property;
7. Whether a reasonably viable economic use of the subject property will be precluded if the proposed rezoning is denied; and
8. Information submitted at the public hearing.

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR HC DISTRICT
Use Limitations	(a) Streets through adjacent residential areas shall not be used to provide principal access for truck traffic to any nonresidential use in this district except on streets classified as expressways, arterials, or collectors. (b) No motor vehicle repair or maintenance work shall take place outdoors within 150 feet of the boundary of any residential district. (c) All sales, display or outdoor storage areas that would be routinely disturbed because of the nature of the activity being conducted or because of vehicular traffic, except those areas of nurseries and garden centers where living plants are located, shall be paved or otherwise improved with an all-weather, dust-free surface.

DEVELOPMENT REVIEW STAFF REPORT

	(d) All uses shall operate in accordance with the noise standards contained in section 36-485, noise standards. (e) No use shall emit an odor that creates a nuisance as determined by chapter 2A, article X, Springfield City Code. (f) Uses on parcels not served by public water and public sewer shall meet the requirements of subsection 36-303(22).
Minimum Lot Size	Not applicable to the HC District
Maximum Height	None.
Bulk Plane	All structures shall remain below a 30-degree bulk plane as measured from the boundaries of any R-SF or R-TH district.
Minimum Yard Requirements	1. <i>Front yard:</i> a. Twenty-five feet along a street classified as a collector or higher classification street or as required by section 36-453, supplemental open space, and yard regulations. b. Fifteen feet along a street classified as a local street or as required by section 36-453, supplemental open space, and yard regulations. 2. <i>Side yards:</i> None, except as required by section 36-453, supplemental open space and yard regulations, and the bufferyard requirements in subsection (8). 3. <i>Rear yards:</i> None, except as required by the bufferyard requirements in subsection (8).
Minimum Open Space	Not less than 20 percent of the total lot area shall be devoted to open space including required yards and bufferyards unless modified in accordance with subsection 36-482(15). Open space shall not include areas covered by buildings, structures, parking, loading and other paved areas and internal streets. Open space shall contain living ground cover and other landscaping materials.
Design Requirements	(a) A site plan meeting the requirements of section 36-360, site plan review, shall be submitted and approved. (b) A landscape plan meeting the requirements of section 36-482, landscaping and bufferyards, and 36-483, off-street parking and loading area design standards, shall be submitted, and approved. (c) All off-street parking and vehicular use areas shall be screened from all residential uses in accordance with section 36-480, screening, and fencing.

DEVELOPMENT REVIEW STAFF REPORT

	(d) All outdoor storage and refuse storage areas shall be screened from view in accordance with section 36-480, screening, and fencing. (e) Mechanical and electrical equipment, including air conditioning units, shall be screened from view in accordance with section 36-480, screening, and fencing. (f) Lighting shall be designed to reflect away from any adjacent or nearby residential area and in accordance with section 36-484, lighting standards. (g) Accessory buildings and structures shall meet the requirements of section 36-450, accessory structures and uses.
Buffering and Landscaping	Whenever any development in an HC district is located adjacent to a different zoning district, screening and a bufferyard shall be provided in accordance with sections 36-480, screening, and fencing, and 36-482, landscaping and bufferyards.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

PLACETYPE:

The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property within the City Corridor placetype.

The City Corridor placetype predominantly consists of commercial and service-related development varying in scale, ranging from standalone businesses to large retail centers. City Corridors are also key locations to support and encourage multi-family developments that rely on proximity to retail, commercial services, and employment centers. Each of these use groups are best located along major roadways with high volumes of traffic. This placetype is not only highly accessible by car, but also by walking, biking, and transit. City Corridors provide a wide range of shopping, service, entertainment, and employment destinations for both residents and visitors. Common uses within the placetype include chain restaurants, gas stations, hotels, national retailers, movie theaters, smaller offices, and a variety of support services.

Primary Land Uses:

- Office, hospitality, retail sales and service
- Multi-family
- Sports complexes and recreation facilities
- Maker, artisan, and innovation spaces

Supporting Land Uses:

DEVELOPMENT REVIEW STAFF REPORT

- Public and private schools and places of worship
- Parks, greenways, and open space
- Urban agriculture
- Universities, colleges, and vocational schools
- Personal and outdoor storage

Characteristics

TRANSPORTATION & INFRASTRUCTURE

- Access management is improved for vehicles through curb cut consolidation and cross-access between commercial properties, reducing traffic conflicts and backups.
- Electric vehicle charging facilities, pedestrian and bicycle infrastructure, and automated vehicle parking and loading spaces are integrated along major corridors, installed at key destinations, and incorporated into private development plans.
- As technology, trends, and funds permit, utilities are buried or consolidated along rear property lines, reducing conflicts with street trees, pedestrian infrastructure, and viewsheds.
- Transit service is expanded along key commercial corridors over the long term with bus stops enhanced with shelters and live timetables.

URBAN DESIGN - BUILDING AND SITE TYPOLOGY:

- Residential development and commercial buildings should be oriented to the street.
- Parking should be located behind or beside the primary buildings with abundant landscaping and screening to encourage greater interest and interaction between the adjoining street and the building, that contributes to community-wide quality of place.
- Pedestrian pathways within large parking lots provide safe access to business entrances.
- A greater focus on site design, parking access, massing, and building orientation are adopted to ensure development that is complementary to adjacent lower density residential development.
- Multi-story buildings designed with active ground floor spaces should be visible and inviting to increase a vibrant pedestrian environment.
- Use of quality materials, construction methods, workmanship, and design should be incorporated into new development and redevelopment.
- A mix of building heights is supported through structured site and building design strategies to soften the impact on adjacent lower intensity residential development.
- Lighting, landscaping, signage, mail, and delivery accommodations should also be proactively incorporated into the site design.
- Design should avoid the placement of mechanical equipment along major roadways or should be completely screened, along with adequate spacing for storage of waste receptacles.
- Best management practices for stormwater management are required in development projects and within public rights-of-way, such as permeable paving, rain gardens, green roofs, native landscaping, and other low impact design strategies.
- Encourage code adjustments regarding parking minimums instead of parking maximums.

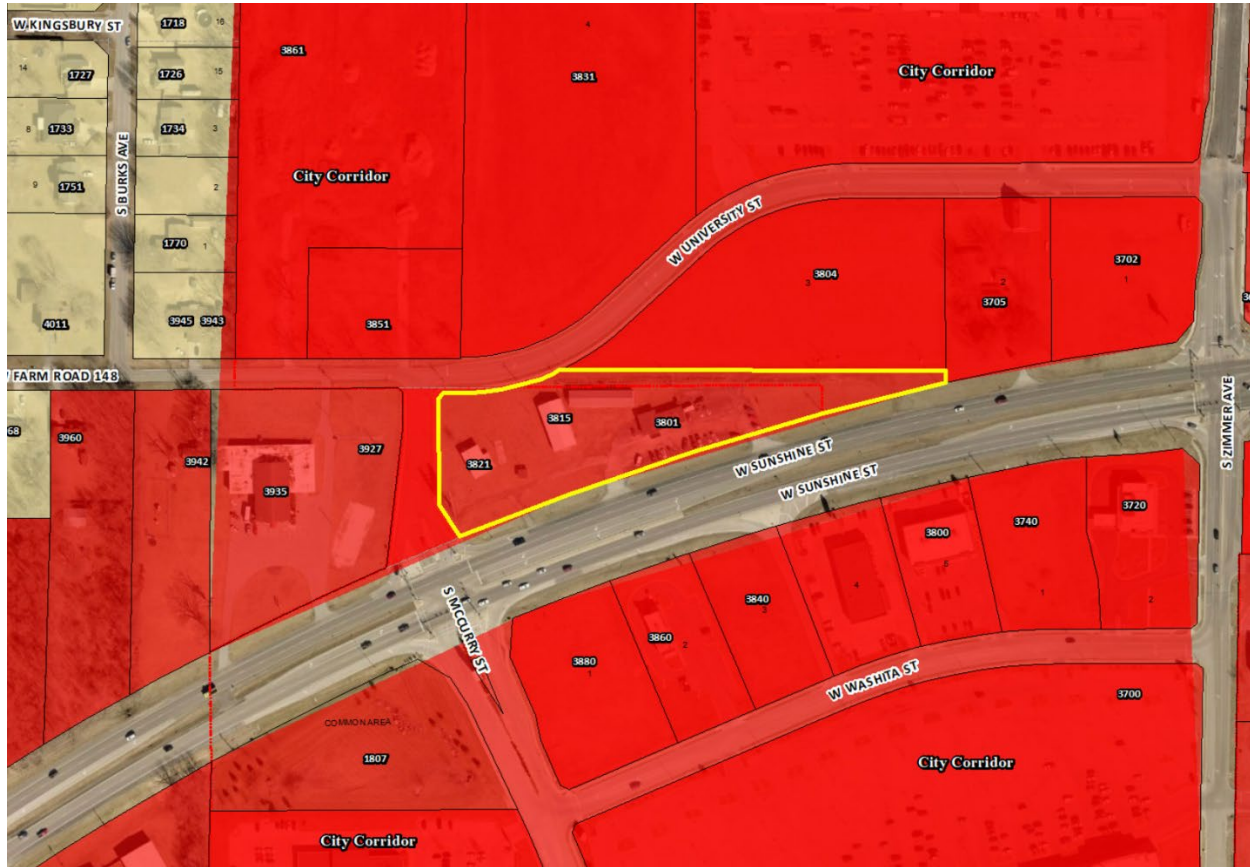
DEVELOPMENT REVIEW STAFF REPORT

TRANSITIONS:

- Office and multifamily uses can be placed on the periphery of the placetype to transition into adjacent lower density residential Placetypes.
- Higher density residential development should be integrated along existing commercial corridors in need of reinvestment, transitioning aging commercial properties to new uses and focusing future commercial development at high activity nodes.
- Commercial and higher density residential is sufficiently screened and buffered between low-density residential development.
- Multi-story buildings should be sited and designed to reduce the impact on adjacent lower intensity residential development.

DEVELOPMENT REVIEW STAFF REPORT

FUTURE PLACETYPE MAP:



PLACETYPES	LAND USES													
	Single Family Detached	Single Family Attached	Multi-family	Parks & Open Space	Sports Complexes & Recreational Facilities	Urban Agriculture	Office, Hospitality, Retail Sales & Service	Neighborhood Commercial	Maker, Artisan & Innovation Spaces	Public & Private Schools & Places of Worship	Universities, Colleges & Vocational Schools	Government, Healthcare & Institutional Facilities	Personal Storage, Outdoor Sales & Service	Light Industry
Residential Neighborhood	●	○	◇	○	○	○	○	○	○	○	○	○	○	○
Mixed Residential	●	●	○	○	○	○	○	○	○	○	○	○	○	○
Downtown	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Mixed-Use	○	○	○	○	○	○	○	○	○	○	○	○	○	○
City Corridor	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Institutional & Employment Center	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Business Flex	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Industry & Logistics	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Urban Green Space & Recreation	○	○	○	○	○	○	○	○	○	○	○	○	○	○

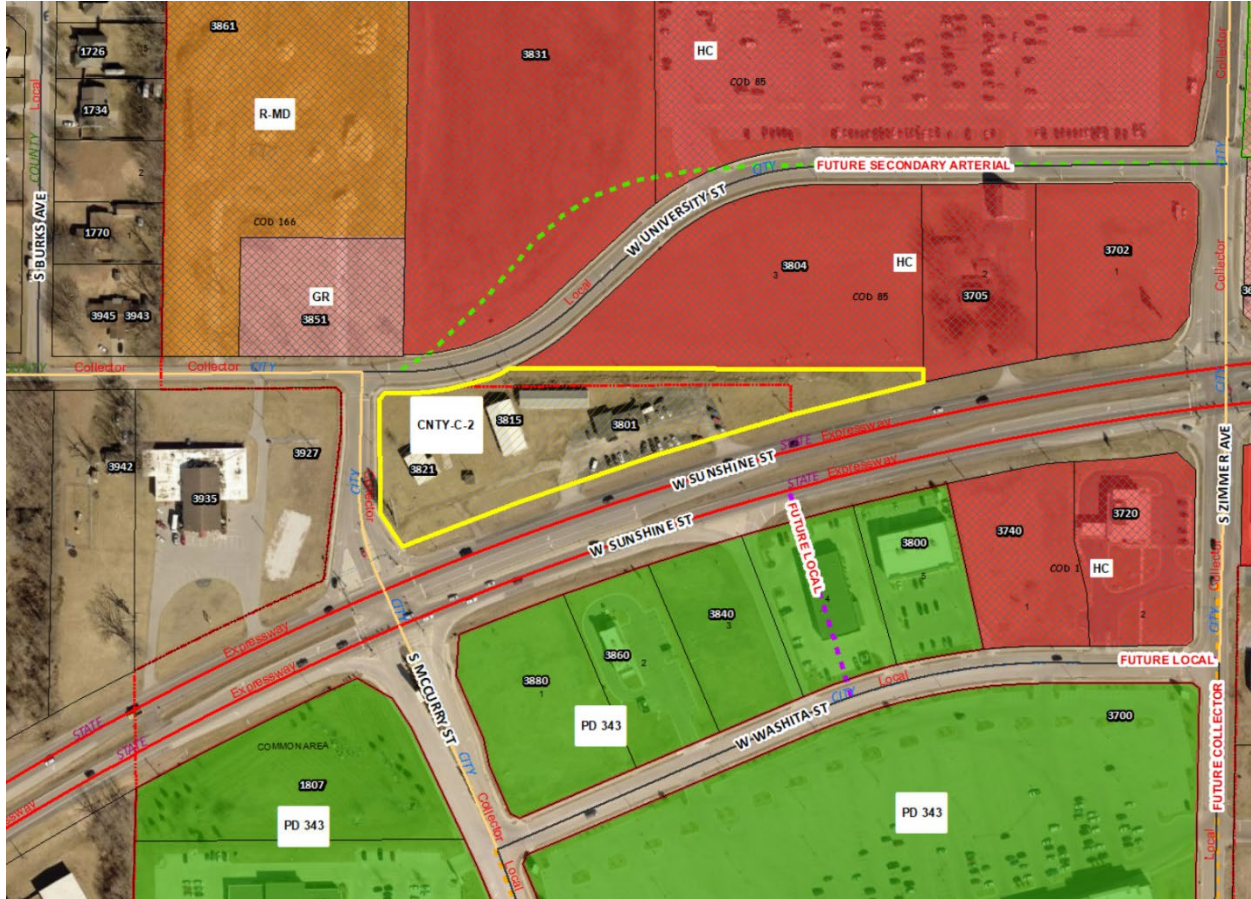
● **Primary Land Use:**
More prominent and play a pivotal role in characterizing that placetype

○ **Supporting Land Use:**
Less prevalent and serve to support the primary land use.

◇ **Low Intensity Supporting Land Use:**
Less prevalent and serve to support the primary use at neighborhood scale

DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	HC	PD 343	HC & PD	County R-1
LAND USE	Vacant/undeveloped	Restaurant & retail uses	Restaurant and retail uses	Church
PLACETYPES	City Corridor	City Corridor	City Corridor	City Corridor

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

No issues with the proposed rezoning.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT
DIVISION:

DEVELOPMENT REVIEW STAFF REPORT

No issues with the rezoning however the tract is not served by public sewer. Requires public improvement plans designed and constructed according to city standards.

FIRE DEPARTMENT:

No comments.

DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

TRAFFIC REPORT

	Street Name	Street Classification	Jurisdiction	ROW from Centerline (ft.)		Traffic Count (vehicles per day)	On-Street Parking	Sidewalk	
				Required	Existing			Required	Existing
Street 1	W. Sunshine Street	Expressway	State	65	80	29,680	No	No	No
Street 2	S. McCurry Avenue	Collector	City	30	30	NA	No	Yes	Yes
Street 3	W. University Street	Local	City	30	30	NA	No	Yes	Yes

ACCESS - All new or modified driveway approaches shall comply with current City of Springfield standards for the street classification.

TRAILS, BUS STOPS, AND ADDITIONAL INFORMATION - There are no Greenway Trails near the property. There are no bus stops near the property.

IMPROVEMENTS - No improvements are required for this rezoning. A traffic study is required at the time of development.

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

The 2.7 acre site drains primarily to the west. No existing detention or water quality Stormwater Control Measures are present. The property is in the **Wilsons Creek** drainage basin. The property **is not** located in a FEMA designated floodplain. Staff **is not** aware of flooding problems in the local or downstream area. The city **is not** aware of a sinkhole or other Karst feature at this location. The property **does not have a stream buffer on site**. A fee in lieu of on-site stormwater detention **will not be allowed and detention is required**.

PW Stormwater supports annexation. Please note that development of the property will be subject to the following conditions at the time of development:

All chapter and section references below are to the City's Flood Control and Water Quality Protection Manual Version April 2022.

DEVELOPMENT REVIEW STAFF REPORT

DETENTION AND DISCHARGE REQUIREMENTS

1. Any development or redevelopment that increases runoff, through the increase in impervious surface, current detention requirements must be met per Chapter 3 Sec. 2.3.3. Detention for flood control is required on site.

WATER QUALITY REQUIREMENTS

1. Water Quality is required for new development projects or redevelopment projects, with new or increased impervious surfacing, within the city limits of Springfield that disturb 1 acre or greater. Including projects less than 1 acre that are part of a larger common plan of development or sale that will disturb 1 or more acres over the life of the project. Chapter 10 Sec. 2.0.

2. A land disturbance permit will be required with disturbing 1 acre or greater per Chapter 4 Section 5 of the City's Flood Control and Water Quality Protection Manual.

3. Water Quality Credits are available to use in design for preserved trees and new planted trees. Landscaping and Bufferyards trees required by planning cannot be used for the water quality credits unless it is part of a SCM. Chapter 10, Section 3.1.

FLOODPLAIN

N/A

NATURAL CHANNEL & STREAM BUFFERS

N/A

SINKHOLES & KARST FEATURES

N/A

ADDITIONAL STORMWATER REQUIREMENTS

1. Stormwater Control Measures are the responsibility of the property owner or property owners' association to maintain, repair, and update unless the agreement is made with the City to operate. Operation and maintenance agreements are required for any permanent stormwater control measures.

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to rezone approximately 2.7 acres of property generally located at 3801 West Sunshine Street from County C-2, General Commercial District to HC, Highway Commercial District. The applicant intends to construct a new commercial development.
2. This application is consistent with the City Corridor placetype which predominantly consists of commercial and service-related development varying in scale, ranging from standalone businesses to large retail centers. City Corridors provide a wide range of shopping, service, entertainment, and employment destinations for both residents and visitors. Common uses within the placetype include chain restaurants, gas stations, hotels, national retailers, movie theaters, smaller offices, and a variety of support services.

DEVELOPMENT REVIEW STAFF REPORT

3. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this.
4. There are few changing conditions in the area affected that make the proposed rezoning necessary. The subject area is currently zoned County C-2, and many other properties are currently zoned HC and being used commercially along the Sunshine Street corridor.
5. The range of uses in the proposed HC district is compatible with the existing uses on other properties in the immediate vicinity. The existing County C-2, General Commercial District allowed for many of the same Highway Commercial uses which included retail sales of new and used automobiles.
6. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.
7. The impact of the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity. The applicant is proposing a similar zoning district to what is existing.
8. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.
9. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. The property would be allowed to have County C-2 uses, but it will fit within the City's Zoning Ordinance if rezoned to HC.
10. The proposed rezoning was reviewed by City departments and comments are contained in the staff report (above).
11. The applicant held a neighborhood meeting on July 18, 2024, regarding the rezoning request. A summary of the meeting is attached (Attachment 1).
12. The public notice was advertised in the Daily Events at least 15 days prior to the public hearing. The property was posted by the applicant at least 10 days prior to the public hearing. Public notice letters were sent out at least 10 days prior to the public hearing to all property owners within 185 feet.

STAFF RECOMMENDATION:

1. Staff recommends approval based on the proposal's general conformance to the Comprehensive Plan's City Corridor placetype and on the finding of facts above.

PLANNING AND ZONING OPTIONS:

DEVELOPMENT REVIEW STAFF REPORT

The planning and zoning commission shall make one of the following recommendations in connection with each proposed change in zoning district classification of this article:

1. Recommend against the proposed change in the zoning district classification.
2. Recommend a change in the zoning district classification.
3. Recommend a change in the zoning district classification together with recommendations which, in the judgment of the planning and zoning commission, will protect adjacent property and ensure that the proposed amendment is consistent with the purpose and intent of this article.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: County C-2 to Highway Commercial
(existing zoning) (proposed zoning)
2. Meeting Date & Time: 07/02/24 3430 W. Farm Road 146,
3. Meeting Location: 1st Free Will Baptist Ozark, Heritage Campus Church Springfield, MO 65807
4. Number of invitations that were sent: 33
5. How the mailing list was generated: City
6. Number of neighbors in attendance (attach a sign-in sheet): 0
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved).

NA

8. List or attach the written comments and how you plan to address any issues:

NA

I, Caleb Freeland (print name), attest that the neighborhood meeting was held on 07/02/24 (month/date/year), and is at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing and in accordance with the attached "Neighborhood Notification and Meeting Process."



Signature of person completing affidavit

Caleb Freeland
Printed name of person completing affidavit



EXPLANATION TO COUNCIL BILL 2024-195 (HOSMER)

FILED: 09/04/2024

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A general ordinance amending Section 1-9 of the Springfield City Code, 'City Limits,' and Section 46-1 of the Springfield City Code, 'Boundaries of wards, precincts and council zones,' for the purpose of annexing approximately 21.64 acres of private property generally located at 3000 and 3038 West Republic Road, 4214 South Farm Road 135, 5539 South Campbell Avenue, 3833 and 3911 East State Highway D, and 3335 West Sunshine Street, and approximately 0.7 acres of South Farm Road 135 right-of-way into the City of Springfield as Annexation A-3-2024.

PURPOSE: To adopt an ordinance to annex approximately 21.64 acres of private property generally located at 3000 and 3038 West Republic Road, 4214 South Farm Road 135, 5539 South Campbell Avenue, 3833 and 3911 East State Highway D and 3335 West Sunshine Street and approximately 0.7 acres of South Farm Road 135 right-of-way into the City of Springfield as Annexation A-3-2024. (Staff recommends approval.)

BACKGROUND INFORMATION: The owners of the private property included in this request signed Irrevocable Petition and Consent to Annexation Agreements in exchange for sanitary sewer services to their property. The City is moving forward on the annexation of these properties that are compact and contiguous into the city of Springfield. This request also includes approximately 0.7 acres of right-of-way for South Farm Road 135. The City will process a rezoning request to rezone the subject properties to the most closely related city zoning district to the existing Greene County District for each property. The subject properties are located within priority areas for annexation in Forward SGF and the annexation is consistent with the recommendation that the City should prioritize annexation of properties with an Irrevocable Petition and Consent to Annexation Agreement that are revenue-generating and located along major corridors and areas of potential economic activity.

City Council is required to hold a public hearing to determine whether the annexation is reasonable and necessary for the proper development of the city and whether the city can furnish normal city services within a reasonable period. If no written objection is filed within fourteen (14) days of the public hearing, the City may annex the property by ordinance without further action.

REMARKS: The area to be annexed is contiguous to the City of Springfield. See "Exhibit B" for the location of the private property to be annexed.

RECOMMENDATIONS:



1. The area to be annexed is within the City's Urban Service Area and is consistent with its policies.
2. The area to be annexed is contiguous and compact to the City of Springfield.
3. The Forward SGF Comprehensive Plan supports this annexation request.
4. The property owner(s) have signed an Irrevocable Petition and Consent to Annexation Agreement for the property.
5. All City services can be provided to the property.
6. The City will receive property tax revenue upon annexation of the private property.

This request is consistent with the recommendations of Chapter 6, Growth Areas and Annexation, of the Forward SGF Comprehensive Plan that the City should prioritize annexation of properties with an Irrevocable Petition and Consent to Annexation Agreement that are revenue-generating and located along major corridors and areas of potential economic activity and staff supports this request.

Submitted By: Alana Owen, Senior City Planner

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

Maurice S. Jones, Deputy City Manager 9/12/2024

Attachments:

1. A-3-2024_Ord
2. A-3-2024_Exh1
3. A-3-2024_Exh2
4. A-3-2024_Exh3

One-rdg. _____
P. Hrngs. X
Pgs. 55
Filed: 09-17-24

Sponsored by: Hosmer

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-195

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING Section 1-9 of the Springfield City Code, 'City Limits,' and Section 46-1
2 of the Springfield City Code, 'Boundaries of wards, precincts and
3 council zones,' for the purpose of annexing approximately 21.64 acres
4 of private property generally located at 3000 and 3038 West Republic
5 Road, 4214 South Farm Road 135, 5539 South Campbell Avenue,
6 3833 and 3911 East State Highway D, and 3335 West Sunshine Street,
7 and approximately 0.7 acres of South Farm Road 135 right-of-way into
8 the City of Springfield as Annexation A-3-2024.
9 _____
10

11 WHEREAS, the owners of the private property generally located at 3000 and
12 3038 West Republic Road, 4214 South Farm Road 135, 5539 South Campbell Avenue,
13 3833 and 3911 East State Highway D, and 3335 West Sunshine Street signed
14 Irrevocable Petition and Consent to Annexation Agreements in exchange for sanitary
15 sewer service to each property, respectively, as shown in "Exhibit 1," attached hereto
16 and incorporated herein; and
17

18 WHEREAS, the subject properties are located within priority areas for annexation
19 in the City of Springfield's Comprehensive Plan, Forward SGF; and
20

21 WHEREAS, the subject properties are within the City of Springfield's Urban
22 Service Area and are compact and contiguous to the City, as shown in "Exhibit 2,"
23 attached hereto and incorporated herein by this reference; and
24

25 WHEREAS, proper notice was published at least seven (7) days prior to the
26 public hearing; and
27

28 WHEREAS, City Council does find and determine that: (1) said annexation is
29 reasonable and necessary to the proper development of the City; (2) the City either
30 already furnishes normal municipal services to the area annexed, or is able to furnish
31 such services within a reasonable time after annexation; and (3) the area annexed
32 herein is contiguous and compact to the existing corporate boundaries of the City.
33

34 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF

SPRINGFIELD, MISSOURI, as follows, that:

Section 1 – City Council, after holding a public hearing, hereby determines that annexation of the property described in "Exhibit 3," which is attached hereto and incorporated herein by this reference, is reasonable and necessary to the proper development of the City; the City either already furnishes normal municipal services to the area annexed, or is able to furnish such services within a reasonable time after annexation; and the area is contiguous and compact to the existing boundaries of the City as shown in "Exhibit 2."

Section 2 – Pursuant to the provisions of Section 71.012 RSMo., the property described in "Exhibit 3" is hereby annexed into the City of Springfield, Missouri.

Section 3 – Section 1-9 of the Springfield City Code, 'City Limits,' is hereby amended by adding thereto the land described in "Exhibit 3."

Section 4 – Section 46-1 of the Springfield City Code, 'Boundaries of wards, precincts and council zones,' is hereby amended by placing the property described in "Exhibit 3" into the appropriate ward and precinct as determined by the County Clerk in accordance with the provisions of State law.

Section 5 – The City Clerk is directed to: (1) file certified copies of this Annexation Ordinance with the Clerk of Greene County; (2) file certified copies of this Annexation Ordinance with the Assessor of Greene County; and (3) forward to the Missouri Director of Revenue, by certified mail, certified copies of this Ordinance, and any other information that the Director of Revenue may require. The City Clerk is further authorized and empowered to perform any other administrative acts which are consistent with the intent of this Ordinance.

Section 6 – 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: Laura Vales, Assistant City Attorney

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

MAPPED

BY PLANNING DEPARTMENT

SEE MICHAEL SPARLIN



056975-04

14 OCT 2004 04:03:44pm

Book: 2004
Page: 056975-04
3 pages

recslh

REAL ESTATE DOCUMENT
GREENE COUNTY, MISSOURI
RECORDERS CERTIFICATION*Linda S. Montgomery*
RECORDER OF DEEDS*Lincoln-Evans Land Title Company*
File No. 04-G05436**IRREVOCABLE PETITION AND CONSENT TO ANNEXATION**This Irrevocable Petition and Consent to Annexation, made this 29 day of September, 2004.

For and in consideration of the extension of Sanitary Sewer Services, know all persons by these presents that **FAMILY VIDEO MOVIE CLUBS, INC. (GRANTOR)**, (hereinafter "Owner") being owner(s) of all FEE INTEREST in the following described real property, does hereby Irrevocably PETITION AND CONSENT TO Annexation of said property into the **CITY OF SPRINGFIELD, Missouri (GRANTEE)**, P.O. BOX 8368, Springfield, MO. 65802, situated in the County of **GREENE** and State of **Missouri**, to wit:

SEE ATTACHED EXHIBIT "A" ON PAGE 3

At such time as the SPRINGFIELD CITY COUNCIL may by resolution or ordinance declare that ANNEXATION is in the interest of the CITY OF SPRINGFIELD, owner and owner's heirs, legal representatives, successors and assigns, shall cause this petition to be represented to the governing body of the CITY OF SPRINGFIELD, and do all things necessary to cause such property to be annexed into the CITY.

Any objection to such annexation filed by the owner, by any succeeding property owner, or by any occupant or resident of the property, shall relieve the CITY of any obligation to provide further sewer services to the property, and the CITY may thereafter, upon reasonable notice, terminate sewer service and disconnect the property from the CITY OF SPRINGFIELD sanitary sewer system.

Failure to consummate annexation at any time during the term of the IRREVOCABLE PETITION AND CONSENT TO ANNEXATION shall not cause this petition and consent to lapse and the same shall continue in full force and effect until such time as annexation is fully and lawfully consummated.

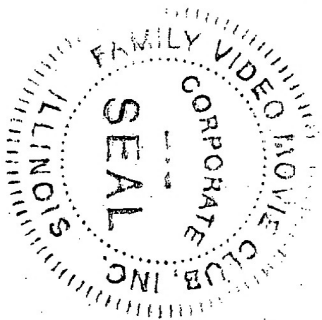
In event of any breach or default by the OWNER, this IRREVOCABLE PETITION AND CONSENT TO ANNEXATION shall be enforceable by specific performance and, if litigated, venue shall be proper only in the CIRCUIT COURT OF GREENE COUNTY, and the parties expressly waive any rights to venue inconsistent therewith.

This IRREVOCABLE PETITION AND CONSENT TO ANNEXATION shall be deemed to be a covenant running with the land to succeeding owners shall be deemed to be the petition and consent to

**RETURN TO CITY HALL
RIGHT-OF-WAY SECTION**

annexation of succeeding owners, their heirs, legal representatives, successors, and assigns until annexation is fully lawfully consummated as in this instrument provided.

APPROVED AS TO FORM:



[Signature]
ASST. CITY ATTORNEY GARY T. NELMS

FAMILY VIDEO MOVIE CLUBS, INC.

CE Hoagland
Vice President

STATE OF ILLINOIS

COUNTY OF Sangamon

)
) SS
)

In The State of Missouri, County of Sangamon, on this 29 day of September, 2004, before me, appeared CE Hoagland, to me personally known, who being by me duly sworn, did say that he/she is the Vice President of **FAMILY VIDEO MOVIE CLUBS, INC.**, a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and said he acknowledged said instrument to be the free act and deed of said corporation.

Witness my hand and Notarial Seal subscribed and affixed in said County and State, the day and year in this certificate above written.

My Term Expires:

9/2/2007

Tracy Crowley
Notary Public

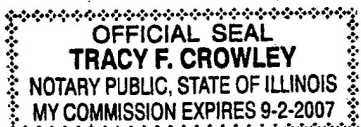


EXHIBIT "A"

A tract of Land situated in the Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Sixteen (16), Township Twnty-eight (28) North, Range Twenty-two (22) West, Greene County, Missouri, being more particularly described as follows: Commencing at the Northwest corner of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence S01°02'06"W, with the West line of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, a distance of 534.07 feet; thence South 89°48'28"E, a distance of 33.74 feet to a point on the East right-of-way line of Golden Avenue; thence continuing South 88°48'28"E, a distance of 9.63 feet to a true point of beginning; thence continuing S88°48'28"E 287.45 feet to a point for corner; thence N01°05'41"E, a distance of 408.68 feet to a point for corner; thence N01°05'42"E, a distance of 64.26 feet to a point for corner; thence N90°00'00"W, a distance of 175.97 feet to a point for corner; thence S43°29'37"W, a distance of 156.12 feet to a point for corner; thence S03°07'25"W, a distance of 56.66 feet to a point for corner; thence S03°31'59"W, a distance of 133.57 feet to a point for corner; thence S00°35'41"W, a distance of 168.75 feet to the true point of beginning, being subject to all easements, rights-of-way and restrictions of record.



006761-05

09 FEB 2005 11:13:50am



Book: 2005
Page: 006761-05
3 pages

REAL ESTATE DOCUMENT
GREENE COUNTY, MISSOURI
RECORDERS CERTIFICATION

Linda L. Montgomery
RECORDER OF DEEDS

recsmb

Lincoln-Evans Land Title Company
File No. 04-G05746

IRREVOCABLE PETITION AND CONSENT TO ANNEXATION

This Irrevocable Petition and Consent to Annexation, made this 14th day of December, 2004.

For and in consideration of the extension of Sanitary Sewer Services, know all persons by these presents that **O'REILLY INVESTMENT COMPANY, A MISSOURI GENERAL PARTNERSHIP GRANTOR**, (hereinafter "Owner") being owner(s) of all FEE INTEREST in the following described real property, does hereby Irrevocably PETITION AND CONSENT TO Annexation of said property into the **CITY OF SPRINGFIELD, Missouri (GRANTEE)**, P.O. BOX 8368, Springfield, MO. 65802, situated in the County of **GREENE** and State of **Missouri**, to wit:

SEE ATTACHED EXHIBIT "A"

At such time as the **SPRINGFIELD CITY COUNCIL** may by resolution or ordinance declare that **ANNEXATION** is in the interest of the **CITY OF SPRINGFIELD**, owner and owner's heirs, legal representatives, successors and assigns, shall cause this petition to be represented to the governing body of the **CITY OF SPRINGFIELD**, and do all things necessary to cause such property to be annexed into the **CITY**.

Any objection to such annexation filed by the owner, by any succeeding property owner, or by any occupant or resident of the property, shall relieve the **CITY** of any obligation to provide further sewer services to the property, and the **CITY** may thereafter, upon reasonable notice, terminate sewer service and disconnect the property from the **CITY OF SPRINGFIELD** sanitary sewer system.

Failure to consummate annexation at any time during the term of the **IRREVOCABLE PETITION AND CONSENT TO ANNEXATION** shall not cause this petition and consent to lapse and the same shall continue in full force and effect until such time as annexation is fully and lawfully consummated.

In event of any breach or default by the **OWNER**, this **IRREVOCABLE PETITION AND CONSENT TO ANNEXATION** shall be enforceable by specific performance and, if litigated, venue shall be proper only in the **CIRCUIT COURT OF GREENE COUNTY**, and the parties expressly waive any rights to venue inconsistent therewith.

This **IRREVOCABLE PETITION AND CONSENT TO ANNEXATION** shall be deemed to be a covenant running with the land to succeeding owners shall be deemed to be the petition and consent to



RETURN TO CITY HALL
RIGHT-OF-WAY SECTION

annexation of succeeding owners, their heirs, legal representatives, successors, and assigns until annexation is fully lawfully consummated as in this instrument provided.

APPROVED AS TO FORM:

[Signature]
ASST. CITY ATTORNEY GARY T. NELMS

[Signature]
MANAGING PARTNER

STATE OF MISSOURI

COUNTY OF Christian

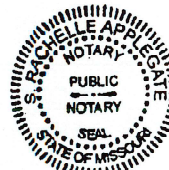
SS

On this 14th day of December, 2004, before me, appeared David O'Reilly, to me personally known, who being by me duly sworn, did say that he/she/they is/are the managing partner of O'REILLY INVESTMENT COMPANY, a Missouri General Partnership, and that said instrument was signed on behalf of said General Partnership, and said David O'Reilly acknowledged said instrument to be the free act and deed of said General Partnership.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal at my office in Springfield, Missouri, the day and year last above written.

My Term Expires: August 22, 2005

S. Rachelle Applegate
S. Rachelle Applegate Notary Public



S. Rachelle Applegate Notary Public
Christian County State of Missouri
My Commission Expires Aug. 22, 2005

EXHIBIT "A"

TRACT II:

All of the East Two Hundred Seventy (270) feet of the West Three Hundred Eighty (380) feet of the following described tract lying South of Missouri Highway "M", except the South 382.51 feet thereof.

All of the North One-half ($N\frac{1}{2}$) of the East One-half ($E\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) except the East 409.2 feet thereof; also, all the East One-half of the Northwest Quarter ($NW\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$), all in Section Sixteen (16), Township Twenty-eight (28), Range Twenty-two (22), in Greene County, Missouri, except any part taken or used for road purposes.



030802-17 01 Aug 2017 10:23:58AM



Book:2017
Page:030802-17
4 pages

REAL ESTATE DOCUMENT
GREENE COUNTY, MISSOURI
RECORDERS CERTIFICATION

Christina Spaulding

RECORDER OF DEEDS

reclac

IRREVOCABLE PETITION AND CONSENT TO ANNEXATION

This Irrevocable Petition and Consent to Annexation, made and entered into this 10th day of May, 2016, by and between **SOUTHERN BANK** hereinafter referred to as "Grantor(s)," and **The City of Springfield, Missouri**, a Municipal Corporation and duly organized Constitutional Charter City, of the County of Greene, State of Missouri, hereinafter referred to as "Grantee." The mailing address of the Grantor(s) is 4803 S. NATIONAL AVE, STE 100, SPRINGFIELD, MO 65810,

The mailing address of the Grantee is City of Springfield, Department of Public Works, 840 Boonville Ave., Springfield, MO 65810.

KNOW ALL PERSONS BY THESE PRESENTS THAT: The Grantor(s), for and in consideration of the provision of sanitary sewer services, being the owner of all of the fee interest in the real property commonly known as

3000 W. Republic Rd Springfield MO 65807
Greene County, Missouri, and more fully described as follows:

THE NORTH ONE-HALF (N½) OF THE EAST ONE-HALF (E½) OF THE NORTHWEST QUARTER (NW¼) OF THE NORTHEAST QUARTER (NE¼), EXCEPT THE EAST 409.2 FEET THEREOF, GREENE COUNTY, MISSOURI, EXCEPT THAT PART TAKEN OR USED FOR HIGHWAY AND ANY PART USED FOR ROADS.

ALSO, THE EAST ONE-HALF (E½) OF THE NORTHWEST QUARTER (NW¼) OF THE NORTHWEST QUARTER (NW¼) OF THE NORTHEAST QUARTER (NE¼), ALL IN SECTION SIXTEEN (16), TOWNSHIP TWENTY-EIGHT (28), RANGE TWENTY-TWO (22), EXCEPT THAT PART DEEDED TO GREENE COUNTY, MISSOURI BY WARRANTY DEED FILED IN BOOK 2009, AT PAGE 033384-09, RECORDER OF DEEDS, GREENE COUNTY, MISSOURI, AND EXCEPT THAT PART TAKEN OR USED FOR HIGHWAY AND ANY PART USED FOR ROADS

AND

Exhibit B - Location Map

does hereby irrevocably petition and consent to the future annexation of said property in the corporate limits of the City of Springfield, Missouri, Grantee herein.



RETURN TO CITY HALL
RIGHT-OF-WAY SECTION

At such time as the City Council of the City of Springfield may by resolution or ordinance declare that annexation is in the interest of the City of Springfield, Grantor and Grantor's heirs, legal representatives, successors and assigns, shall cause this petition to be presented to the governing body of the City of Springfield, and do all things necessary to meet the requirements of the State Annexation Statutes to cause such property to be annexed into the City. Provided, however, that annexation of the property will not be effective until such time as sewer service is available to the property.

Any objection to such annexation filed by Grantor(s), by any succeeding property owner(s), or by any occupant or resident of the property, shall relieve the City of any obligation to provide sewer service to the property, and the City may thereafter, upon reasonable notice, terminate sewer service and disconnect the property from the City of Springfield's sanitary sewer system. It is expressly stated and understood by Grantor(s) that but for the execution of this irrevocable consent to annexation and the commitment of Grantor(s) to do all things necessary to complete the annexation at such future date, the City would not extend sewer service to the real estate described in Exhibit A and any objection to annexation shall constitute complete and total failure of consideration for extending sewer service to property outside the City's limits in advance of annexation.

Failure to consummate annexation at any time during the term of this Irrevocable Petition and Consent to Annexation shall not cause this Petition and Consent to lapse and the same shall continue in full force and effect until such time as annexation is fully and lawfully consummated.

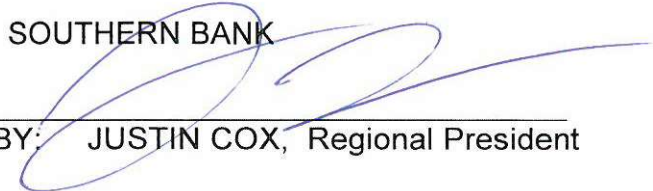
In the event of any breach or default by Grantor(s), this Irrevocable Petition and Consent to Annexation shall be enforceable by specific performance and, if litigated, venue shall be proper only in the Circuit Court of Greene County, Missouri, and the parties expressly waive any rights to venue inconsistent therewith.

This Irrevocable Petition and Consent to Annexation shall be deemed to be a covenant running with the land to succeeding owners and shall be deemed to be the Petition and Consent to Annexation of succeeding owners, their heirs, legal representatives, successors, and assigns until annexation is fully lawfully consummated as in this instrument provided.

IN WITNESS WHEREOF, the said Grantor(s) has/have hereunto set his/her/their hand(s) 10th day of May, 2016.

GRANTOR(S)

SOUTHERN BANK

BY:  JUSTIN COX, Regional President

Approved as to form for Grantee by:

Justin Cox
(Printed Name)

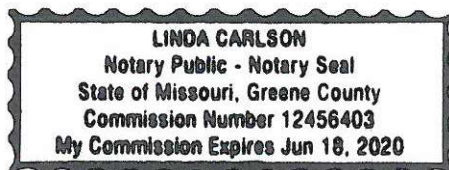
VERIFICATION AND ACKNOWLEDGMENT

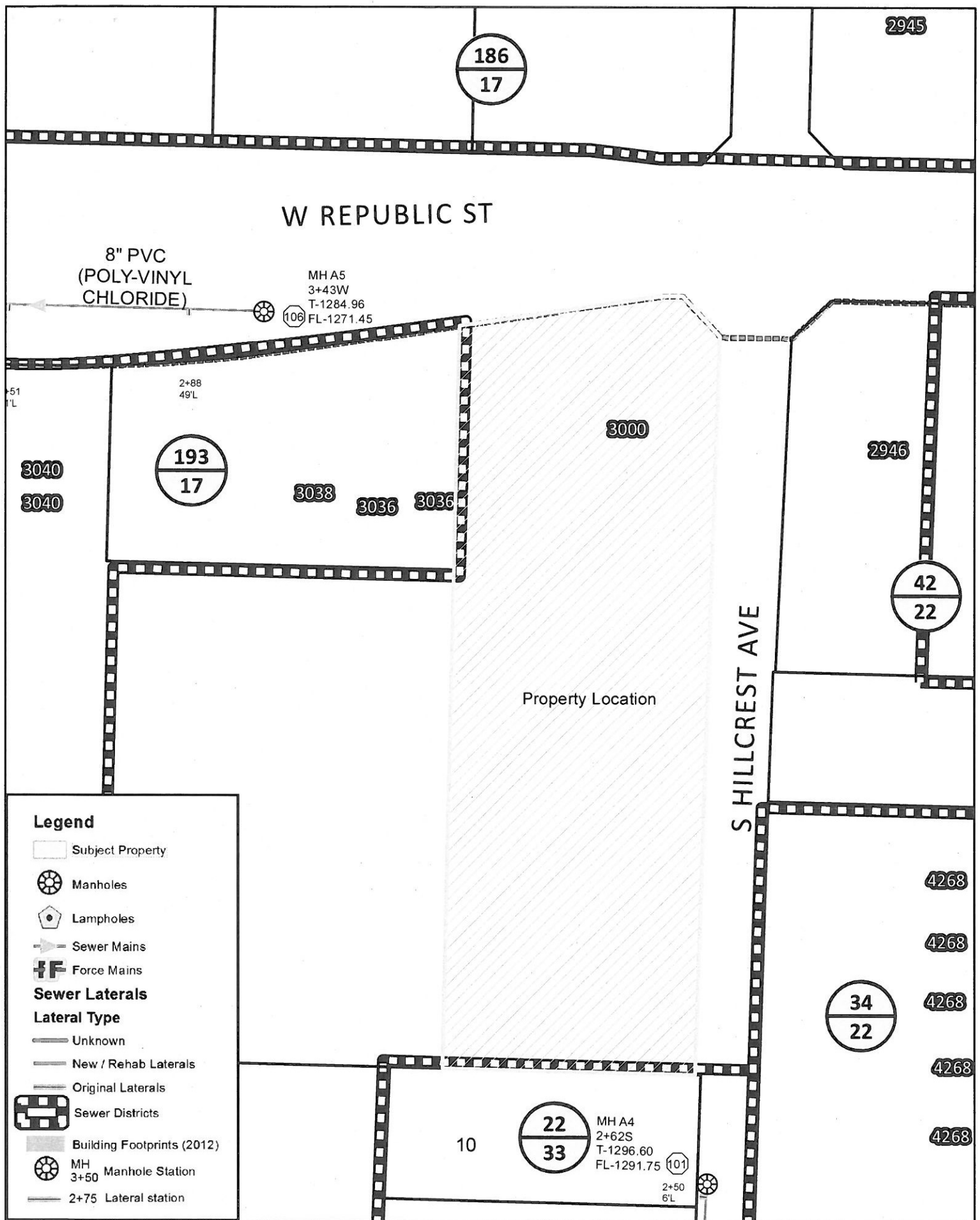
STATE OF MISSOURI)
COUNTY OF GREENE)

On this 25th day of July, 2017, before me personally appeared JUSTIN COX, to me known personally known, who being duly sworn, did say that HE is Regional President of SOUTHERN BANK and who executed the Irrevocable Petition and Consent to Annexation, and being duly sworn according to law, deposes and states the facts set forth in this Irrevocable Petition and Consent to Annexation are true and correct to the best of his knowledge, and that said instrument was signed in behalf of said corporation by authority of its Board of Directors, and JUSTIN COX acknowledged said instrument to be the free act and deed of said corporation.

Subscribed and sworn to before me, a notary public, this 25th day of July, 2017.

Linda Carlson
Linda Carlson Notary Public





Environmental Services

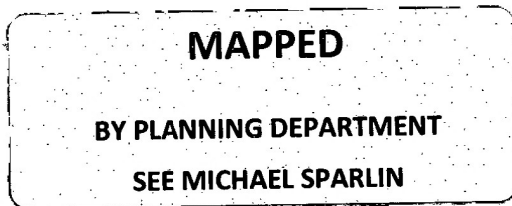
SEWER INFORMATION Date: 7/31/2017

0 20 40 60 80 Feet

1 inch = 94 feet

DISCLAIMER: All information included on this map or digital file is provided "as is" for general information purposes only. The City of Springfield, and all other contributing data suppliers, make no warranties, expressed or implied, concerning the accuracy, completeness, reliability, or timeliness of the data for any particular use. Furthermore, the City of Springfield, and all other contributing data suppliers, assume no liability whatsoever associated with the use or misuse of the data.





018706-13 30 APR 2013 02:45:00pm



Book: 2013
Page: 018706-13
4 pages

REAL ESTATE DOCUMENT
GREENE COUNTY, MISSOURI
RECORDERS CERTIFICATION

Charles L. Dawson
RECORDER OF DEEDS

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IRREVOCABLE PETITION AND CONSENT TO ANNEXATION

This Irrevocable Petition and Consent to Annexation, made and entered into this 8th day of April, 2013, by and between SSI Holdings, LLC, hereinafter referred to as "**Grantor(s)**," and **The City of Springfield, Missouri**, a Municipal Corporation and duly organized Constitutional Charter City, of the County of Greene, State of Missouri, hereinafter referred to as "**Grantee**." The mailing address of the Grantor(s) is 5539 S. Campbell Ave, Springfield, Missouri 65810. The mailing address of the Grantee is City of Springfield, Department of Public Works, 840 Boonville Ave., Springfield, MO 65802.

KNOW ALL PERSONS BY THESE PRESENTS THAT: The Grantor(s), for and in consideration of the provision of sanitary sewer services, being the owner of all of the fee interest in the real property commonly known as 5539 S. Campbell Ave., Springfield, Greene County, Missouri, and more fully described in the attached **Exhibit A**, which is incorporated herein as if copied verbatim, does hereby irrevocably petition and consent to the future annexation of said property in the corporate limits of the City of Springfield, Missouri, Grantee herein.

At such time as the City Council of the City of Springfield may by resolution or ordinance declare that annexation is in the interest of the City of Springfield, Grantor and Grantor's heirs, legal representatives, successors and assigns, shall cause this petition to be presented to the governing body of the City of Springfield, and do all things necessary to meet the requirements of the State Annexation Statutes to cause such property to be annexed into the City. Provided, however, that annexation of the property will not be effective until such time as sewer service is available to the property.

Any objection to such annexation filed by Grantor(s), by any succeeding property owner(s), or by any occupant or resident of the property, shall relieve the City of any obligation to provide sewer service to the property, and the City may thereafter, upon reasonable notice, terminate sewer service and disconnect the property from the City of Springfield's sanitary sewer system. It is expressly stated and understood by Grantor(s) that but for the execution of this irrevocable

RETURN TO ENV. SERVICES



RETURN TO CITY HALL
RIGHT-OF-WAY SECTION

COPY

consent to annexation and the commitment of Grantor(s) to do all things necessary to complete the annexation at such future date, the City would not extend sewer service to the real estate described in Exhibit A and any objection to annexation shall constitute complete and total failure of consideration for extending sewer service to property outside the City's limits in advance of annexation.

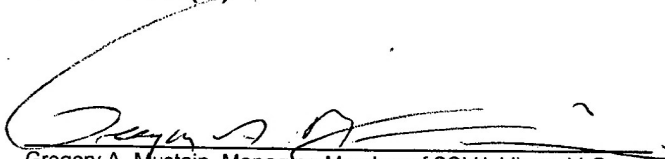
Failure to consummate annexation at any time during the term of this Irrevocable Petition and Consent to Annexation shall not cause this Petition and Consent to lapse and the same shall continue in full force and effect until such time as annexation is fully and lawfully consummated.

In the event of any breach or default by Grantor(s), this Irrevocable Petition and Consent to Annexation shall be enforceable by specific performance and, if litigated, venue shall be proper only in the Circuit Court of Greene County, Missouri, and the parties expressly waive any rights to venue inconsistent therewith.

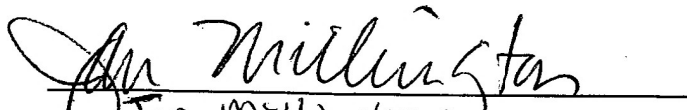
This Irrevocable Petition and Consent to Annexation shall be deemed to be a covenant running with the land to succeeding owners and shall be deemed to be the Petition and Consent to Annexation of succeeding owners, their heirs, legal representatives, successors, and assigns until annexation is fully lawfully consummated as in this instrument provided.

IN WITNESS WHEREOF, the said Grantor(s) has/have hereunto set his/her/their hand(s) 8th day of April, 2013.

GRANTOR(S)


Gregory A. Mustain, Managing Member of SSL Holdings, LLC

Approved as to form for Grantee by:


Jan Millington

VERIFICATION AND ACKNOWLEDGMENT

STATE OF MISSOURI)
COUNTY OF GREENE)

On this 8th day of April, 2013, before me personally appeared to me known to be the person(s) described herein and who executed the Irrevocable Petition and Consent to Annexation, and being duly sworn according to law, deposes and states that Gregory A. Mustain is/are the Managing Member of SSI Holdings, LLC, the owner(s) in fee of the property described herein and has/have the authority to act and that the facts set forth in this Irrevocable Petition and Consent to Annexation are true and correct to the best of his/her/their knowledge, information and belief, and acknowledged to me that he/she/they executed same, as his/her/their free act and deed, or that he/she/they executed same as the free act and deed of said corporation and for the purposes therein stated, in his/her/their capacity as owner.

Subscribed and sworn to before me, a notary public, this 8th day of April, 2013.



BRADLEY L. WILLIAMS
My Commission Expires
August 27, 2015
Taney County
Commission #11455878

Bradley L. Williams
Notary Public Bradley L. Williams

After recording, return to:
City of Springfield
Department of Public Works
Attn: Matt Taylor
840 Boonville Ave.
Springfield, MO 65802

EXHIBIT A

All beginning 82½ feet North of the Southwest corner of the Northeast Quarter (NE¼) of the Southeast Quarter (SE¼) of Section Twenty-three (23), Township Twenty-eight (28), Range Twenty-two (22); thence East 1,338.5 feet to the West line of the highway; thence North along the West line of the highway, 165 feet; thence West 1,338.5 feet to the West line of the Northeast Quarter (NE¼) of the Southeast Quarter (SE¼) of said Section Twenty-three (23); thence South 165 feet to the beginning, in Greene County, Missouri, except any part taken, deeded or used for road, street or highway purposes.



013302-16 12 Apr 2016 01:46:34PM



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Page: 013302-16
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REAL ESTATE DOCUMENT
GREENE COUNTY, MISSOURI
RECORDERS CERTIFICATION

Christina Spaulding

RECORDER OF DEEDS

reclac

IRREVOCABLE PETITION AND CONSENT TO ANNEXATION

This Irrevocable Petition and Consent to Annexation, made and entered into this 31st day of March, 2016, by and between Royal Ventures, LLC, hereinafter referred to as "**Grantor(s)**," and **The City of Springfield, Missouri**, a Municipal Corporation and duly organized Constitutional Charter City, of the County of Greene, State of Missouri, hereinafter referred to as "**Grantee**." The mailing address of the Grantor(s) is, 663 S. Grandview, Springfield, MO 65802. The mailing address of the Grantee is City of Springfield, Department of Public Works, 840 Boonville Ave., Springfield, MO 65802.

KNOW ALL PERSONS BY THESE PRESENTS THAT: The Grantor(s), for and in consideration of the provision of sanitary sewer services, being the owner of all of the fee interest in the real property commonly known as 3833 E. State Highway D, in Springfield, Greene County, Missouri, and more fully described in the attached **Exhibit A**, which is incorporated herein as if copied verbatim, does hereby irrevocably petition and consent to the future annexation of said property in the corporate limits of the City of Springfield, Missouri, Grantee herein.

At such time as the City Council of the City of Springfield may by resolution or ordinance declare that annexation is in the interest of the City of Springfield, Grantor and Grantor's heirs, legal representatives, successors and assigns, shall cause this petition to be presented to the governing body of the City of Springfield, and do all things necessary to meet the requirements of the State Annexation Statutes to cause such property to be annexed into the City. Provided, however, that annexation of the property will not be effective until such time as sewer service is available to the property.

Any objection to such annexation filed by Grantor(s), by any succeeding property owner(s), or by any occupant or resident of the property, shall relieve the City of any obligation to provide sewer service to the property, and the City may thereafter, upon reasonable notice, terminate sewer service and disconnect the property from the City of Springfield's sanitary sewer system. It is expressly stated and understood by Grantor(s) that but for the execution of this irrevocable



RETURN TO ENV. SERVICES, CLEAN WATER DIVISION

consent to annexation and the commitment of Grantor(s) to do all things necessary to complete the annexation at such future date, the City would not extend sewer service to the real estate described in Exhibit A and any objection to annexation shall constitute complete and total failure of consideration for extending sewer service to property outside the City's limits in advance of annexation.

Failure to consummate annexation at any time during the term of this Irrevocable Petition and Consent to Annexation shall not cause this Petition and Consent to lapse and the same shall continue in full force and effect until such time as annexation is fully and lawfully consummated.

In the event of any breach or default by Grantor(s), this Irrevocable Petition and Consent to Annexation shall be enforceable by specific performance and, if litigated, venue shall be proper only in the Circuit Court of Greene County, Missouri, and the parties expressly waive any rights to venue inconsistent therewith.

This Irrevocable Petition and Consent to Annexation shall be deemed to be a covenant running with the land to succeeding owners and shall be deemed to be the Petition and Consent to Annexation of succeeding owners, their heirs, legal representatives, successors, and assigns until annexation is fully lawfully consummated as in this instrument provided.

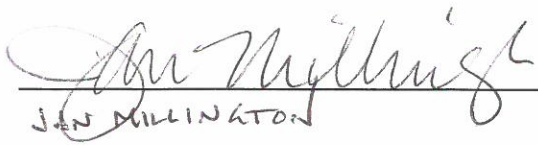
IN WITNESS WHEREOF, the said Grantor(s) has/have hereunto set his/her/their hand(s) 31st day of March, 2016.

GRANTOR(S)



John Thomas Reinart, Member of Royal Ventures, LLC

Approved as to form for Grantee by:

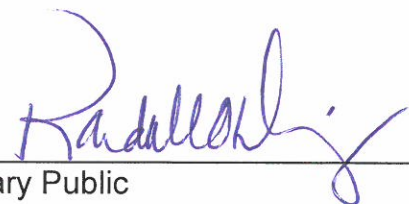

JAN MILLINGTON

VERIFICATION AND ACKNOWLEDGMENT

STATE OF MISSOURI)
COUNTY OF GREENE)

On this 31ST day of March, 2016, before me personally appeared to me John Thomas Reinart, known to be the person(s) described herein and who executed the Irrevocable Petition and Consent to Annexation, and being duly sworn according to law, deposes and states that he is the Member of Royal Ventures, LLC, and the owner(s) in fee of the property described herein and the facts set forth in this Irrevocable Petition and Consent to Annexation are true and correct to the best of his/her/their knowledge, information and belief, and acknowledged to me that he/she/they executed same, as his/her/their free act and deed.

Subscribed and sworn to before me, a notary public, this 31ST day of March, 2016.



Notary Public



RANDALL O. DOENNIG
My Commission Expires
June 22, 2019
Greene County
Commission #15421700

After recording, return to:
City of Springfield
Department of Public Works
Attn: Matt Taylor
840 Boonville Ave.
Springfield, MO 65802

EXHIBIT A

ALL OF THE WEST ONE HALF (W1/2) OF THE EAST THREE HUNDRED NINETY-SIX (396) FEET OF THE WEST SIX HUNDRED TWENTY-FOUR (624) FEET OF THE SOUTH SIX HUNDRED SIXTY (660) FEET OF THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION TWENTY-SEVEN (27), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-ONE (21), EXCEPT A ROAD OFF THE SOUTH END THEREOF, ALL IN GREENE COUNTY, MISSOURI.



028863-16 22 Jul 2016 10:55:16AM



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Page:028863-16
6 pages

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REAL ESTATE DOCUMENT
GREENE COUNTY, MISSOURI
RECORDERS CERTIFICATION

Stephene Spaulding

RECORDER OF DEEDS

IRREVOCABLE PETITION AND CONSENT TO ANNEXATION

This Irrevocable Petition and Consent to Annexation, made and entered into this 12 day of July, 2016, by and between 70-AL Senior Living, LLC, hereinafter referred to as "**Grantor(s)**," and **The City of Springfield, Missouri**, a Municipal Corporation and duly organized Constitutional Charter City, of the County of Greene, State of Missouri, hereinafter referred to as "**Grantee**." The mailing address of the Grantor(s) is, c/o Miller Commerce, 431 S. Jefferson Ave., Suite 105, Springfield, MO 65806. The mailing address of the Grantee is City of Springfield, Department of Public Works, 840 Boonville Ave., Springfield, MO 65802.

KNOW ALL PERSONS BY THESE PRESENTS THAT: The Grantor(s), for and in consideration of the provision of sanitary sewer services, being the owner of all of the fee interest in the real property commonly known as 3851 E. State Highway D and 3911 E. Sunshine Street, in Springfield, Greene County, Missouri, and more fully described in the attached **Exhibit A**, which is incorporated herein as if copied verbatim, does hereby irrevocably petition and consent to the future annexation of said property in the corporate limits of the City of Springfield, Missouri, Grantee herein.

At such time as the City Council of the City of Springfield may by resolution or ordinance declare that annexation is in the interest of the City of Springfield, Grantor and Grantor's heirs, legal representatives, successors and assigns, shall cause this petition to be presented to the governing body of the City of Springfield, and do all things necessary to meet the requirements of the State Annexation Statutes to cause such property to be annexed into the City. Provided, however, that annexation of the property will not be effective until such time as sewer service is available to the property.

Any objection to such annexation filed by Grantor(s), by any succeeding property owner(s), or by any occupant or resident of the property, shall relieve the City of any obligation to provide sewer service to the property, and the City may thereafter, upon reasonable notice, terminate sewer service and disconnect



RETURN TO ENVIRONMENTAL SERVICES

the property from the City of Springfield's sanitary sewer system. It is expressly stated and understood by Grantor(s) that but for the execution of this irrevocable consent to annexation and the commitment of Grantor(s) to do all things necessary to complete the annexation at such future date, the City would not extend sewer service to the real estate described in Exhibit A and any objection to annexation shall constitute complete and total failure of consideration for extending sewer service to property outside the City's limits in advance of annexation.

Failure to consummate annexation at any time during the term of this Irrevocable Petition and Consent to Annexation shall not cause this Petition and Consent to lapse and the same shall continue in full force and effect until such time as annexation is fully and lawfully consummated.

In the event of any breach or default by Grantor(s), this Irrevocable Petition and Consent to Annexation shall be enforceable by specific performance and, if litigated, venue shall be proper only in the Circuit Court of Greene County, Missouri, and the parties expressly waive any rights to venue inconsistent therewith.

This Irrevocable Petition and Consent to Annexation shall be deemed to be a covenant running with the land to succeeding owners and shall be deemed to be the Petition and Consent to Annexation of succeeding owners, their heirs, legal representatives, successors, and assigns until annexation is fully lawfully consummated as in this instrument provided.

IN WITNESS WHEREOF, the said Grantor(s) has/have hereunto set his/her/their hand(s) 12 day of July, 2016.

GRANTOR(S)

A handwritten signature in black ink, appearing to read 'Matthew E. Miller', is written over a horizontal line. To the right of the signature is a small, handwritten mark that looks like a stylized 'P' or a checkmark.

by Matthew E. Miller, Manager of Miller Commerce Assets, LLC,
Sole Member of 70-AL Senior Living, LLC

Approved as to form for Grantee by:



JAN MILLINGTON

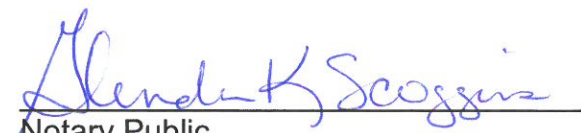
VERIFICATION AND ACKNOWLEDGMENT

STATE OF MISSOURI)
COUNTY OF Greene)

On this 12 day of July, 2016, before me personally appeared to me Matthew E. Miller, known to be the person(s) described herein and who executed the Irrevocable Petition and Consent to Annexation, and being duly sworn according to law, deposes and states that he is the Manager of Miller Commerce Assets, LLC, the sole Member of 70-AL Senior Living, LLC, and that it is the owner(s) in fee of the property described herein and the facts set forth in this Irrevocable Petition and Consent to Annexation are true and correct to the best of his/her/their knowledge, information and belief, and acknowledged to me that he/she/they executed same, as his/her/their free act and deed.

Subscribed and sworn to before me, a notary public, this 12 day of July, 2016.





Notary Public
Glenda K. Scoggins

After recording, return to:
City of Springfield
Department of Public Works
Attn: Matt Taylor
840 Boonville Ave.
Springfield, MO 65802

EXHIBIT A

BEGINNING 624 FEET EAST OF THE SOUTH WEST CORNER OF THE COUTH WEST QUARTER OF THE SOUTH EAST QUARTER OF SECTION 27, TOWNSHIP 29, RANGE 21, THENCE EAST 198 FEET, THENCE NORTH 660 FEET, THENCE WEST 198 FEET, THENCE SOUTH 660 FEET TO THE PLACE OF BEGINNING, EXCEPT THE ROADWAY OFF THE SOUTH END IN GREENE COUNTY, MISSOURI.

ALSO

EAST 198 FEET WEST 624 FEET SOUTH 660 FEET SOUTHWEST (1/4) SOUTHEAST (1/4) 27-29-21, (EXCEPT SOUTH 45 FEET FOR HIGHWAY), GREENE COUNTY, MISSOURI.

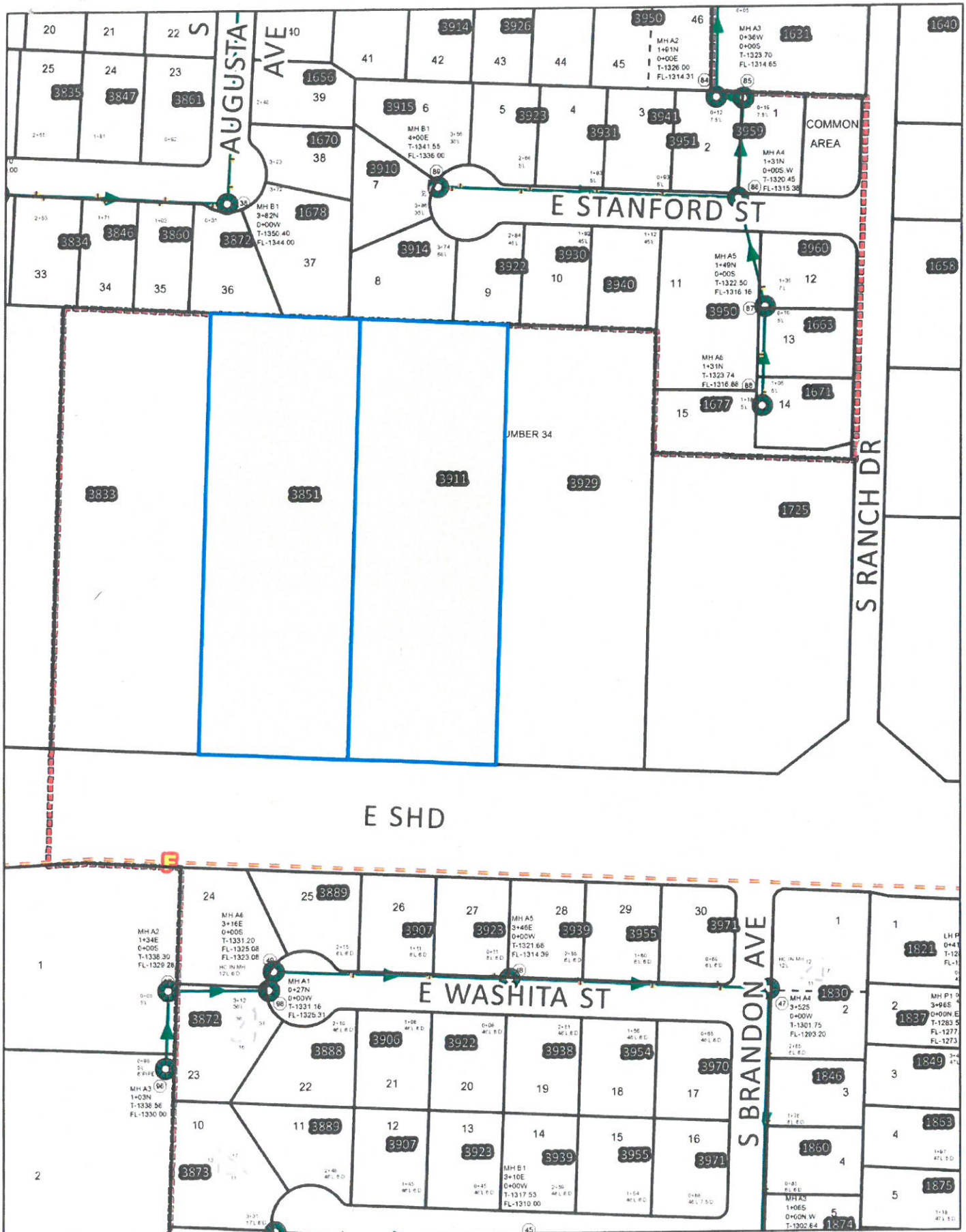
EXHIBIT A

TRACT I:

BEGINNING 624 FEET EAST OF THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF SECTION TWENTY-SEVEN (27), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-ONE (21); THENCE EAST 198 FEET; THENCE NORTH 660 FEET; THENCE WEST 198 FEET; THENCE SOUTH 660 FEET TO PLACE OF BEGINNING, ALL IN GREENE COUNTY, MISSOURI.

TRACT II:

ALL OF THE EAST 198 FEET OF THE WEST 624 FEET OF THE SOUTH 660 FEET OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF SECTION TWENTY-SEVEN (27), TOWNSHIP TWENTY-NINE (29) RANGE TWENTY-ONE (21), EXCEPT THE SOUTH 45 FEET THEREOF FOR HIGHWAY, ALL IN GREENE COUNTY, MISSOURI.



Environmental Services
SEWER INFORMATION

Date: 7/12/2016

1 inch = 167 feet

DISCLAIMER: All information included on this map or digital file is provided "as is" for general information purposes only. The City of Springfield, and all other contributing data suppliers, make no warranty, expressed or implied, concerning the accuracy, completeness, reliability, or suitability of the data for any particular use. Furthermore, the City of Springfield and all other contributing data suppliers assume no liability whatsoever associated with the use or misuse of the data.





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REAL ESTATE DOCUMENT
GREENE COUNTY, MISSOURI
RECORDERS CERTIFICATION

Cheryl D. Spaulding

reclac

RECORDER OF DEEDS

IRREVOCABLE PETITION AND CONSENT TO ANNEXATION

This Irrevocable Petition and Consent to Annexation, made and entered into this 17th day of December, 2015, by and between Napier Properties, L.L.C., hereinafter referred to as "**Grantor(s)**," and **The City of Springfield, Missouri**, a Municipal Corporation and duly organized Constitutional Charter City, of the County of Greene, State of Missouri, hereinafter referred to as "**Grantee**." The mailing address of the Grantor(s) is, P O Box 776., Springfield, MO 65801. The mailing address of the Grantee is City of Springfield, Department of Public Works, 840 Boonville Ave., Springfield, MO 65802.

KNOW ALL PERSONS BY THESE PRESENTS THAT: The Grantor(s), for and in consideration of the provision of sanitary sewer services, being the owner of all of the fee interest in the real property commonly known as 3335 W. Sunshine Street, in Springfield, Greene County, Missouri, and more fully described in the **Legal Description Attached as Page 4**, which is incorporated herein as if copied verbatim, does hereby irrevocably petition and consent to the future annexation of said property in the corporate limits of the City of Springfield, Missouri, Grantee herein.

At such time as the City Council of the City of Springfield may by resolution or ordinance declare that annexation is in the interest of the City of Springfield, Grantor and Grantor's heirs, legal representatives, successors and assigns, shall cause this petition to be presented to the governing body of the City of Springfield, and do all things necessary to meet the requirements of the State Annexation Statutes to cause such property to be annexed into the City. Provided, however, that annexation of the property will not be effective until such time as sewer service is available to the property.

Any objection to such annexation filed by Grantor(s), by any succeeding property owner(s), or by any occupant or resident of the property, shall relieve the City of any obligation to provide sewer service to the property, and the City may thereafter, upon reasonable notice, terminate sewer service and disconnect the property from the City of Springfield's sanitary sewer system. It is expressly



RETURN TO ENVIRONMENTAL SERVICES.

stated and understood by Grantor(s) that but for the execution of this irrevocable consent to annexation and the commitment of Grantor(s) to do all things necessary to complete the annexation at such future date, the City would not extend sewer service to the real estate described in Exhibit A and any objection to annexation shall constitute complete and total failure of consideration for extending sewer service to property outside the City's limits in advance of annexation.

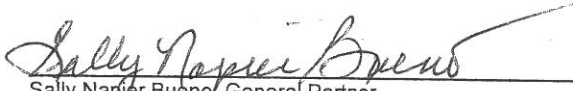
Failure to consummate annexation at any time during the term of this Irrevocable Petition and Consent to Annexation shall not cause this Petition and Consent to lapse and the same shall continue in full force and effect until such time as annexation is fully and lawfully consummated.

In the event of any breach or default by Grantor(s), this Irrevocable Petition and Consent to Annexation shall be enforceable by specific performance and, if litigated, venue shall be proper only in the Circuit Court of Greene County, Missouri, and the parties expressly waive any rights to venue inconsistent therewith.

This Irrevocable Petition and Consent to Annexation shall be deemed to be a covenant running with the land to succeeding owners and shall be deemed to be the Petition and Consent to Annexation of succeeding owners, their heirs, legal representatives, successors, and assigns until annexation is fully lawfully consummated as in this instrument provided.

IN WITNESS WHEREOF, the said Grantor(s) has/have hereunto set his/her/their hand(s) 17th day of December, 2015.

GRANTOR(S)


Sally Napier Bueno, General Partner

Approved as to form for Grantee by:

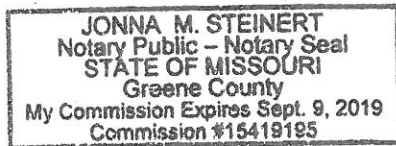

AMANDA CALLAWAY

VERIFICATION AND ACKNOWLEDGMENT

STATE OF MISSOURI)
COUNTY OF Greene)

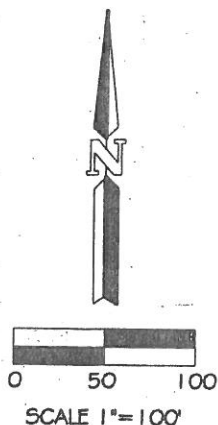
On this 17th day of December, 2015, before me personally appeared to me Sally Napier Bueno, known to be the person(s) described herein and who executed the Irrevocable Petition and Consent to Annexation, and being duly sworn according to law, deposes and states that Sally Napier Bueno is the General Partner of Napier Properties, L.L.C., and they are the owner(s) in fee of the property described herein and the facts set forth in this Irrevocable Petition and Consent to Annexation are true and correct to the best of his/her/their knowledge, information and belief, and acknowledged to me that he/she/they executed same, as his/her/their free act and deed.

Subscribed and sworn to before me, a notary public, this 17th day of December, 2015.




Notary Public Jonna M Steinert

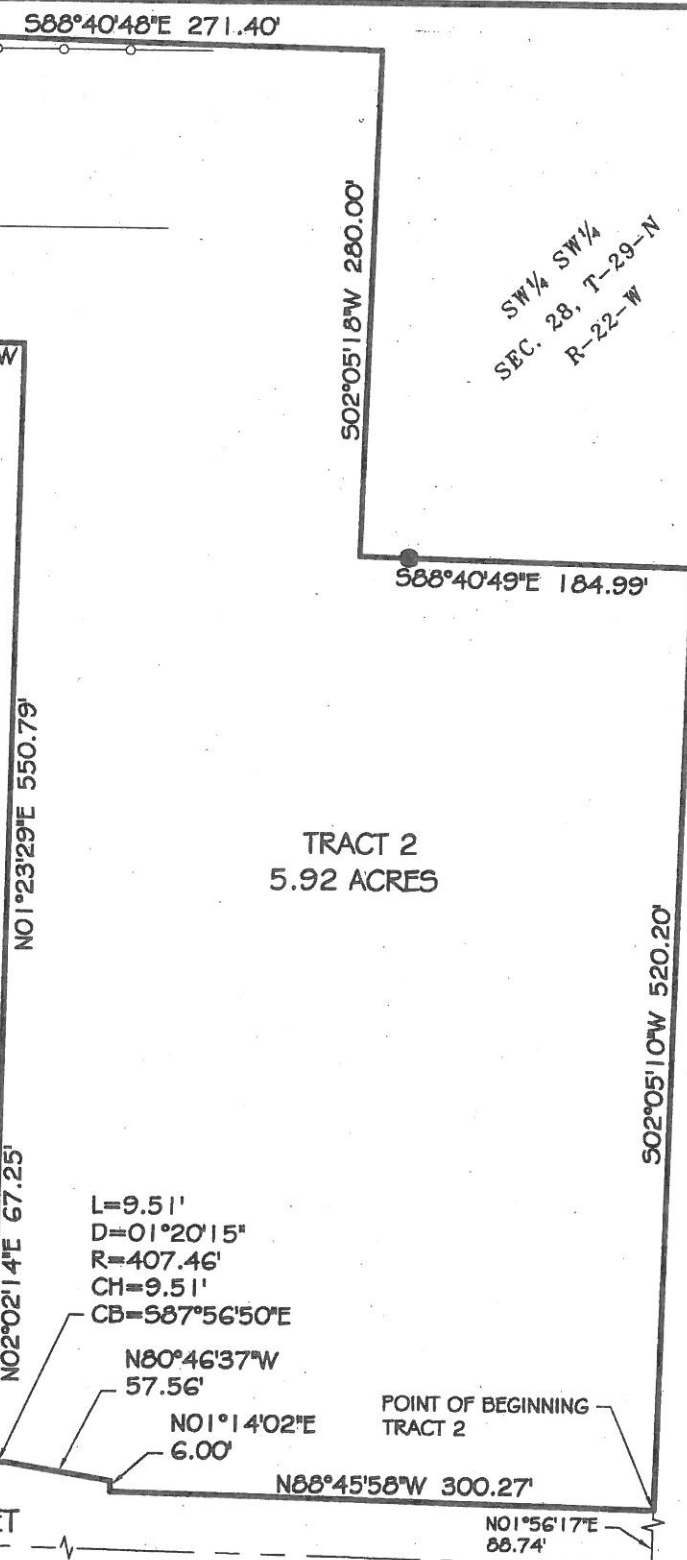
After recording, return to:
City of Springfield
Department of Public Works
Attn: Matt Taylor
840 Boonville Ave.
Springfield, MO 65802



DESCRIPTION:

A TRACT OF LAND BEING A PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 29 NORTH, RANGE 22 WEST, GREENE COUNTY, MISSOURI.

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 28; THENCE $S88^{\circ}50'56''E$ ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER, 800.02 FEET; THENCE $N01^{\circ}56'17''E$ LEAVING SAID SOUTH LINE, 88.74 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SUNSHINE STREET FOR THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE FOR THE NEXT FOUR (4) CALLS, THENCE $N88^{\circ}45'58''W$, 300.27 FEET; THENCE $N01^{\circ}14'02''E$, 6.00 FEET; THENCE $N80^{\circ}46'37''W$, 57.56 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 407.46 FEET, THROUGH A CENTRAL ANGLE OF $1^{\circ}20'15''$, AN ARC LENGTH OF 9.51 FEET, AND CHORD BEARING OF $S87^{\circ}56'50''E$; THENCE $N02^{\circ}02'14''E$ LEAVING SAID NORTH RIGHT-OF-WAY LINE, 67.25 FEET; THENCE $N01^{\circ}23'29''E$, 550.79 FEET; THENCE $N89^{\circ}10'05''W$, 77.93 FEET; THENCE $N00^{\circ}28'46''E$, 169.18 FEET; THENCE $S88^{\circ}40'48''E$, 271.40 FEET; THENCE $S02^{\circ}05'18''W$, 280.00 FEET; THENCE $S88^{\circ}40'49''E$, 184.99 FEET; THENCE $S02^{\circ}05'10''W$, 520.20 FEET TO THE POINT OF BEGINNING. CONTAINING 5.92 ACRES SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.



SOUTHWEST CORNER
SW 1/4, SW 1/4
SEC. 28-T29N, R22W

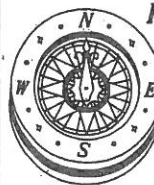
SUNSHINE STREET
 $S88^{\circ}50'56''E$ 800.02'

Prepared For:

**SALLY BUENO
SPRINGFIELD
GREENE COUNTY, Missouri**

DRAWN BY: DLB JOB No.: 150904
DATE: 11-6-2015 PROPERTY CLASS: URBAN

Stribling Surveying, LLC
Phone 417-742-0585



102 South Street
P.O. Box 26
Willard, MO 65781

MISSOURI STATE CERTIFICATE
OF AUTHORITY # LS-373-D

EXHIBIT 2

A-3-2024
LEGAL DESCRIPTION

A TRACT OF LAND BEING PART OF THE NORTH ONE-HALF (N1/2) OF THE EAST ONE-HALF (E1/2) OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHEAST QUARTER (NE1/4) IN SECTION SIXTEEN (16), TOWNSHIP TWENTY-EIGHT (28) NORTH, RANGE TWENTY-TWO (22) WEST, ALL IN GREENE COUNTY, MISSOURI. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN EXISTING IRON PIN AT THE SOUTHWEST CORNER OF SAID NORTH ONE-HALF (N1/2) OF THE EAST ONE-HALF (E1/2), ALSO BEING THE NORTHWEST CORNER OF SYDNEY PLACE 1ST ADDITION, A SUBDIVISION IN GREENE COUNTY, MISSOURI; THENCE SOUTH 88°44'29" EAST A DISTANCE OF 39.77 FEET; THENCE NORTH 01°17'50" EAST A DISTANCE OF 389.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 01°17'50" EAST A DISTANCE OF 181.47 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF REPUBLIC ROAD AS NOW EXIST; THENCE NORTH 81°17'57" EAST ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 152.93 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY, SOUTH 88°57'43" EAST A DISTANCE OF 15.20 FEET; THENCE SOUTH 43°15'58" EAST A DISTANCE OF 41.92 FEET; THENCE SOUTH 88°57'43" EAST A DISTANCE OF 5.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY OF HILLCREST AVENUE AS NOW EXIST; THENCE SOUTH 01°28'47" WEST ALONG SAID RIGHT-OF-WAY A DISTANCE OF 178.11 FEET; THENCE NORTH 88°44'29" WEST A DISTANCE OF 199.66 FEET TO THE POINT OF BEGINNING, CONTAINING 0.90 ACRES, 39,001.27 SQUARE FEET MORE OR LESS.

And also the following;

TRACT II:

All of the East Two Hundred Seventy (270) feet of the West Three Hundred Eighty (380) feet of the following described tract lying South of Missouri Highway "M", except the South 382.51 feet thereof.

All of the North One-half (N½) of the East One-half (E½) of the Northwest Quarter (NW¼) of the Northeast Quarter (NE¼) except the East 409.2 feet thereof; also, all the East One-half of the Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) of the Northeast Quarter (NE¼), all in Section Sixteen (16), Township Twenty-eight (28), Range Twenty-two (22), in Greene County, Missouri, except any part taken or used for road purposes.

And also the following;

A tract of Land situated in the Northwest Quarter (NW¼) of the Northeast Quarter (NE¼) of Section Sixteen (16), Township Twenty-eight (28) North, Range Twenty-two (22) West, Greene County, Missouri, being more particularly described as follows: Commencing at the Northwest corner of said NW¼ of the NE¼; thence S01°02'06"W, with the West line of said NW¼ of the NE¼, a distance of 534.07 feet; thence South 89°48'28"E, a distance of 33.74 feet to a point on the East right-of-way line of Golden Avenue; thence continuing South 88°48'28"E, a distance of 9.63 feet to a true point of beginning; thence continuing S88°48'28"E 287.45 feet to a point for corner; thence N01°05'41"E, a distance of 408.68 feet to a point for corner; thence N01°05'42"E, a distance of 64.26 feet to a point for corner; thence N90°00'00"W, a distance of 175.97 feet to a point for corner; thence S43°29'37"W, a distance of 156.12 feet to a point for corner; thence S03°07'25"W, a distance of 56.66 feet to a point for corner; thence S03°31'59"W, a distance of 133.57 feet to a point for corner; thence S00°35'41"W, a distance of 168.75 feet to the true point of beginning, being subject to all easements, rights-of-way and restrictions of record. Except any part previously annexed by City of Springfield, Missouri General Ordinance No. 6314.

And also the following;

All beginning 82½ feet North of the Southwest corner of the Northeast Quarter (NE¼) of the Southeast Quarter (SE¼) of Section Twenty-three (23), Township Twenty-eight (28), Range Twenty-two (22); thence East 1,338.5 feet to the West line of the highway; thence North along the West line of the highway, 165 feet; thence West 1,338.5 feet to the West line of the Northeast Quarter (NE¼) of the Southeast Quarter (SE¼) of said Section Twenty-three (23); thence South 165 feet to the beginning, in Greene County, Missouri, except any part taken, deeded or used for road, street or highway purposes.

And also the following;

BEGINNING 624 FEET EAST OF THE SOUTH WEST CORNER OF THE COUTH WEST QUARTER OF THE SOUTH EAST QUARTER OF SECTION 27, TOWNSHIP 29, RANGE 21, THENCE EAST 198 FEET, THENCE NORTH 660 FEET, THENCE WEST 198 FEET, THENCE SOUTH 660 FEET TO THE PLACE OF BEGINNING, EXCEPT THE ROADWAY OFF THE SOUTH END IN GREENE COUNTY, MISSOURI.

And also the following;

ALL OF THE WEST ONE HALF (W1/2) OF THE EAST THREE HUNDRED NINETY-SIX (396) FEET OF THE WEST SIX HUNDRED TWENTY-FOUR (624) FEET OF THE SOUTH SIX HUNDRED SIXTY (660) FEET OF THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION TWENTY-SEVEN (27), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-ONE (21), EXCEPT A ROAD OFF THE SOUTH END THEREOF, ALL IN GREENE COUNTY, MISSOURI.

And also the following;

All that part of the Southwest Quarter of the Southeast Quarter of Section 27, Township 29 North, Range 21 West of the Fifth Principal Meridian, Greene County, Missouri, being more particularly described as follows: Commencing at an existing iron pin at the intersection of the North right-of-way of State Route "D" (Sunshine Street) and the West line of the East 198 feet of the West 624 feet of the South 660 feet of the Southwest Quarter of the Southeast Quarter of said Section 27; said point lying 426 feet East and 74.5 feet North of the Southwest corner of the Southwest Quarter of the Southeast Quarter; thence, North 01°28'07" East, along and with the aforementioned West line, a distance of 225.00 feet to the POINT OF BEGINNING; thence, continue North 01°28'07" East, a distance of 359.37 feet to an existing iron pin; thence, South 87°12'33" East, a distance of 197.79 feet to an existing iron pin; thence, South 87°28'34" East, a distance of 198.01 feet to an existing iron pin; thence, South 01°26'14" West, a distance of 584.40 feet to the North right-of-way line of State Route "D"; thence, North 87°20'20" West, along and with said North line, a distance of 211.12 feet; thence, North 01°28'07" East, leaving said North line, a distance of 225.00 feet; thence, North 87°20'20" West, a distance of 185.00 feet to the POINT OF BEGINNING, containing 4.35 acres and being subject to easements, restrictions or rights-of-way, if any.

And also the following;

A TRACT OF LAND BEING A PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 29 NORTH, RANGE 22 WEST, GREENE COUNTY, MISSOURI.

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 28; THENCE S88°50'56"E ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER, 800.02 FEET; THENCE N01°56'17"E LEAVING SAID SOUTH LINE, 88.74 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SUNSHINE STREET FOR THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE FOR THE NEXT FOUR (4) CALLS, THENCE N88°45'58"W, 300.27 FEET; THENCE N01°14'02"E, 6.00 FEET; THENCE N80°46'37"W, 57.56 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 407.46 FEET, THROUGH A CENTRAL ANGLE OF 1°20'15", AN ARC LENGTH OF 9.51 FEET, AND CHORD BEARING OF S87°56'50"E; THENCE N02°02'14"E LEAVING SAID NORTH RIGHT-OF-WAY LINE, 67.25 FEET; THENCE N01°23'29"E, 550.79 FEET; THENCE N89°10'05"W, 77.93 FEET; THENCE N00°28'46"E, 169.18 FEET; THENCE S88°40'48"E, 271.40 FEET; THENCE S02°05'18"W, 280.00 FEET; THENCE S88°40'49"E, 184.99 FEET; THENCE S02°05'10"W, 520.20 FEET TO THE POINT OF BEGINNING. CONTAINING 5.92 ACRES SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

And the following right-of-way for South Farm Road 135:

A PART OF THE GREENE COUNTY FARM ROAD 135 RIGHT-OF-WAY IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER, AND IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 16 TOWNSHIP 28 NORTH RANGE 22 WEST, IN GREENE COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

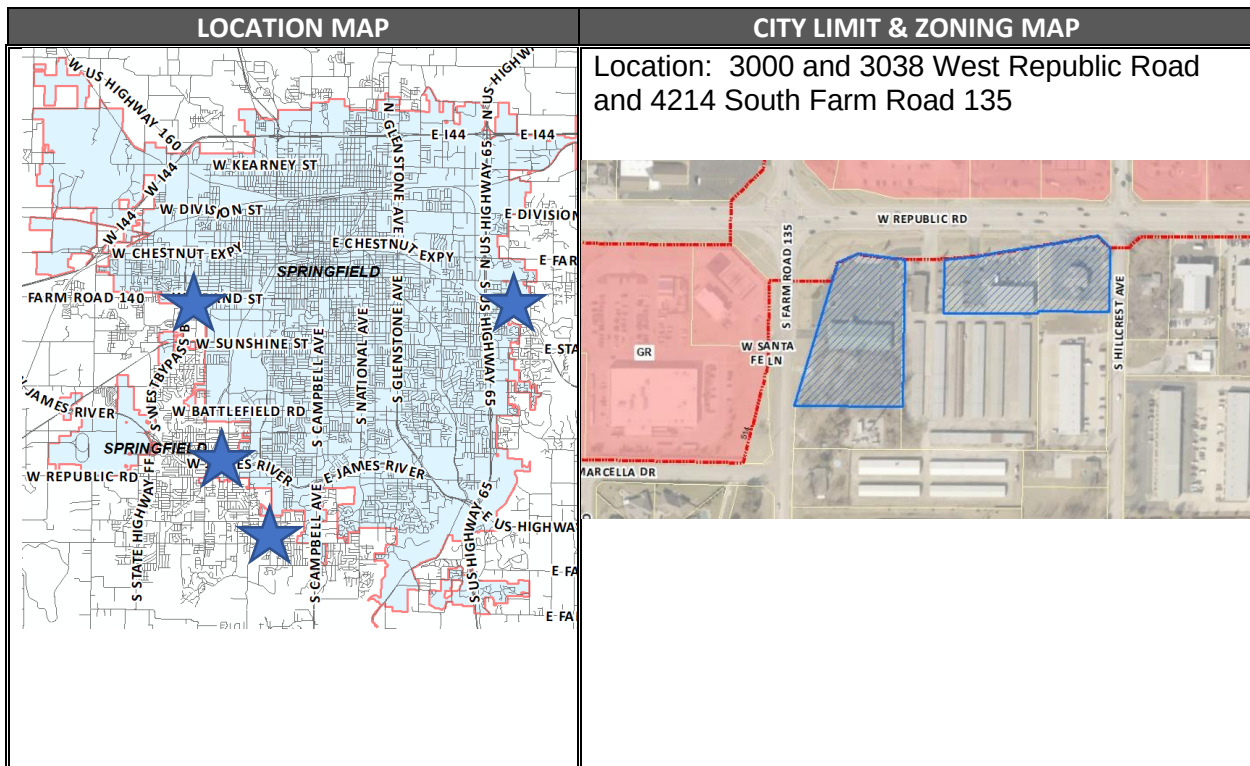
BEGINNING AT THE NORTHEAST CORNER OF LOT 1 OF FRISCO CROSSING SUBDIVISION, A RECORDED SUBDIVISION IN GREENE COUNTY, MISSOURI, SAID CORNER LYING 181.40 FEET NORTH OF THE SOUTHEAST CORNER OF SAID LOT 1, AND BEING ON THE WEST RIGHT-OF-WAY LINE OF FARM ROAD 135; THENCE EAST, A DISTANCE OF 95.56 FEET TO THE EAST RIGHT-OF-WAY LINE OF FARM ROAD 135, AT A POINT 13.89 FEET SOUTH OF THE NORTHWEST CORNER OF A TRACT OF LAND DESIGNATED AS "TRACT A" ON A GREENE COUNTY MINOR SUBDIVISION PLAT RECORDED IN SURVEY RECORD BOOK 54-90 AT PAGE 1494 OF THE GREENE COUNTY RECORDER'S OFFICE; THENCE SOUTH, ALONG SAID EAST RIGHT-OF-WAY LINE AS DEPICTED ON SAID PLAT, A DISTANCE OF 345.09 FEET TO THE SOUTHWEST CORNER OF SAID "TRACT A"; THENCE WEST TO THE WEST RIGHT-OF-WAY LINE OF FARM ROAD 135; THENCE NORTH, ALONG SAID WEST RIGHT-OF-WAY LINE, TO THE POINT OF BEGINNING. CONTAINING 0.7 ACRES, MORE OR LESS, OF FARM ROAD 135 RIGHT-OF-WAY.

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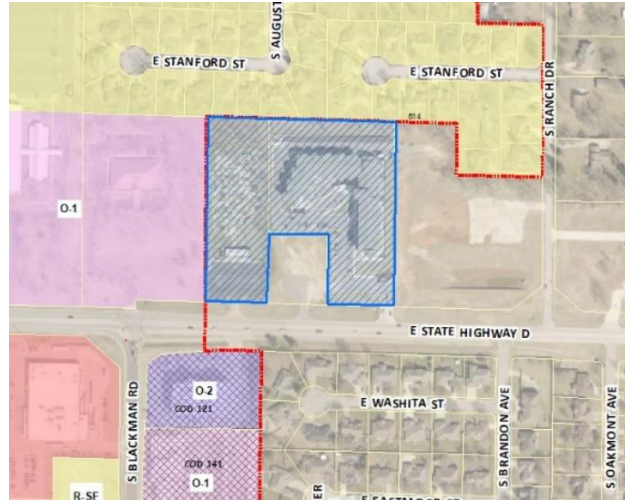
PROJECT INFORMATION	
Case Number:	A-3-2024
Location:	3000 and 3038 W Republic, 4214 S FR 135, 5539 S Campbell, 3833 and 3911 E State Highway D, 3335 W Sunshine
Total Acres:	Approximately 21.64 acres of private property and 0.7 acres of Farm Road 135 right-of-way
Applicant:	City of Springfield
Existing Land Use:	Office, retail, entertainment, and senior housing
City Council:	September 23, 2024
Public Notification:	Mail and legal in Daily Events
Staff:	Alana Owen, AICP, Principal Planner
Staff recommendation:	Staff recommends approval

PROJECT SUMMARY:

Request to annex approximately 21.64 acres of private property generally located at 3000 and 3038 W Republic, 4214 S Farm Road 135, 5539 S Campbell, 3833 and 3911 E State Highway D and 3335 W Sunshine and 0.7 acres of South Farm Road 135 right-of-way into the City of Springfield.



Location: 3833 and 3911 East State Highway D



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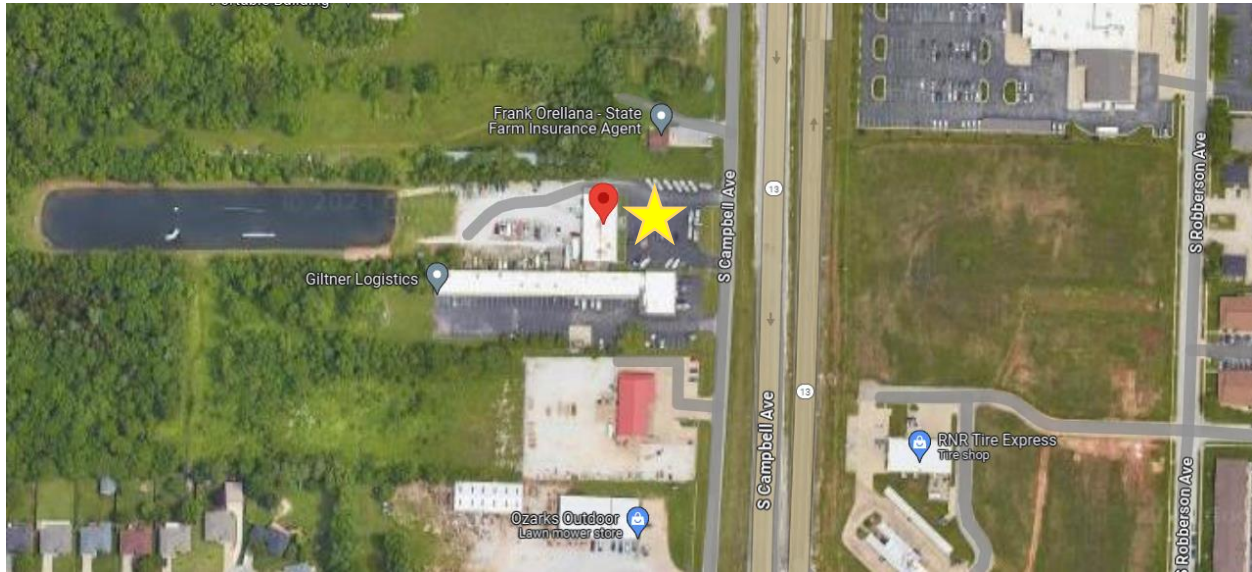
GOOGLE MAPS AND STREET VIEW:

Location: 3000 and 3038 West Republic Road and 4214 South Farm Road 135



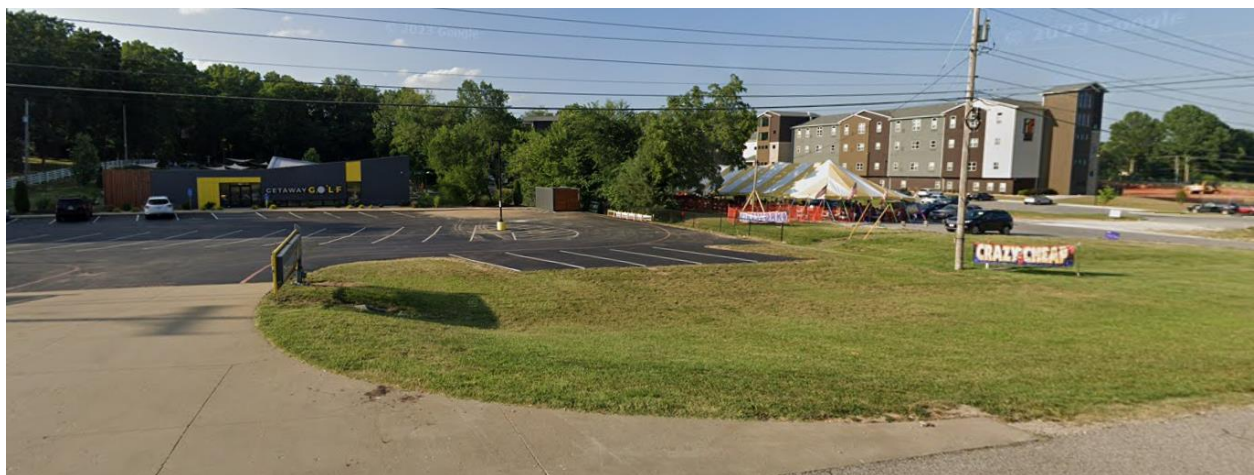
DEVELOPMENT REVIEW STAFF REPORT

Location: 5539 South Campbell Avenue



DEVELOPMENT REVIEW STAFF REPORT

Location: 3833 and 3911 East State Highway D



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Location: 3335 West Sunshine Street



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PROPERTY HISTORY:

The subject properties are outside the city limits in unincorporated Greene County. The properties have existing Irrevocable Petition and Consent to Annexation Agreements recorded. The subject properties are compact and contiguous to the existing city limits and the City is moving forward with the annexation of the properties into the city of Springfield. The subject properties will be rezoned to city zoning in a separate process following annexation.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

The subject properties, except for one, are located within a Priority One strategic annexation area identified in Chapter 6, Growth Areas and Annexation, of the Forward SGF Comprehensive Plan. The Plan indicates that the City should prioritize short-term and long-term areas for future annexation. While not every property identified in Priority One and Two areas can or should be annexed immediately, each represent areas where opportunities for economic and job growth are promising due to varying combinations of available infrastructure, city services, proximity to major transportation corridors, and advantageous land patterns and As outlined above, some of these areas offer advantages over others, such as shorter response times for emergency services and lower utility costs and taxes. Short-term annexation areas target business development and job growth, while long-term annexation areas are primarily focused on residential growth. The property that is part of this annexation request that is not located within a Priority One area on East State Highway D is located along a major corridor and entryway into the city and is an area of additional economic growth opportunity.

All the properties included in this request are located within the City Corridor placetype as identified in Forward SGF. City Corridors contribute significantly to Springfield's economy and local tax base with a regional customer draw. City corridors are also locations of significant redevelopment opportunity.

Annexation Considerations

The following strategies help to further guide the prioritization of annexations:

1. The City should prioritize annexation of City, City Utilities, Park Board, and Ozark Greenways-owned properties.
2. The City should prioritize annexation of properties with an "Irrevocable Petition and Consent to Annexation Agreement" that are revenue-generating and located along major corridors and areas of potential economic activity.
3. The City should evaluate annexation proposals on a property-by-property or case-by-case basis but work to coordinate annexation of multiple properties simultaneously, when possible, to maximize the time and cost efficiency involved in processing.
4. The City should engage with area Fire Protection Districts in evaluation of potential impact resulting from annexation of property by the City.
5. The City should be conscious of impractical boundary configurations created when annexing properties on only one side of a street, skipping over properties, or creating islands of unincorporated properties.
6. The City should weigh the anticipated impact of annexation on the ability to provide timely and professional emergency services, including personnel requirements, capital

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requirements, necessary and available infrastructure, call volume, and standards of cover.

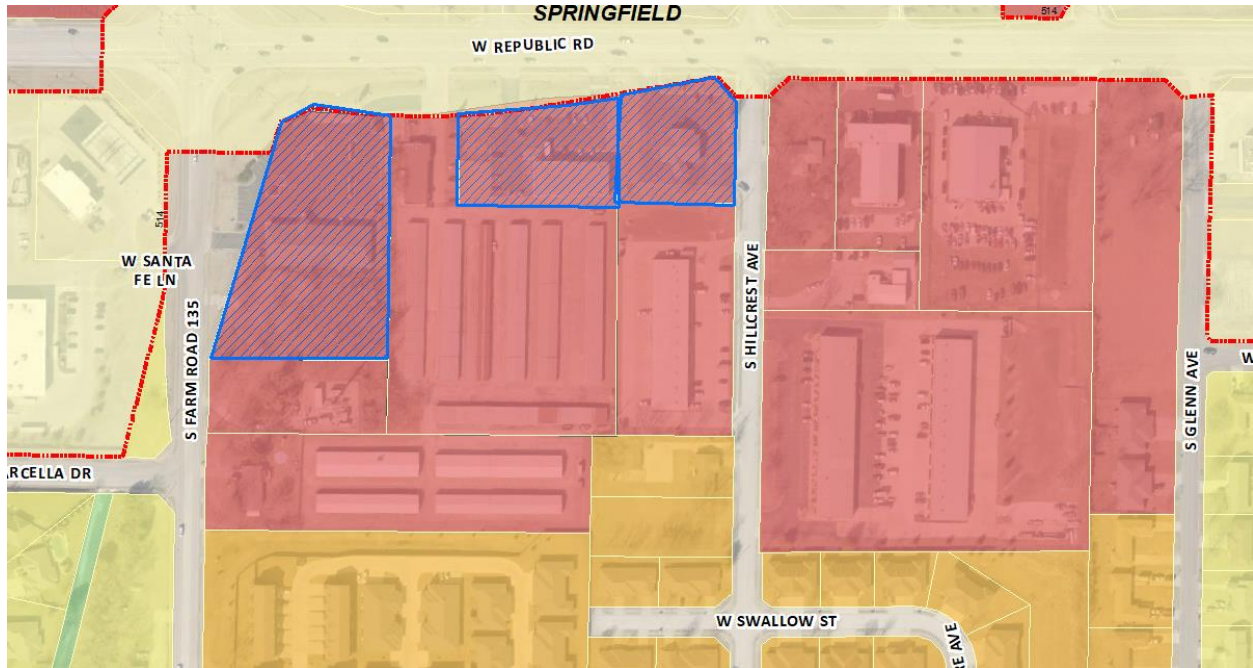
7. The City should evaluate the age and condition of existing infrastructure in areas desired for annexation, as well as future maintenance costs.
8. The City should weigh the comprehensive advantages of both long-term revenue growth and population growth, including a variety of demographic considerations associated with providing services to new residents and property owners.
9. The City should weigh the fiscal impacts of annexation against the opportunity to grow the population base, increase resident participation in city elections, tax referendums, and expand the reach of citizens to serve on city advisory boards and committees.
10. The City should weigh the strategic value of incorporating geographic areas that facilitate growth in new areas.

The properties involved in this annexation all have Irrevocable Petition and Consent to Annexation Agreements that were previously recorded in exchange for the provision of sanitary sewer services to their property. In addition, the owner that signed the Irrevocable Petition and Consent to Annexation Agreement is the same owner of the properties currently.

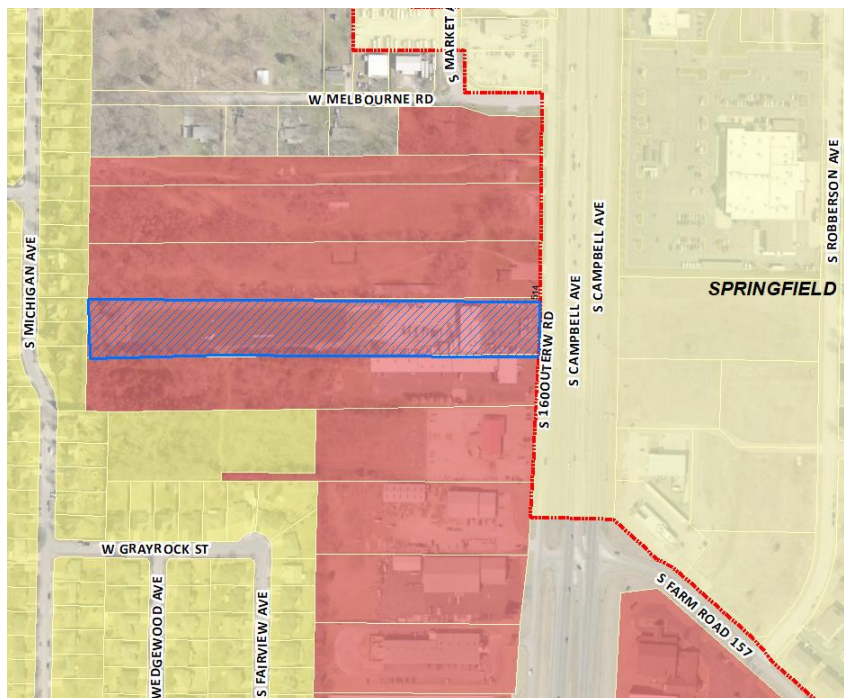
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FUTURE PLACETYPE MAP:

Location: 3000 and 3038 West Republic Road and 4214 South Farm Road 135

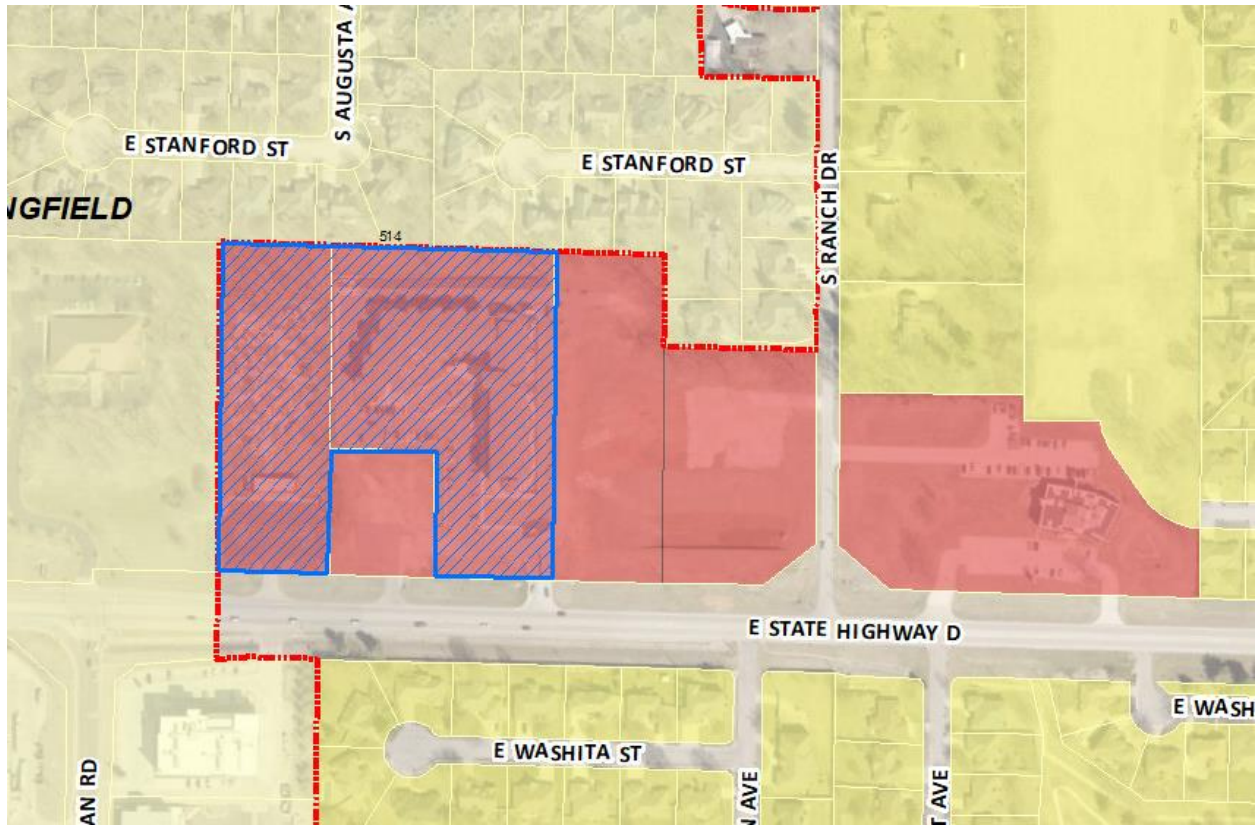


Location: 5539 South Campbell Avenue

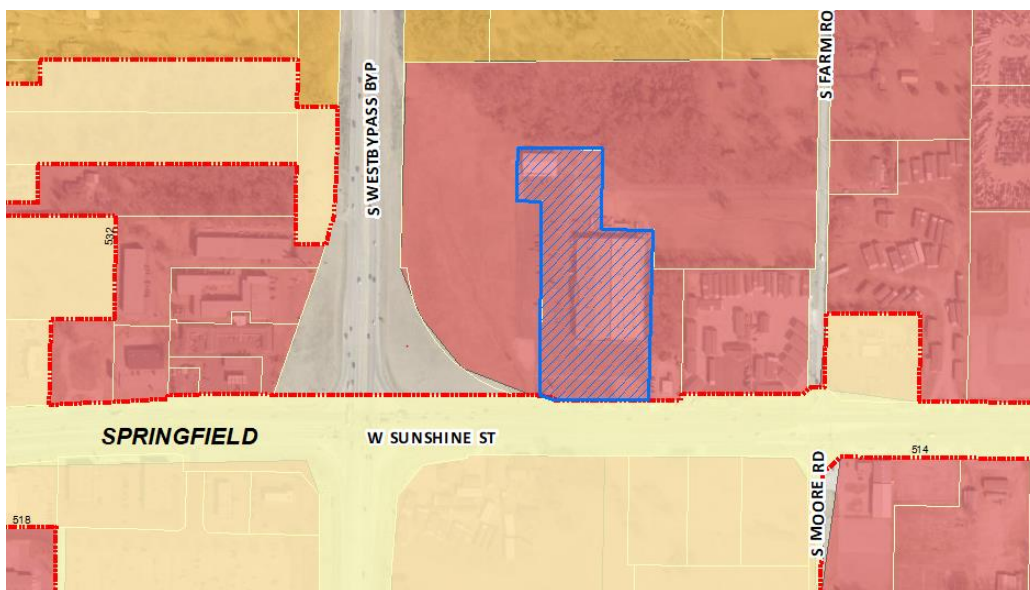


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Location: 3833 and 3911 East State Highway D



Location: 3335 West Sunshine



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DEPARTMENT COMMENTS:

1. DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:
No issues with the proposed annexation.
2. CITY UTILITIES:
No issues with the proposed annexation. Properties on South Campbell, East and West Sunshine have access to CU Electric, Gas and Water. Some of the buildings on West Republic Road are currently served by Ozark Electric. CU may be required to negotiate with Ozark to expand their electric service or the territory may remain with Ozark. CU electric is not currently available to 3038 W Republic.
3. DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:
No objection to annexation. Each lot has access to public sewer and are in approved sewer districts.
4. EMERGENCY 911:
No issues with the proposed annexation.
5. GREENE COUNTY HIGHWAY DEPARTMENT:
No comments.
6. POLICE DEPARTMENT:
No issues with the proposed annexation.
7. FIRE DEPARTMENT:

Location: 3000 and 3038 West Republic Road and 4214 South Farm Road 135

Service – The primary Fire Station responding to this area would be Station #6 located at 2620 W Battlefield, which is approximately 2.1 miles from Hillcrest and Republic Road. Fire Station #8 located at 1405 S Scenic is the secondary station responding to this location, which is 3.8 miles from Hillcrest and Republic Road.

ISO area – The proposed annexation is currently outside the recommended ISO 1.5 mile (ISO diamond) response distance by .5 miles for the 1st due unit. *This could have a minor impact on our ISO rating.*

Response times/Standards of Cover – Estimated response time was calculated mathematically with an assumed travel speed of 45 miles per hour by the fire apparatus. The 1st due company has an estimated total response time of 5 minutes, 8 seconds. The 2nd due company has an estimated total response time of 7 minutes, 24 seconds. It is likely the standard of coverage benchmark could be met for single company responses and likely the benchmark could be met for a full 1st alarm response which

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requires 3 engines, 2 Trucks, 1 Rescue and 1 Battalion Chief to arrive on scene within 11 minutes and 24 seconds. *The department expects that it will meet the initial unit and ERF benchmarks. This will not impact our accreditation.*

		Estimated Total Response Time	Benchmark*	Baseline**
1 st Due Company	Station 6	5-6 minutes	6 minutes 20 seconds	8 minutes 13 seconds
Total Effective Response Force	Station 13,11,9,8,6,1	7-8 minutes	10 minutes 20 seconds	13 minutes 18 seconds

Water Supply – Existing water supply consists of multiple mains from 8” to 12” diameter in the area and should supply sufficient fire flow. *The Fire Department does not have any concerns with the water supply for this proposed annexation. Future development may require additional water supply for specific projects.*

Impact – The existing businesses do not appear to have increased levels of call volume associated with their use groups. *The Fire Department is not concerned about additional call volume for this area.*

Fire Department Recommendation: *Based upon all of the relevant factors, the Fire Department is supportive of this annexation.*

Location: 5539 South Campbell Avenue

Service – The primary Fire Station responding to this area would be Station #11 located at 4940 S Fremont, which is approximately 2.1 miles from the intersection of S Campbell and FR 157. Fire Station #9 located at 450 Walnut Lawn is the secondary station responding to this location, which is 2.9 miles from the intersection of S Campbell and FR 157.

ISO area – The proposed annexation is currently outside the recommended ISO 1.5 mile (ISO diamond) response distance by .7 miles for the 1st due unit. *This could have minor impact on our ISO rating.*

Response times/Standards of Cover – Estimated response time was calculated mathematically with an assumed travel speed of 45 miles per hour by the fire apparatus. The 1st due company has an estimated total response time of 5 minutes, 8 seconds. The 2nd due company has an estimated total response time of 6 minutes, 12 seconds. It is likely the standard of coverage benchmark could be met for single company responses and likely the benchmark could be met for a full 1st alarm response which requires 3 engines, 2 Trucks, 1 Rescue and 1 Battalion Chief to arrive on scene within 11 minutes and 24 seconds. *The department expects that it will meet the initial unit and ERF benchmarks. This will not impact our accreditation.*

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		Estimated Total Response Time	Benchmark*	Baseline**
1 st Due Company	Station 11	5-6 minutes	6 minutes 20 seconds	8 minutes 13 seconds
Total Effective Response Force	Station 11,10,9,7,6,1	10-11 minutes	10 minutes 20 seconds	13 minutes 18 seconds

Water Supply – Currently there are 8” and 16” water mains in the area of S Campbell and FR 157 which will provide sufficient fire flow. *The Fire Department does not have any concerns with the water supply for this proposed annexation. Future development will likely require additional water supply for specific projects.*

Impact - The existing businesses do not appear to have increased levels of call volume associated with their use. *The Fire Department is not concerned about additional call volume from this area.*

Fire Department Recommendation: *Based upon all the relevant factors, the Fire Department is supportive of this annexation.*

Location: 3833 and 3911 East State Highway D

Service – The primary Fire Station responding to this area would be Station #12 located at 2455 S Blackman Road, which is approximately 1.2 miles from Ranch and Hwy D. Fire Station #7 located at 2129 E Sunshine is the secondary station responding to this location, which is 2.3 miles from Ranch and Hwy D.

ISO area – The proposed annexation falls within the recommended ISO 1.5 mile (ISO diamond) response distance for the 1st due unit. *This will not impact our ISO rating.*

Response times/Standards of Cover – Estimated response time was calculated mathematically with an assumed travel speed of 45 miles per hour by the fire apparatus. The 1st due company has an estimated total response time of 3 minutes, 56 seconds. The 2nd due company has an estimated total response time of 5 minutes, 24 seconds. It is likely the standard of coverage benchmark could be met for single company responses and likely the benchmark could be met for a full 1st alarm response which requires 3 engines, 2 Trucks, 1 Rescue and 1 Battalion Chief to arrive on scene within 11 minutes and 24 seconds. *The department expects that it will meet the initial unit and ERF benchmarks. This will not impact our accreditation. This area is also covered by an auto-aid agreement with Logan-Rogersville Fire Protection District.*

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		Estimated Total Response Time	Benchmark*	Baseline**
1 st Due Company	Station 12	4-5 minutes	6 minutes 20 seconds	8 minutes 13 seconds
Total Effective Response Force	Station 12,10,9,7,3,1	9-10 minutes	10 minutes 20 seconds	13 minutes 18 seconds

Water Supply – Existing water supply consists of multiple mains from 8” to 24” in diameter are in the area and should supply sufficient fire flow. *The Fire Department does have any concerns with the water supply for this proposed annexation. Future development will necessitate specific fire code requirements are met for site specific structures.*

Impact – The area of annexation currently contains a large multi-story nursing/assisted living facility that has a history of higher-than-average emergency responses. *The Fire Department is not concerned about additional call volume for this specific occupancy.*

Fire Department Recommendation: *Based upon all the relevant factors, the Fire Department is supportive of this annexation.*

Location: 3335 West Sunshine

Service – The primary Fire Station responding to this area would be Station #8 located at 1405 S Scenic, which is approximately 1.6 miles from the southeast corner of the furthest west property. Fire Station #6 located at 2620 W Battlefield is the secondary station responding to this location, which is 3.0 miles from the southeast corner of the further west property.

ISO area – The proposed annexation locations are on either side of the recommended ISO 1.5 mile (ISO diamond) response distance line. *This could have a minor impact on our ISO rating.*

Response times/Standards of Cover – Estimated response time was calculated mathematically with an assumed travel speed of 45 miles per hour by the fire apparatus. The 1st due company has an estimated total response time of 4 minutes, 28 seconds. The 2nd due company has an estimated total response time of 6 minutes, 20 seconds. It is likely the standard of coverage benchmark could be met for single company responses and likely the benchmark could be met for a full 1st alarm response which requires 3 engines, 2 Trucks, 1 Rescue and 1 Battalion Chief to arrive on scene within 11 minutes and 24 seconds. *The department expects that it will be able to meet the initial unit baseline and benchmark, and probable it will meet the baseline and benchmark for the effective response force. This will not impact our accreditation.*

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		Estimated Total Response Time	Benchmark*	Baseline**
1 st Due Company	Station 8	4-5 minutes	6 minutes 20 seconds	8 minutes 13 seconds
Total Effective Response Force	Station 13,8,9,6,1	8-10 minutes	10 minutes 20 seconds	13 minutes 18 seconds

Water Supply – Existing water supply consists of multiple mains from 8" to 16" in the area and should supply sufficient fire flow. *The Fire Department does have any concerns with the water supply for this proposed annexation. Future development will necessitate specific fire code requirements are met for site specific structures.*

Impact – A variety of existing businesses are within this area of proposed annexation. None of those businesses present an anticipated high volume of Fire Department responses. *The Fire Department is not concerned about impact from this area.*

Fire Department Recommendation: *Based upon all of the relevant factors, the Fire Department is supportive of this annexation.*

8. DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

3000 and 3038 W Republic and 4214 South Farm Road 135

The are some stormwater control measures are present on the proposed properties. The property is in the Wilsons Creek drainage basin. The property is not located in a FEMA designated floodplain. Staff is not aware of flooding problems in the local or downstream area. The city is not aware of a sinkhole or other Karst feature at this location. The property does not have a stream buffer on site. A fee in lieu of on-site stormwater detention will not be allowed, and detention is required.

5539 South Campbell

The Ski Shack at 5539 S Campbell Ave has a large artificial lake located on the west end of the property. The property is in the Ward Branch drainage basin. The property is not located in a FEMA designated floodplain. Staff is not aware of flooding problems in the local or downstream area. The city is not aware of a sinkhole or other Karst feature at this location. The property does not have a stream buffer on site. A fee in lieu of on-site stormwater detention will not be allowed, and detention is required.

3833 and 3911 E. State Highway D

Several existing stormwater control measures are present on the proposed properties. The property is in the Pierson Creek drainage basin. The property is not located in a FEMA designated floodplain. Staff is not aware of flooding problems in the local or downstream area. The city is not aware of a sinkhole or other Karst feature

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at this location. The property does not have a stream buffer on site. A fee in lieu of on-site stormwater detention will not be allowed, and detention is required.

3335 West Sunshine

The existing properties does not contain a stormwater control measure. The site has a shared parking area that drains to the Wilsons Creek tributary on the west property. The property is in the Wilsons Creek drainage basin. The property is not located in a FEMA designated floodplain. Staff is not aware of flooding problems in the local or downstream area. The city is not aware of a sinkhole or other Karst feature at this location. The property does not have a stream buffer on site. A fee in lieu of on-site stormwater detention will not be allowed, and detention is required.

Please note that development of the property will be subject to the following conditions at the time of development.

All chapter and section references below are to the City's Flood Control and Water Quality Protection Manual Version April 2022.

DETENTION AND DISCHARGE REQUIREMENTS

1. Any development or redevelopment that increases runoff, through the increase in impervious surface, current detention requirements must be met per Chapter 3 Sec. 2.3.3.
 - a. The only exception to building detention is a Fee in Lieu of detention application per the City of Springfield Code and the manual dependent on approvable by the Director of Public Works. Each of the identified properties drains to Right-Of-Way. New developments adding significant impervious area through one project, or multiple projects will require detention.

WATER QUALITY REQUIREMENTS

1. Water Quality is required for new development projects or redevelopment projects, with new or increased impervious surfacing, within the city limits of Springfield that disturb 1 acre or greater. Including projects less than 1 acre that are part of a larger common plan of development or sale that will disturb 1 or more acres over the life of the project. Chapter 10 Sec. 2.0.
2. A land disturbance permit will be required with disturbing 1 acre or greater per Chapter 4 Section 5 of the City's Flood Control and Water Quality Protection Manual. All the proposed properties would require an LDP if the entire lot is disturbed.
3. Water Quality Credits are available to use in design for preserved trees and new planted trees. Landscaping and Bufferyards trees required by planning cannot be

DEVELOPMENT REVIEW STAFF REPORT

used for the water quality credits unless it is part of a SCM. Chapter 10, Section 3.1.

FLOODPLAIN

N/A

NATURAL CHANNEL & STREAM BUFFERS

1. 3335 W Sunshine St property shares a parking area with 1645 S Farm Road 133. 1645 S Farm Road 133 is not a proposed annexation property but contains a tributary for the Wilsons Creek Stream. Future redevelopments of 3335 W Sunshine St that disturb 1 acre or potentially cause a sedimentation load discharge will require a water quality stormwater control measure to prevent sedimentation of the stream.

SINKHOLES & KARST FEATURES

1. There are no identified sinkholes or karst features on the proposed properties. The 3146-3250 W Battlefield Rd properties drain to the Sinkhole, S133, in the Westminster 5th Add Replat. The sinkhole is used as a partial flood control stormwater control measure. Further developments in the area will need to meet flood control or water quality standards before approval of building permits in the proposed annex area. This sinkhole drains to parcel 881227400370. At time of development the sinkhole boundary will require identification and a 25 feet wide sinkhole buffer would be designed.

ADDITIONAL STORMWATER REQUIREMENTS

1. Stormwater Control Measures are the responsibility of the property owner or property owners' association to maintain, repair, and update unless the agreement is made with the City to operate. Operation and maintenance agreements are required for any permanent stormwater control measures.

9. DEPARTMENT OF PUBLIC WORKS TRAFFIC DIVISION:

No issues with proposed annexation.

STAFF ANALYSIS AND RECOMMENDATION:

1. In conformance with the recommendations of Forward SGF, the City is moving forward on the annexation of properties that have an existing Irrevocable Petition and Consent to Annexation Agreement recorded. There are 7 properties identified for annexation at this time, all of which are owned by the same property owner that signed the Irrevocable Petition and Consent to Annexation Agreement for the property. The agreements were signed between 2004 and 2017 for the subject properties. All the properties are compact and contiguous to the existing city limits and are located within priority areas for annexation.

DEVELOPMENT REVIEW STAFF REPORT

2. The total area of annexation for the private property included in this annexation is approximately 21.64 acres. Staff will process a rezoning request to rezone the annexed property to City zoning which most closely resembles the existing Greene County zoning for each property. This request also includes approximately 0.7 acres of right-of-way for South Farm Road 135 adjacent to private property included in this request.
3. The *Growth Areas & Annexation* chapter of the *Comprehensive Plan* supports the annexation because it meets the objective to prioritize the annexation of properties with an “Irrevocable Petition and Consent to Annexation Agreement” that are revenue-generating and located along major corridors and areas of potential economic activity.
4. The *Comprehensive Plan’s Land Use & Development* chapter identifies the subject property as being located within the City Corridor placetype. The City Corridor placetype predominantly consists of commercial and service-related development, varying in scale, ranging from standalone businesses to large retail centers. City Corridors contribute significantly to Springfield’s economy and local tax base with a regional customer draw.
5. The area to be annexed is within the City’s Urban Service Area and is consistent with its policies.
6. The area to be annexed is contiguous and compact to the City of Springfield.
7. The City will receive property tax revenue upon annexation of the private property and sales tax revenue.

STAFF RECOMMENDATION:

1. Staff recommends approval of the annexation request based on its compatibility with the *Comprehensive Plan’s* Annexation policies.

DEVELOPMENT REVIEW STAFF REPORT

ATTACHMENT 1
Annexation Schedule

ANNEXATION:

City Council first reading and public hearingSeptember 23, 2024

City Council public hearing and vote October 7, 2024



EXPLANATION TO COUNCIL BILL 2024-196 (MCGULL)

FILED: 09/04/2024

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 7.8 acres of property generally located at 3253 East Chestnut Expressway from HM, Heavy Manufacturing District to HC, Highway Commercial District; and adopting an updated Official Zoning Map. (By: Frisco Building, LLC; 3253 East Chestnut Expressway; Z-20-2024).

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 7.8 acres generally located at 3253 East Chestnut Expressway from HM, Heavy Manufacturing to HC, Highway Commercial. (Staff and Planning and Zoning Commission recommend approval).

BACKGROUND INFORMATION: ZONING CASE NUMBER Z-20-2024

The applicant is requesting to rezone approximately 7.8 acres generally located at 3253 East Chestnut Expressway from HM, Heavy Manufacturing to HC, Highway Commercial. The applicant is requesting to the HC district to establish commercial uses such as a restaurant that serves the public. There are no longer any uses utilizing the HM, Heavy Manufacturing zoning.

REMARKS: The Planning and Zoning Commission held a public hearing on August 22, 2024, and recommended approval, by a vote of 8 to 0.

The Planning and Development staff recommends the application be approved (see the attached Development Review Staff Report).

FINDINGS FOR STAFF RECOMMENDATION:

1. The applicant is requesting to rezone approximately 7.8 acres generally located at 3253 East Chestnut Expressway from HM, Heavy Manufacturing to HC, Highway Commercial. The applicant is requesting to the HC district to establish commercial uses such as a restaurant that serves the public. There are no longer any uses utilizing the HM, Heavy Manufacturing zoning.
2. The Comprehensive Plan's Land Use & Development chapter identifies the subject property as the Business Flex placetype. This placetype includes areas with an eclectic mix of light industrial, office, storage, warehouse, and distribution centers,

complemented by the occasional commercial sales and services. The property is proposed to allow HC uses, which would allow more commercial sales and services that are intended to complement the existing uses in the area.

3. This application is consistent with the Business Flex placetype that lists office, hospitality, retail sales and services as a supporting land use. Further, all other corners of the Chestnut Expressway and U.S. Highway 65 are zoning HC, Highway Commercial.

4. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this.

5. There are few changing conditions in the area affected that make the proposed rezoning necessary.

6. The range of uses in the proposed HC district is compatible with the uses permitted on other property in the immediate vicinity.

7. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.

8. The impact of the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity.

9. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.

10. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.

STAFF RECOMMENDATION: Staff recommends approval based on the proposal's general conformance to the Comprehensive Plan's Business Flex placetype and on the finding of facts above

Submitted By: Michael Sparlin, Senior City Planner

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

Maurice S. Jones, Deputy City Manager 9/12/2024

Attachments: 1. Z-20-2024 - _Ord
2. Z-20-2024_exh A

3. Z-20-2024_exh B
4. Z-20-2024_exh C

One-rdg. _____
P. Hrngs. X
Pgs. 19
Filed: 09-17-24

Sponsored by: McGull

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-196

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, 'Official
2 zoning map and rules for interpretation,' by rezoning approximately
3 7.8 acres of property generally located at 3253 East Chestnut
4 Expressway from HM, Heavy Manufacturing District to HC,
5 Highway Commercial District; and adopting an updated Official
6 Zoning Map.
7 _____
8

9 WHEREAS, an application has been filed for a zoning change of the property
10 generally located at 3253 East Chestnut Expressway from HM, Heavy Manufacturing
11 District to HC, Highway Commercial District; and
12

13 WHEREAS, following proper notice, the Planning and Zoning Commission held a
14 public hearing on August 22, 2024, a copy of the Record of Proceedings from said
15 public hearing being attached hereto and incorporated herein by this reference as
16 "Exhibit B," and said Commission made a unanimous recommendation of approval; and
17

18 WHEREAS, the City has reviewed the applicant's request and prepared a staff
19 report concerning the application, which is attached hereto and incorporated herein by
20 this reference as "Exhibit C"; and
21

22 WHEREAS, proper notice was given of a public hearing before City Council, and
23 said hearing was held in accordance with the law.
24

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

28 Section 1 – The property generally located at 3253 East Chestnut Expressway
29 and described in "Exhibit A," which is attached hereto and incorporated herein by this
30 reference, is hereby rezoned from HM, Heavy Manufacturing District to HC, Highway
31 Commercial District. Springfield Land Development Code, Section 36-306, 'Official
32 zoning map and rules for interpretation,' is hereby amended, changed, and modified
33 consistent with this Ordinance.

34 Section 2 – City Council hereby directs the City Manager, or designee, to update
35 the City's digital zoning map to reflect this rezoning, and City Council adopts the map
36 thereby amended as the Official Zoning Map of Springfield, Missouri, as provided for in
37 the Springfield Land Development Code, Section 36-306, 'Official zoning maps and
38 rules of interpretation.'

39
40 Section 3 – The Official Zoning Map herein adopted shall be maintained and
41 archived in the same digital form in which this Council has approved its adoption.

42
43 Section 4 – This Ordinance shall be in full force and effect from and after
44 passage.

45
46 Passed at meeting: _____

47
48 _____
49 Mayor

50
51 Attest: _____, City Clerk

52
53 Filed as Ordinance: _____

54
55 Approved as to form: Laura Vales, Assistant City Attorney

56
57 Approved for Council action: Jason A. Hays, City Manager
58
59

EXHIBIT A
LEGAL DESCRIPTION

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION SIXTEEN (16) TOWNSHIP TWENTY-NINE (29) NORTH. RANGE TWENTY-ONE (21) WEST: THENCE N 87°34'00" W. A DISTANCE OF 1060.7 FEET: THENCE N 02°26'00" E. A DISTANCE OF 63.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF CHESTNUT EXPRESSWAY. AS IT NOW EXISTS; THENCE S 89°29'50" E AND ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 36.03 FEET FOR A POINT OF BEGINNING; THENCE N 02°49'51" E. A DISTANCE OF 364.12 FEET; THENCE S 87°23'45" E. A DISTANCE OF 21.84 FEET: THENCE N 02°31'07" E. A DISTANCE OF 238.71 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION SIXTEEN (16): THENCE S 87°40'16" E ALONG SAID NORTH LINE. A DISTANCE OF 588.23 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 65: THENCE S 06°55'47" W ALONG SAID WESTERLY RIGHT-OF-WAY LINE. A DISTANCE OF 517.06 FEET: THENCE S 42°23'47" W. A DISTANCE OF 78.64 FEET TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF CHESTNUT EXPRESSWAY. AS IT NOW EXISTS; THENCE S 88°08'39" W AND ALONG SAID NORTH RIGHT-OF-WAY LINE. A DISTANCE OF 200.56 FEET: THENCE N 89°29'50" W AND CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE. A DISTANCE OF 322.08 FEET TO THE POINT OF BEGINNING. ALL BEING IN SPRINGFIELD. GREENE COUNTY, MISSOURI AND CONTAINING 7.84 ACRES MORE OR LESS AND SUBJECT TO ALL EASEMENTS OF RECORDS. SUBJECT, HOWEVER. TO ALL EXISTING INTERESTS, INCLUDING BUT NOT LIMITED TO ALL RESERVATIONS, RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

EXHIBIT B
RECORD OF PROCEEDING

Planning and Zoning Commission – August 22, 2024

Z-20-2024

3253 East Chestnut Expressway

Applicant: Frisco Building, LLC

Eric Pauly recused himself.

Mr. Sparlin stated that this is a request to rezone approximately 7.8 acres from HM, Heavy Manufacturing to HC, Highway Commercial.

Mr. Bob Newell, 3253 E. Chestnut Expressway and here to answer any questions.

Ms. Broekhoven closed the public hearing.

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to approve Z-20-2024, Commissioner Doennig seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles, Commissioner Doennig and Commissioner Scott. Nays: None. Absent: None. Abstain: None. Eric Pauly recused himself.



Bob Hosmer, AICP
Planning Manager



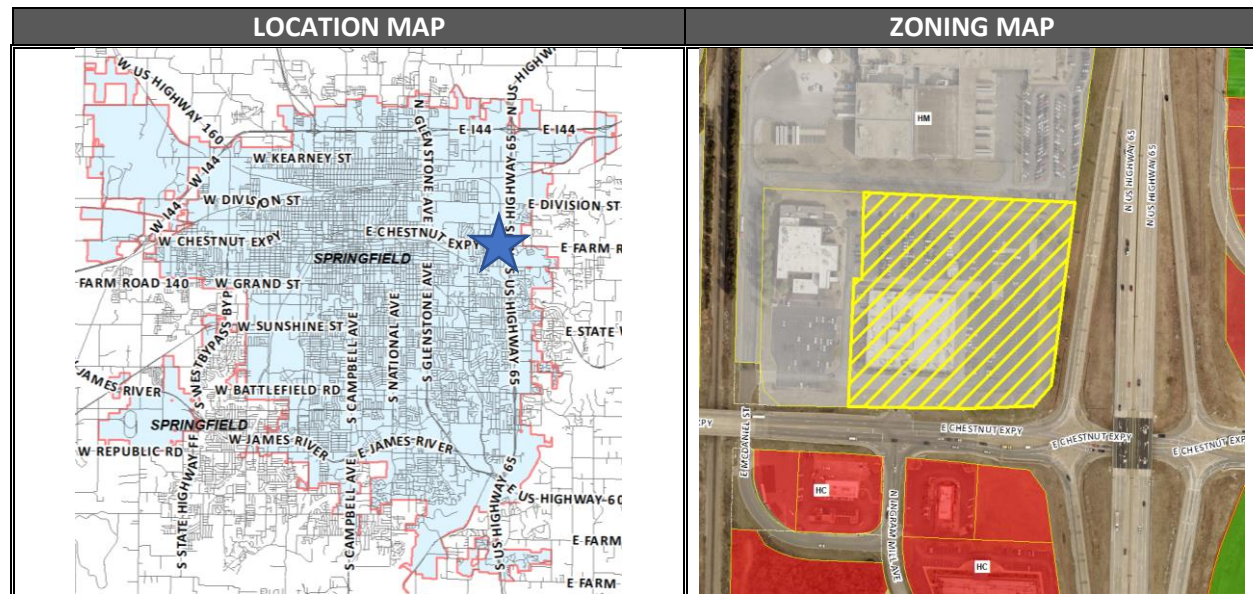
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Z-20-2024
Location:	3253 East Chestnut Expressway
Total Acres:	7.8 acres
Applicant:	Frisco Building LLC
Existing Land Use:	Office Use
Neighborhood Meeting:	July 18, 2024
Planning and Zoning Commission:	August 22, 2024
City Council:	September 23, 2024
Public Notification:	Mail, posted property, and legal in Daily Events
Staff:	Michael Sparlin, Senior Planner
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to recommend approval of rezoning case Z-20-2024 (All commission motions are made in the affirmative).
Required Vote:	A majority of those present (5 members are a quorum).

PROJECT SUMMARY:

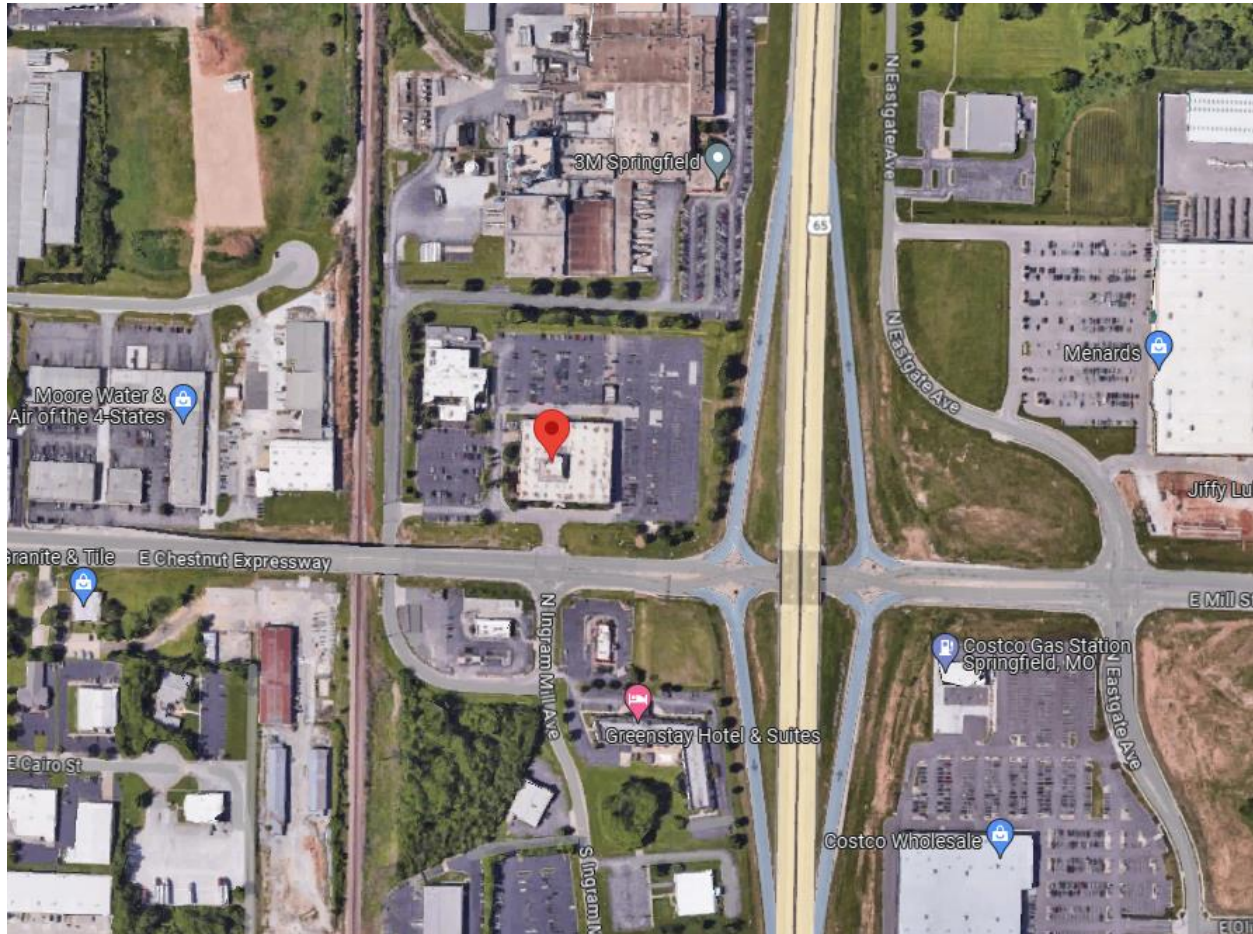
Request to rezone approximately 7.8 acres generally located at 3253 East Chestnut Expressway from HM, Heavy Manufacturing to HC, Highway Commercial.





DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE STREETVIEW:





DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

The subject property was zoned HM in the 1995 city-wide remapping.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

(a) Rezoning. If the application is for a reclassification of property to a different zoning district classification on the zoning map, the report of the planning and zoning commission may consider:

1. Whether the proposed zoning district classification is consistent with the Springfield Comprehensive Plan;
2. Whether there are any changed or changing conditions in the area affected that make the proposed rezoning necessary;
3. Whether the range of uses in the proposed zoning district classification are compatible with the uses permitted on other property in the immediate vicinity;
4. Whether adequate utility and sewer and water facilities exist or can be provided to serve the uses that would be permitted on the property if it were rezoned;
5. The impact the uses, which would be permitted if the property were rezoned, will have upon the volume of vehicular and pedestrian traffic and traffic safety in the vicinity;
6. Whether the proposed rezoning would correct an error in the application of this article as applied to the subject property;
7. Whether a reasonably viable economic use of the subject property will be precluded if the proposed rezoning is denied; and
8. Information submitted at the public hearing.

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR HC
Use Limitations	(a) Streets through adjacent residential areas shall not be used to provide principal access for truck traffic to any nonresidential use in this district except on streets classified as expressways, arterials, or collectors. (b) No motor vehicle repair or maintenance work shall take place outdoors within 150 feet of the boundary of any residential district. (c) All sales, display or outdoor storage areas that would be routinely disturbed because of the nature of the activity being conducted or because of vehicular traffic, except those areas of nurseries and garden centers where living plants are located, shall be paved or otherwise improved with an all-weather, dust-free surface. (d) All uses shall operate in accordance with the noise standards contained in section 36-485, noise standards.



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	(e) No use shall emit an odor that creates a nuisance as determined by chapter 2A, article X, Springfield City Code. (f) Uses on parcels not served by public water and public sewer shall meet the requirements of subsection 36-303(22).
Maximum Structure Height	None, except that all structures shall remain below a 30-degree bulk plane as measured from the boundary of any R-SF or R-TH district.
Minimum Open Space	Not less than 20 percent

COMPATIBILITY WITH COMPREHENSIVE PLAN:

PLACETYPE:

The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property within the Business Flex placetype.

This placetype includes areas with an eclectic mix of light industrial, office, storage, warehouse, and distribution centers, complemented by the occasional commercial sales and services. Business Flex areas are located on secondary roadways, where good street connectivity and access to major roadways and distribution routes can be easily accessed. Located in expanded areas adjacent to higher, more intense industrial uses and city corridors, Business Flex provide support services, sales, service, and supply of goods to consumers and contractors, where high visibility road frontage is not a priority. Planning for this placetype focuses on ensuring Business Flex operations have sufficient land available to expand and grow, while not dominating corridors where high visibility, retail frontage is prioritized.

Placetypes are not as rigid as zoning districts and allow for supporting or ancillary uses which complement and enhance its sense of place; as an extension of this, a single placetype is not likely to be defined by a single zoning district or even a collection of closely related zoning districts (e.g. industrial districts), but rather a mix of tangentially related zoning districts which together form a cohesive sense of place when developed with similar character, scale, and form.

Primary Land Uses:

- Maker spaces, artisan, and innovation spaces
- Personal and outdoor storage
- Light industry
- Warehousing and distribution facilities

Supporting Land Uses:

- Parks, greenways and open space
- Sports complexes and recreational facilities
- Urban agriculture
- Office, hospitality, retail sales and service



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- Universities, colleges, and vocational schools Government, healthcare and institutional facilities
- Airport, railroad, and freight facilities

Characteristics

Transportation and Infrastructure

- Access management is improved for vehicles through curb cut consolidation and cross-access between commercial properties, reducing traffic conflicts and backups.
- Electric vehicle charging facilities are integrated and incentivized into development plans.
- As technology, trends, and funds permit, utilities are buried or consolidated along rear property lines, reducing conflicts with street trees, pedestrian infrastructure, and viewsheds.
- Best management practices for stormwater management are required in development projects and within public rights-of-way, such as permeable paving, rain gardens, green roofs, native landscaping, and other low impact design strategies.
- Pedestrian and bicycle infrastructure, and micro-mobility are integrated.

Urban Design- Building and Site Typology

- Perimeter landscaping screens surface parking lots that accommodate the high number of employees, vehicles, delivery, and large truck traffic.
- Outside storage, auto oriented, or light industrial uses are screened from view from the right-of-way.
- Use of quality materials, construction methods, workmanship, and design should be incorporated into new development and redevelopment.
- A mix of building heights is supported through structured site and building design strategies to soften the impact on adjacent lower intensity residential development.
- Lighting, landscaping, signage, mail, and delivery accommodations should also be proactively incorporated into the site design.
- Design should discourage the placement of mechanical equipment along major roadways or should be completely screened, along with trash receptacles, and recycling bins.

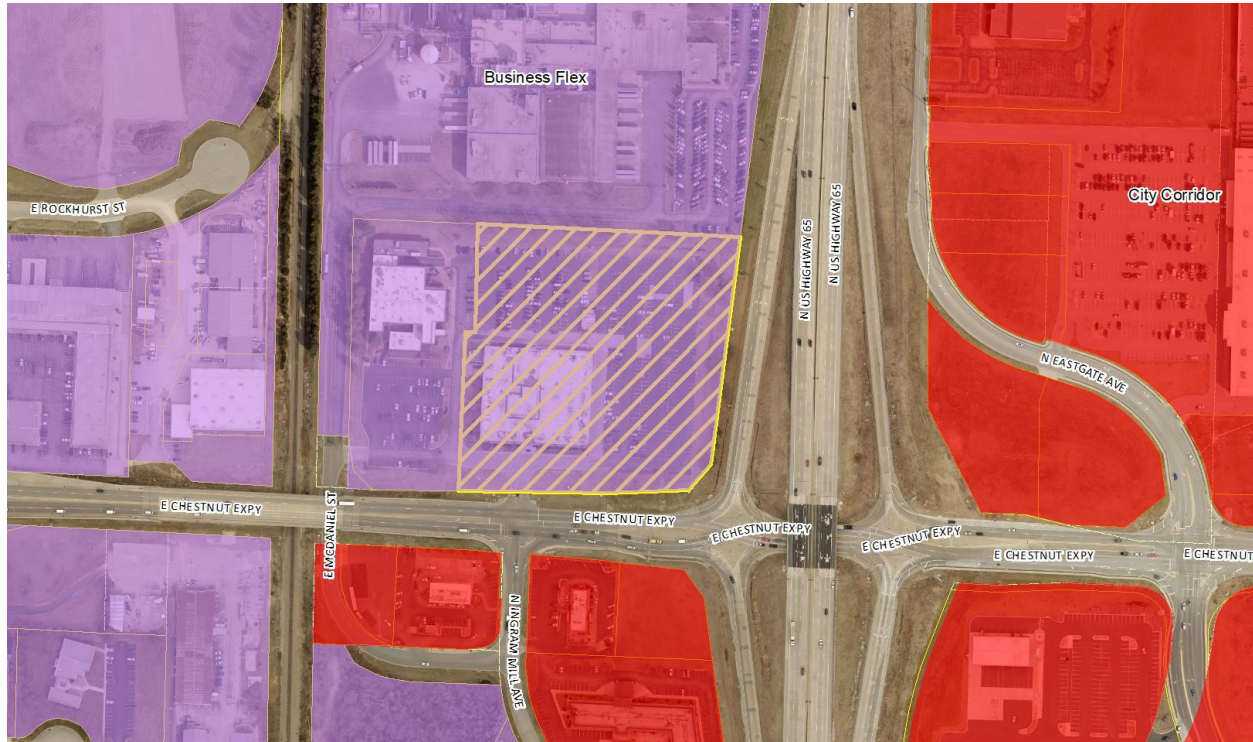
Transitions

- Appropriate site design, parking access, massing, building orientation, screening, buffering, and separation standards are adopted and used to mitigate adjacent incompatible uses.
- Commercial and smaller office uses within the placetype are directed to its perimeter to provide a gradual transition into surrounding placetypes.



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FUTURE PLACETYPE MAP:



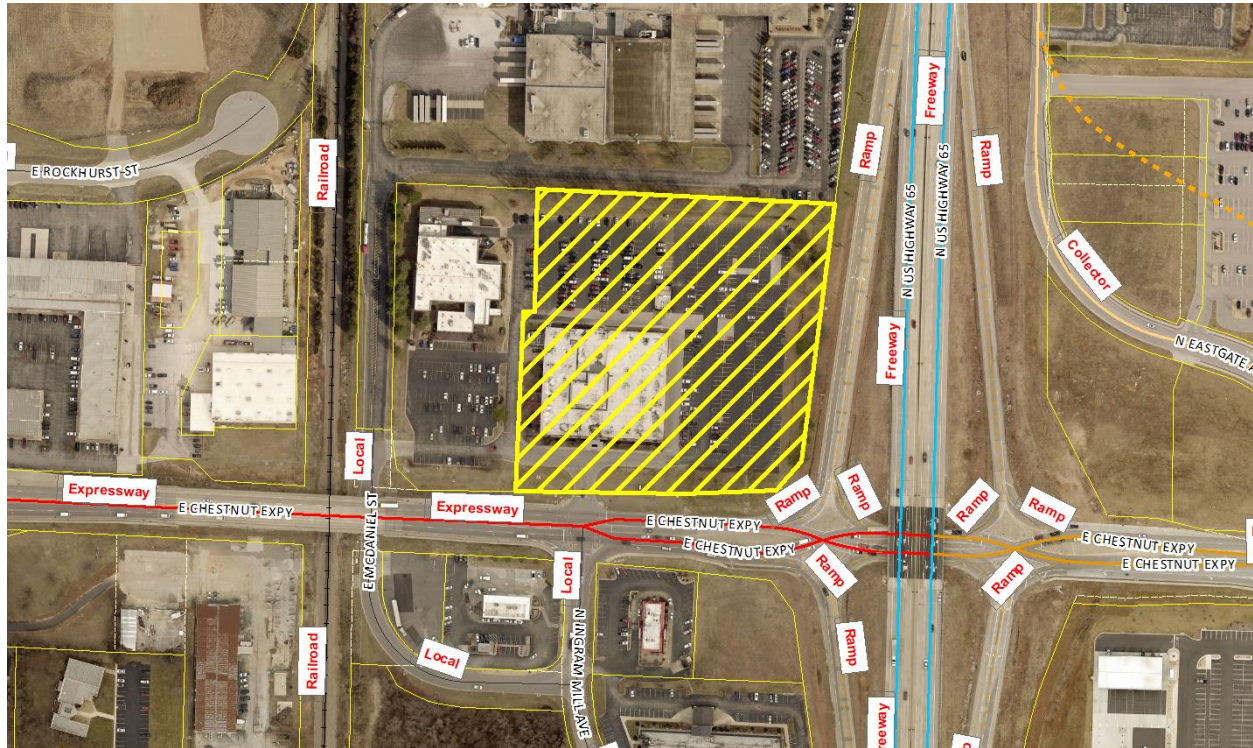
PLACETYPES	LAND USES														
	Single Family Detached	Single Family Attached	Multi-family	Parks & Open Space	Sports Complexes & Recreational Facilities	Urban Agriculture	Office, Hospitality, Retail Sales & Service	Neighborhood Commercial	Major Retail & Wholesale	Public & Private Schools & Places of Worship	Government, Colleges & Vocational Schools	Personal Services, Healthcare & Institutional Facilities	Light Industry	Warehousing & Distribution Facilities	Heavy Industry & Manufacturing
Residential Neighborhood	●	○	◇	○	○	○	○	○	○	○	○	○	○	○	○
Mixed Residential	●	●	○	○	○	○	○	○	○	○	○	○	○	○	○
Downtown	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Mixed-Use	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
City Corridor	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Institutional & Employment Center	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Business Flex	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Industry & Logistics	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Urban Green Space & Recreation	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○

- **Primary Land Use:**
More prominent and play a pivotal role in characterizing that placetype
- **Supporting Land Use:**
Less prevalent and serve to support the primary land use.
- ◇ **Low Intensity Supporting Land Use:**
Less prevalent and serve to support the primary use at neighborhood scale



DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	HM	HC	Highway 65, HC	HM
LAND USE	Manufacturing use	Restaurant	Highway, Commercial uses	Office use
PLACETYPES	Business Flex	City Corridor	City Corridor	Business Flex

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

No issues

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No issues. Tract has access to public sewer.

FIRE DEPARTMENT:



DEVELOPMENT REVIEW STAFF REPORT

No objections to rezoning.

DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

	Street Name	Street Classification	Jurisdiction	ROW from Centerline (ft.)		Traffic Count (vehicles per day)	On-Street Parking	Sidewalk	
				Required	Existing			Required	Existing
Street 1	E. Chestnut Expressway	Expressway	MoDOT	65	65+	33,887	No	No	No
Street 2	N. US Highway 65	Freeway	MoDOT	Var.	Var.	34,880	No	No	No

ACCESS - All new or modified driveway approaches shall comply with current MoDOT and City of Springfield standards for the street classification.

TRAILS, BUS STOPS, AND ADDITIONAL INFORMATION - There are no Greenway Trails near the property. There are no bus stops near the property.

IMPROVEMENTS - No improvements are required for this rezoning. A traffic study may be required at the time of development.

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

The property is in the **Jordan Creek South Branch** drainage basin. The property **is not** located in a FEMA designated floodplain. Staff **is not** aware of flooding problems in the local or downstream area. The city **is not** aware of a sinkhole or other Karst feature at this location. The property **does not have a stream buffer on site**.

A fee in lieu of on-site stormwater detention **will not be allowed and detention is required**.

PW Stormwater has no concerns for the proposed zoning change. Please note that development of the property will be subject to the following conditions at the time of development:

All chapter and section references below are to the City's Flood Control and Water Quality Protection Manual Version April 2022.

DETENTION AND DISCHARGE REQUIREMENTS

1. Any development or redevelopment that increases runoff, through the increase in impervious surface, current detention requirements must be met per Chapter 3 Sec. 2.3.3. The site is 90% existing impervious area with an existing detention basin. Any redevelopment needs to maintain the detention volume and increase it if the impervious area is increased.

WATER QUALITY REQUIREMENTS



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1. Water Quality is required for new development projects or redevelopment projects, with new or increased impervious surfacing, within the city limits of Springfield that disturb 1 acre or greater. Including projects less than 1 acre that are part of a larger common plan of development or sale that will disturb 1 or more acres over the life of the project. Chapter 10 Sec. 2.0.
2. A land disturbance permit will be required with disturbing 1 acre or greater per Chapter 4 Section 5 of the City's Flood Control and Water Quality Protection Manual.
3. Water Quality Credits are available to use in design for preserved trees and new planted trees. Landscaping and bufferyards trees required by planning cannot be used for the water quality credits unless it is part of a SCM. Chapter 10, Section 3.1.

FLOODPLAIN

N/A

NATURAL CHANNEL & STREAM BUFFERS

N/A

SINKHOLES & KARST FEATURES

N/A

ADDITIONAL STORMWATER REQUIREMENTS

1. Stormwater Control Measures are the responsibility of the property owner or property owners' association to maintain, repair, and update unless the agreement is made with the City to operate. Operation and maintenance agreements are required for any permanent stormwater control measures.

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to rezone approximately 7.8 acres generally located at 3253 East Chestnut Expressway from HM, Heavy Manufacturing to HC, Highway Commercial. The applicant is requesting to the HC district to establish commercial uses such as a restaurant that serves the general public. There are no longer any uses utilizing the HM, Heavy Manufacturing zoning.
2. The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the Business Flex placetype. This placetype includes areas with an eclectic mix of light industrial, office, storage, warehouse, and distribution centers, complemented by the occasional commercial sales and services. The property is proposed to allow HC uses which would allow more commercial sales and services that is intended to complement the existing uses in the area.
3. This application is consistent with the Business Flex placetype that lists office, hospitality, retail sales and services as a supporting land use. Further, all other corners of the Chestnut Expressway and U.S. Highway 65 are zoning HC, Highway Commercial.



DEVELOPMENT REVIEW STAFF REPORT

4. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this.
5. There are few changing conditions in the area affected that make the proposed rezoning necessary.
6. The range of uses in the proposed HC district is compatible with the uses permitted on other property in the immediate vicinity.
7. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.
8. The impact of the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity.
9. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.
10. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.

STAFF RECOMMENDATION:

1. Staff recommends approval based on the proposal's general conformance to the Comprehensive Plan's Business Flex placetype and on the finding of facts above.

PLANNING AND ZONING OPTIONS:

The planning and zoning commission shall make one of the following recommendations in connection with each proposed change in zoning district classification of this article:

1. Recommend against the proposed change in the zoning district classification.
2. Recommend a change in the zoning district classification.
3. Recommend a change in the zoning district classification together with recommendations which, in the judgment of the planning and zoning commission, will protect adjacent property and ensure that the proposed amendment is consistent with the purpose and intent of this article.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

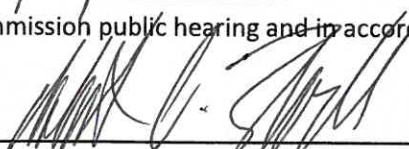
1. Request change to zoning from: Heavy Manufacturing (HM) to Highway Commercial (HC)
(existing zoning) (proposed zoning)
2. Meeting Date & Time: Thursday, July 18th 4pm - 6:30pm
3. Meeting Location: 1st Floor Conference Room/Frsico Building
4. Number of invitations that were sent: 56
5. How the mailing list was generated: By City Staff
6. Number of neighbors in attendance (attach a sign-in sheet): _____
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved).

N/A

8. List or attach the written comments and how you plan to address any issues:

N/A

I, Bob Newell (print name), attest that the neighborhood meeting was held on 7/18/24 (month/date/year), and is at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing and in accordance with the attached "Neighborhood Notification and Meeting Process."


Signature of person completing affidavit

Bob Newell
Printed name of person completing affidavit

Frisco Building Rezoning Neighborhood Meeting				
Name	Company	Address	Email	Phone number
1				
2				
3				
4				
5				
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EXPLANATION TO COUNCIL BILL 2024-197 (SIMPSON)

FILED: 09/04/2024

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 11.5 acres of property generally located at 3525 East Battlefield Road from GR, General Retail with Conditional Overlay District No. 180 to GI, Government and Institutional Use District with Conditional Overlay District No. 259; and adopting an updated Official Zoning Map. (By: Lester E. Cox Medical Centers; 3525 East Battlefield Road; Z-21-2024 w/Conditional Overlay District No. 259).

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 11.5 acres generally located at 3525 East Battlefield Road from GR, General Retail with Conditional Overlay District No. 180 to GI, Government and Institutional Use District (Staff and Planning and Zoning Commission recommend approval).

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-21-2024/ CONDITIONAL OVERLAY DISTRICT NO. 259

The applicant is requesting to rezone approximately 11.5 acres generally located at 3525 East Battlefield Road from GR, General Retail with Conditional Overlay District No. 180 to GI, Government and Institutional Use District with Conditional Overlay District No. 259. The applicant, Cox HealthHealth, is rezoning for future development of the subject property.

REMARKS: The Planning and Zoning Commission held a public hearing on August 22, 2024, and recommended approval, by a vote of 9 to 0.

The Planning and Development staff recommends the application be approved (see the attached Development Review Staff Report).

FINDINGS FOR STAFF RECOMMENDATION:

1. The applicant is requesting to rezone approximately 11.5 acres generally located at 3525 East Battlefield Road from GR, General Retail with Conditional Overlay District No. 180 to GI, Government and Institutional Use District with Conditional Overlay District No. 259. The applicant, Cox HealthHealth, is rezoning for future development of the subject property.

2. The Comprehensive Plan's Land Use & Development chapter identifies the subject property as the Institutional and Employment Center placetype. This placetype contains

a variety of major medical and office parks, and a collection of institutional and employer campuses. Large campuses are supported by small commercial sales and service business, and a mix of community-orientated amenities.

3. This application is consistent with the recommended placetype which lists government, healthcare, and institutional facilities as a primary use.
4. The subject property is located near one of Springfield's major intersections of Battlefield Road and U.S. Highway 65, classified as a primary arterial and freeway, respectively.
5. The proposed COD requires a traffic study at the time of development.
6. The GI district is established to apply to those lands where federal, state or local government activities are conducted, where governments hold title to such lands, and to major public and private educational and medical facilities. It is not intended to classify all lands owned by government into this district, but only those uses that are comparatively intensive or which require substantial buildings.
7. The subject property has access to City Utilities' infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this.
8. There are few changing conditions in the area affected that make the proposed rezoning necessary. Minor development of property within the vicinity has been occurring.
9. The range of uses in the proposed GI district is compatible with the uses permitted on other property in the immediate vicinity. The property to the north is zoned GI and is owned by City Utilities.
10. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.
11. The impact of the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity.
12. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.
13. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.



STAFF RECOMMENDATION: Staff recommends approval based on the proposal's general conformance to the Comprehensive Plan's Institutional & Employment Center placetype and on the finding of facts above.

Submitted By: Michael Sparlin, Senior City Planner

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

Maurice S. Jones, Deputy City Manager 9/12/2024

- Attachments:**
1. Z-21-2024 COD 259 _Ord
 2. Z-21-2024 COD 259_exh A
 3. Z-21-2024 COD 259_exh B
 4. Z-21-2024 COD 259_exh C
 5. Z-21-2024 COD 259_exh D

One-rdg. _____
P. Hrngs. X
Pgs. 20
Filed: 09-17-24

Sponsored by: Simpson

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-197

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, 'Official
2 zoning map and rules for interpretation,' by rezoning approximately
3 11.5 acres of property generally located at 3525 East Battlefield
4 Road from GR, General Retail with Conditional Overlay District No.
5 180 to GI, Government and Institutional Use District with
6 Conditional Overlay District No. 259; and adopting an updated
7 Official Zoning Map.
8 _____
9

10 WHEREAS, an application has been filed for a zoning change of the property
11 generally located at 3525 East Battlefield Road from GR, General Retail with
12 Conditional Overlay District No. 180 to GI, Government and Institutional Use District
13 with Conditional Overlay District No. 259; and
14

15 WHEREAS, Conditional Overlay District No. 259 shall modify the requirements of
16 the Springfield Land Development Code Section 36-401, GI, Government and
17 Institutional Use District, by requiring that the property described in "Exhibit B" comply
18 with the requirements described in "Exhibit A," both attached hereto and incorporated
19 herein by this reference; and
20

21 WHEREAS, following proper notice, the Planning and Zoning Commission held a
22 public hearing on August 22, 2024, a copy of the Record of Proceedings from said
23 public hearing being attached hereto and incorporated herein by this reference as
24 "Exhibit C," and said Commission made its unanimous recommendation for approval;
25 and
26

27 WHEREAS, the City has reviewed the applicant's request and prepared a staff
28 report concerning the application, which is attached hereto and incorporated herein by
29 this reference as "Exhibit D"; and
30

31 WHEREAS, proper notice was given of a public hearing before City Council, and
32 said hearing was held in accordance with the law.
33

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

36
37 Section 1 – The property described in "Exhibit B" is hereby rezoned from GR,
38 General Retail with Conditional Overlay District No. 180 to GI, Government and
39 Institutional Use District with Conditional Overlay District No. 259. Springfield Land
40 Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' is
41 hereby amended, changed, and modified consistent with this Ordinance.

42
43 Section 2 – City Council hereby establishes Conditional Overlay District No. 259,
44 which shall contain the requirements and standards provided in "Exhibit A." The
45 requirements of Conditional Overlay District No. 259 shall modify the requirements of
46 the Springfield Land Development Code Section 36-401, GI, Government and
47 Institutional Use District, by requiring the property described in "Exhibit B" to comply
48 with the requirements contained in "Exhibit A."

49
50 Section 3 – City Council hereby directs the City Manager, or designee, to update
51 the City's digital zoning map to reflect this rezoning, and City Council adopts the map
52 thereby amended as the Official Zoning Map of Springfield, Missouri, as provided for in
53 the Springfield Land Development Code, Section 36-306, 'Official zoning maps and
54 rules of interpretation.'

55
56 Section 4 – The Official Zoning Map herein adopted shall be maintained and
57 archived in the same digital form in which this Council has approved its adoption.

58
59 Section 5 – This Ordinance shall be in full force and effect from and after
60 passage.

61
62 Passed at meeting: _____

63
64
65 _____
66 Mayor

67 Attest: _____, City Clerk

68
69 Filed as Ordinance: _____

70
71 Approved as to form: Laura Vales, Assistant City Attorney

72
73 Approved for Council action: Jason A. Hage, City Manager
74
75

EXHIBIT A
PROVISIONS FOR CONDITIONAL OVERLAY DISTRICT NO. 259

The requirements of Section 36-401 of the Springfield Zoning Ordinance shall be modified herein for development within this district to include the following:

Off-site improvements related directly to the intensity of development shall be required at the time of development. To determine the off-site improvements needed for the intensity of development, a traffic impact study (TIS) that is in a format acceptable to the City shall be submitted at the time of development. Development shall be approved only after the TIS is approved by the City Traffic Engineer, and only after the off-site improvements determined necessary by the TIS are incorporated into the approved site plan, public improvement plan, or other permits (as applicable). These off-site improvements shall be constructed at no cost to the City and in accordance with the requirements in Section 36-250 and applicable section of the Public Works Design Standards. All public improvements must be constructed and approved, or funds escrowed for such permits, prior to the issuance of any building permits.

EXHIBIT B
LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE WEST HALF OF LOT ONE OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 28 NORTH, RANGE 21 WEST, SPRINGFIELD, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER;
THENCE SOUTH 87°05'08" EAST, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 1340.47 FEET TO THE SOUTHEAST CORNER OF SAID WEST HALF OF LOT ONE;
THENCE NORTH 01°12'33" EAST, ALONG THE EAST LINE OF SAID WEST HALF, A DISTANCE OF 564.70 FEET FOR THE POINT OF BEGINNING;
THENCE NORTH 88°47'59" WEST, A DISTANCE OF 164.12 FEET;
THENCE SOUTH 79°03'33" WEST, A DISTANCE OF 401.85 FEET TO A POINT ON THE EAST RIGHT OF WAY OF HIGHWAY 65;
THENCE ALONG SAID EAST RIGHT OF WAY THE FOLLOWING SIX COURSES;
THENCE NORTH 10°56'23" WEST A DISTANCE OF 447.82 FEET;
THENCE NORTH 18°24'28" EAST A DISTANCE OF 66.59 FEET;
THENCE NORTH 00°55'50" EAST A DISTANCE OF 20.00 FEET;
THENCE NORTH 24°07'19" WEST A DISTANCE OF 23.73 FEET;
THENCE NORTH 03°17'07" WEST A DISTANCE OF 135.37 FEET;
THENCE NORTH 00°55'50" EAST A DISTANCE OF 186.39 FEET TO A POINT ON THE NORTH LINE OF SAID WEST HALF OF LOT ONE;
THENCE SOUTH 87°10'36" EAST, ALONG THE NORTH LINE OF SAID WEST HALF OF LOT ONE, A DISTANCE OF 653.55 FEET TO THE NORTHEAST CORNER OF SAID WEST HALF OF LOT ONE;
THENCE SOUTH 01°12'33" WEST, ALONG THE EAST LINE OF SAID WEST HALF, A DISTANCE OF 761.16 FEET TO THE POINT OF BEGINNING.
CONTAINING 504,079 SQ FT OR 11.57 ACRES

EXHIBIT C
RECORD OF PROCEEDING

Planning and Zoning Commission – August 22, 2024

Z-21-2024 COD 259

3525 East Battlefield Road

Applicant: Lester E Cox Medical Centers

Mr. Sparlin stated that this is a request to to rezone approximately 11.5 acres from GR, General Retail with Conditional Overlay District No. 180 to GI, Government and Institutional Use District with Conditional Overlay District No. 259.

Mr. Anthony Swanigan, 5051 S. National here as the applicant's representative and received great feedback from the neighborhood meeting and here to answer any questions.

Ms. Broekhoven closed the public hearing.

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to approve Z-21-2024 COD 259, Commissioner Colony seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles, Commissioner Doennig and Commissioner Scott. Nays: None. Absent: None. Abstain: None.



Bob Hosmer, AICP
Planning Manager



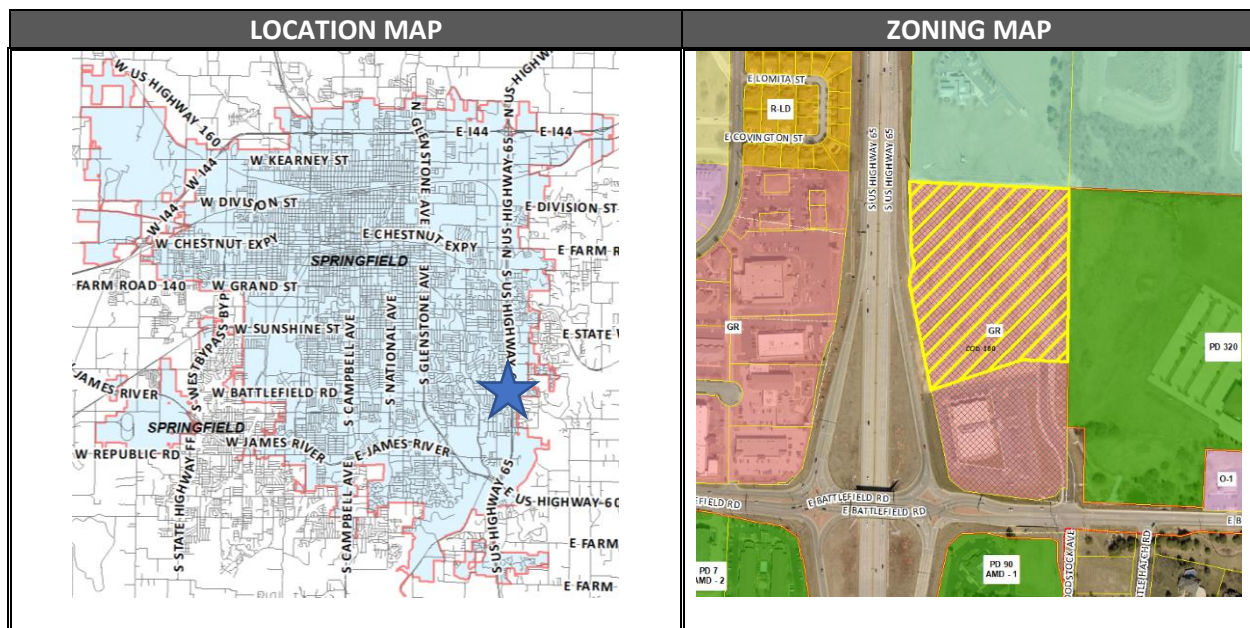
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Z-21-2024 with Conditional Overlay District No. 259
Location:	3525 East Battlefield Road
Total Acres:	11.5 acres
Applicant:	Lester E. Cox Medical Centers
Existing Land Use:	Undeveloped land
Neighborhood Meeting:	July 16, 2024
Planning and Zoning Commission:	August 22, 2024
City Council:	September 23, 2024
Public Notification:	Mail, posted property, and legal in Daily Events
Staff:	Michael Sparlin, Senior Planner
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to recommend approval of rezoning case Z-21-2024 with Conditional Overlay District No. 259 as set forth in Attachment 1 (All commission motions are made in the affirmative).
Required Vote:	A majority of those present (5 members are a quorum).

PROJECT SUMMARY:

Request to rezone approximately 11.5 acres generally located at 3525 East Battlefield Road from GR, General Retail with Conditional Overlay District No. 180 to GI, Government and Institutional Use District.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE STREETVIEW:



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

The subject property was zoned to R-SF in a community-wide rezoning to the current Zoning Ordinance regulations in March 1995 and was later rezoned to Planned Development No. 226 in March 1999 (G.O. 4874).

The subject property was zoned to its current GR zoning in January 2020.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

(a) Rezoning. If the application is for a reclassification of property to a different zoning district classification on the zoning map, the report of the planning and zoning commission may consider:

1. Whether the proposed zoning district classification is consistent with the Springfield Comprehensive Plan;
2. Whether there are any changed or changing conditions in the area affected that make the proposed rezoning necessary;
3. Whether the range of uses in the proposed zoning district classification are compatible with the uses permitted on other property in the immediate vicinity;
4. Whether adequate utility and sewer and water facilities exist or can be provided to serve the uses that would be permitted on the property if it were rezoned;
5. The impact the uses, which would be permitted if the property were rezoned, will have upon the volume of vehicular and pedestrian traffic and traffic safety in the vicinity;
6. Whether the proposed rezoning would correct an error in the application of this article as applied to the subject property;
7. Whether a reasonably viable economic use of the subject property will be precluded if the proposed rezoning is denied; and
8. Information submitted at the public hearing.

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR GI
Use Limitations	(a) No landfill activities shall occur within 1,000 feet of a residential district. (b) All uses shall operate in accordance with the noise standards contained in section 36-485, noise standards. (c) No use shall emit an odor that creates a nuisance as determined by chapter 2A, article X, Springfield City Code. (d) Uses on parcels not served by public water and public sewer shall meet the requirements of subsection 36-303(22).

DEVELOPMENT REVIEW STAFF REPORT

Maximum Structure Height	None, except that all structures shall remain below a 30-degree bulk plane as measured from the boundary of any R-SF or R-TH district.
Minimum Open Space	Not less than 20 percent

COMPATIBILITY WITH COMPREHENSIVE PLAN:

PLACETYPE:

The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property within the Institutional and Employment Center placetype.

The Institutional and Employment Center placetype contains a variety of major medical and office parks, and a collection of institutional and employer campuses. Large campuses are supported by small commercial sales and service business, and a mix of community-orientated amenities. Student housing is also a common component. In the case of universities or colleges, along with mixed housing types located along the fringes and transitional areas, providing housing near major employers is important. Areas within this placetype act as centers of culture, education, and business development, while providing numerous employment opportunities for residents of Springfield and others from the region. As Institutional and Employment Centers provide vital jobs and services to the entire metro area, multimodal accessibility and public transit connectivity are key components of this placetype. Underutilized parcels are assembled and redeveloped into more intense supporting uses or higher density housing developments where appropriate, to increase activity within the center. Planning for Institutional and Employment Center placetype focuses on infrastructure and corridor improvements to facilitate traffic flow, multimodal connectivity, and streetscaping improvements, needed to enhance the character and connectivity of key corridors. As these centers of activity receive high volumes of visitors and commuters into the City, it is essential that the quality of development and visual appeal of the corridors remain attractive and representative of the City's desired image.

Primary Land Uses:

- Universities, colleges, and vocational schools
- Government, healthcare, and institutional facilities

Supporting Land Uses:

- Single-family detached
- Single-family attached
- Multi-family
- Parks, greenways, and open space
- Sports complexes and recreational facilities
- Office, hospitality, retail sales and service
- Maker, artisan, and innovations spaces
- Public and private schools and places of worship

Characteristics

DEVELOPMENT REVIEW STAFF REPORT

TRANSPORTATION & INFRASTRUCTURE

- Access management is improved for vehicles through curb cut consolidation and cross-access between commercial properties, reducing traffic conflicts and backups.
- Electric vehicle charging facilities, pedestrian and bicycle infrastructure, and automated vehicle parking and loading spaces are integrated along major corridors, installed at key destinations, and incorporated into private development plans.
- As technology, trends, and funds permit, utilities are buried or consolidated along rear property lines, reducing conflicts with street trees, pedestrian infrastructure, and viewsheds.
- Transit service is expanded along key commercial corridors over the long term with bus stops enhanced with shelters and live timetables.
- The pedestrian environment is enhanced with expanded sidewalks and pedestrian infrastructure, such as benches, pedestrian-scaled lighting, and street trees.
- Best management practices for stormwater management are required in development projects and within public rights-of-way, such as permeable paving, rain gardens, green roofs, native landscaping, and other low impact design strategies.

URBAN DESIGN - BUILDING AND SITE TYPOLOGY:

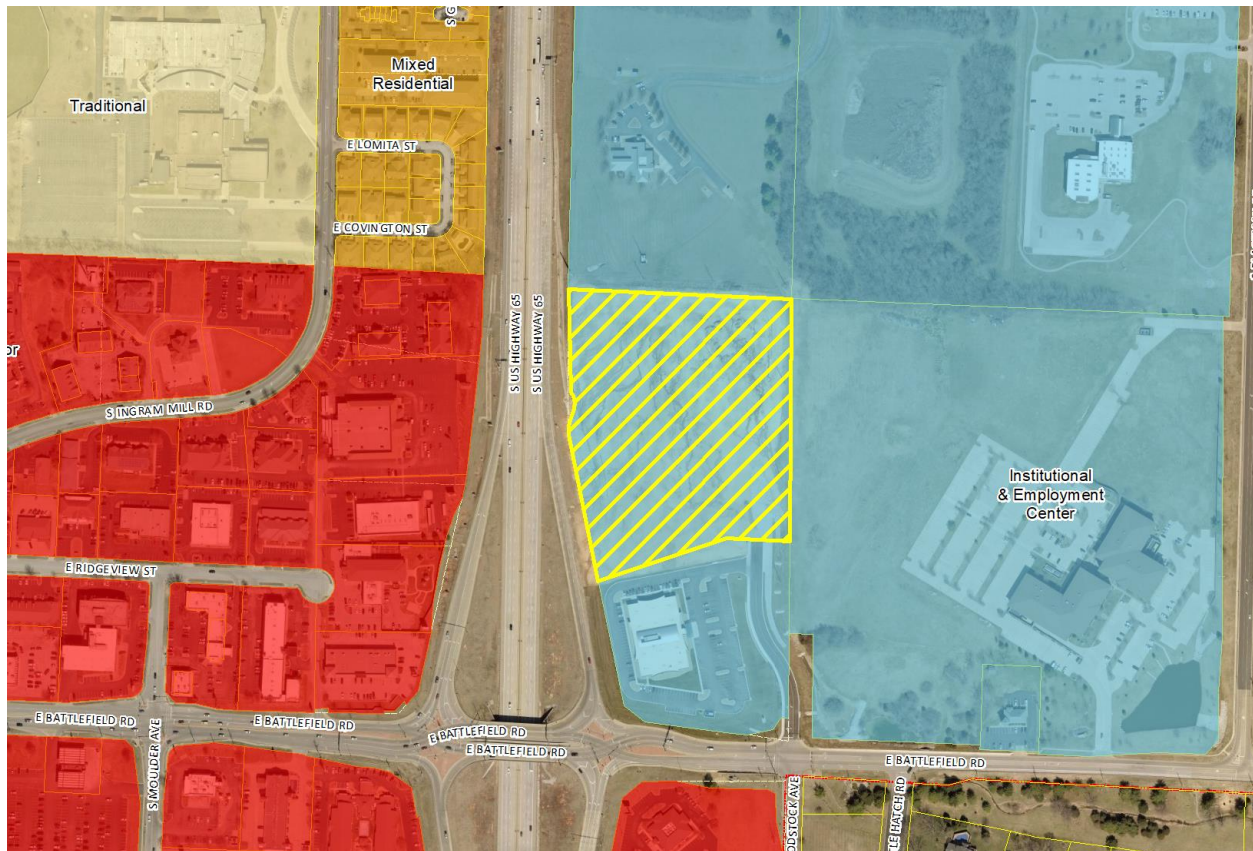
- Parking should be located behind or beside the primary buildings with abundant landscaping and screening to encourage greater interest and interaction between the adjoining street and the building, that contributes to community-wide quality of place.
- Pedestrian pathways within large parking lots provide safe access to business entrances.
- Character is enhanced by gateway features, landscaping, and branding elements, particularly within university, health care campuses, and innovation districts, to identify entry into campus areas.
- A greater focus on site design, parking access, massing, and building orientation are adopted to ensure development that is complementary to adjacent lower density residential development.
- Lighting, signage, landscaping, mail, and delivery accommodations should also be proactively incorporated into the site design.
- Multi-story buildings designed with active ground floor spaces should be visible and inviting with a high degree of transparency using clear glass windows and doors to increase a vibrant pedestrian environment.
- Use of quality materials, construction methods, workmanship, and design should be incorporated into new development and redevelopment.
- A mix of building heights is supported through structured site and building design strategies to soften the impact on adjacent lower intensity residential development.
- Design should avoid the placement of mechanical equipment along major roadways or should be completely screened, along with adequate spacing for storage of waste receptacles.

TRANSITIONS:

- Strong connections to local universities, innovation districts, and neighborhoods are established through branding and connectivity.
- More intense institutional and employment uses and supporting uses are sufficiently separated and buffered from lower intensity residential uses.

DEVELOPMENT REVIEW STAFF REPORT

FUTURE PLACETYPE MAP:

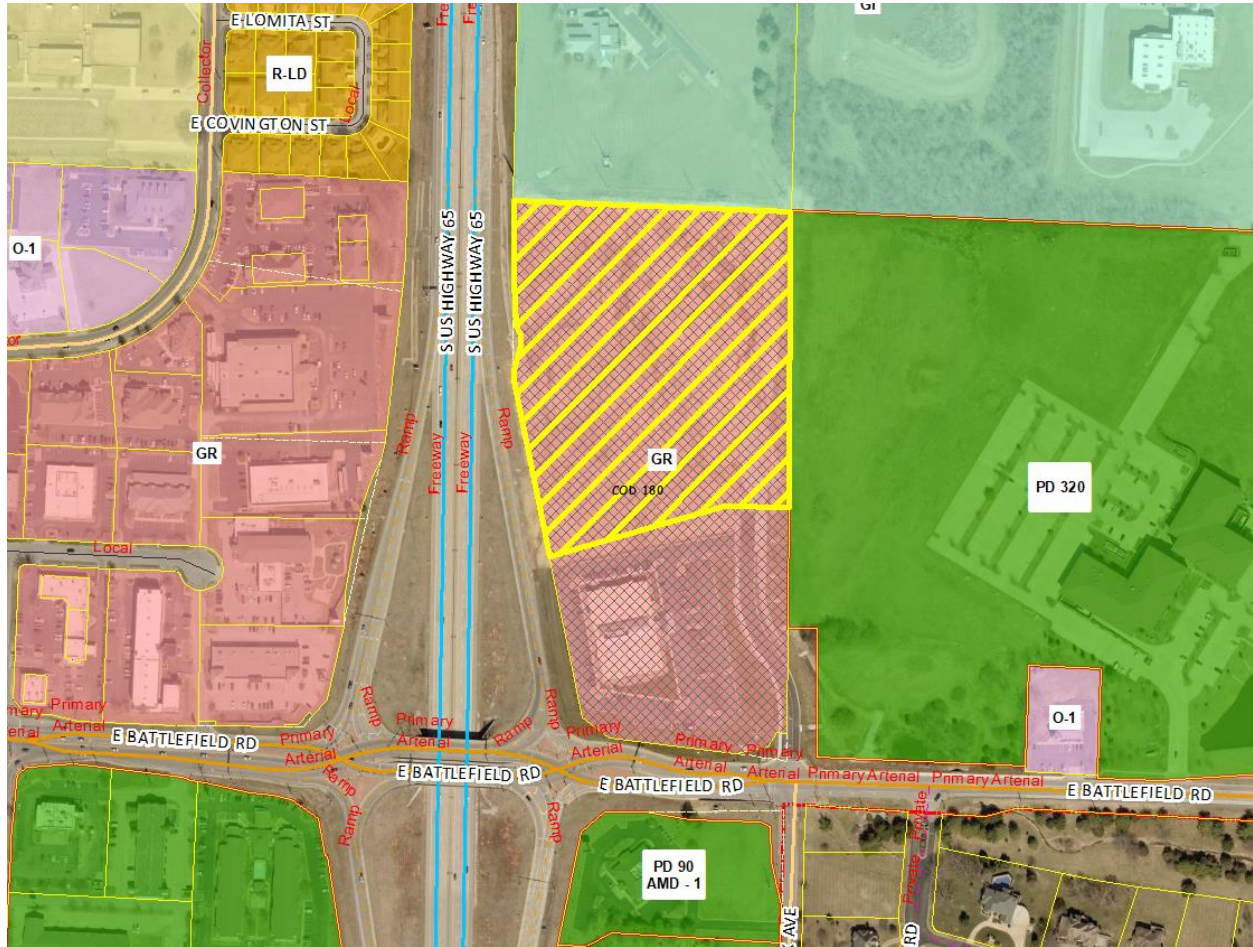


PLACETYPES	LAND USES														
	Single Family Detached	Single Family Attached	Multi-family	Parks & Open Space	Sports Complexes & Recreational Facilities	Urban Agriculture	Office, Hospitality, Retail Sales & Service	Neighborhood Commercial	Major, Artisan & Innovation Spaces	Public & Private Schools & Places of Worship	Universities, Colleges & Vocational Schools	Government, Healthcare & Institutional Facilities	Personal Storage, Outdoor Sales & Service	Light Industry	Warehousing & Distribution Facilities
Residential Neighborhood	●	○	◇	○	◇	◇	○								
Mixed Residential	●	●	○	○	◇	◇	○								
Downtown			●	○	○	○	●	○	○	○					
Mixed-Use	○	○	●	○	○	○	●	○							
City Corridor			●	○	○	○	●	○	○	○					
Institutional & Employment Center			○	○	○	○	○	○	○	○	○	○	○	○	○
Business Flex			○	○	○	○	○	○	○	○	○	○	○	○	○
Industry & Logistics			○	○	○	○	○	○	○	○	○	○	○	○	○
Urban Green Space & Recreation			○	○	○	○	○	○	○	○	○	○	○	○	○

- **Primary Land Use:**
More prominent and play a pivotal role in characterizing that placetype
- **Supporting Land Use:**
Less prevalent and serve to support the primary land use.
- ◇ **Low Intensity Supporting Land Use:**
Less prevalent and serve to support the primary use at neighborhood scale

DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	GI	GR COD 180	PD 320	Hwy 65, GR
LAND USE	City Utilities office	Medical clinic	Office use	Highway 65, Commercial & office uses
PLACETYPES	Institutional & Employment	Institutional & Employment	Institutional & Employment	City Corridor

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

DEVELOPMENT REVIEW STAFF REPORT

No issues

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No issues. Tract has access to public sewer.

FIRE DEPARTMENT:

No objections to rezoning.

DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

	Street Name	Street Classification	Jurisdiction	ROW from Centerline (ft.)		Traffic Count (vehicles per day)	On-Street Parking	Sidewalk	
				Required	Existing			Required	Existing
Street 1	E. Battlefield Road	Primary Arterial	City	50	50+	12,731	No	Yes	Yes
Street 2	S. Woodstock Avenue	Collector	Private	30	35	NA	No	Yes	Yes
Street 3	S. US Highway 65	Freeway	MoDOT	Var.	Var.	34,256	No	No	No

ACCESS - All new or modified driveway approaches shall comply with current City of Springfield standards for the street classification. No additional driveways will be allowed along Battlefield Road.

TRAILS, BUS STOPS, AND ADDITIONAL INFORMATION - There are no Greenway Trails near the property. There are no bus stops near the property.

IMPROVEMENTS - No improvements are required for this rezoning. A traffic study is required at the time of development. The requirements of said study shall be incorporated in the site plan, PIP, or other permits as applicable. All public improvements required for the development must be constructed or escrowed prior to approval of the building permit or plat.

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

The property is in the **James River** drainage basin. The property **is not** located in a FEMA designated floodplain. Staff **is not** aware of flooding problems in the local or downstream area. The city **is not** aware of a sinkhole or other Karst feature at this location. The property **does not have a stream buffer on site**.

A fee in lieu of on-site stormwater detention **will not be allowed and detention is required**.

Please note that development of the property will be subject to the following conditions at the time of development:

DEVELOPMENT REVIEW STAFF REPORT

All chapter and section references below are to the City's Flood Control and Water Quality Protection Manual Version April 2022.

DETENTION AND DISCHARGE REQUIREMENTS

1. Any development or redevelopment that increases runoff, through the increase in impervious surface, current detention requirements must be met per Chapter 3 Sec. 2.3.3. No fee in lieu of detention application is allowed.
2. The site has an existing 20' wide drainage easement for a 60" diameter RCP culvert directing runoff from the US 65 Highway channel. No structures are allowed on top of this easement.

WATER QUALITY REQUIREMENTS

1. Water Quality is required for new development projects or redevelopment projects, with new or increased impervious surfacing, within the city limits of Springfield that disturb 1 acre or greater. Including projects less than 1 acre that are part of a larger common plan of development or sale that will disturb 1 or more acres over the life of the project. Chapter 10 Sec. 2.0.
2. A land disturbance permit will be required with disturbing 1 acre or greater per Chapter 4 Section 5 of the City's Flood Control and Water Quality Protection Manual.
3. Water Quality Credits are available to use in design for preserved trees and new planted trees. Landscaping and Bufferyards trees required by planning cannot be used for the water quality credits unless it is part of a SCM. Chapter 10, Section 3.1.

FLOODPLAIN

N/A

NATURAL CHANNEL & STREAM BUFFERS

N/A

SINKHOLES & KARST FEATURES

N/A

ADDITIONAL STORMWATER REQUIREMENTS

1. Stormwater Control Measures are the responsibility of the property owner or property owners' association to maintain, repair, and update unless the agreement is made with the City to operate. Operation and maintenance agreements are required for any permanent stormwater control measures.

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to rezone approximately 11.5 acres generally located at 3525 East Battlefield Road from GR, General Retail with Conditional Overlay District No. 180 to GI, Government and Institutional Use District with Conditional Overlay District No. 259. The applicant, Cox Health, is rezoning for future development of the subject property.

DEVELOPMENT REVIEW STAFF REPORT

2. The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the Institutional and Employment Center placetype. This placetype contains a variety of major medical and office parks, and a collection of institutional and employer campuses. Large campuses are supported by small commercial sales and service business, and a mix of community-orientated amenities.
3. This application is consistent with the recommended placetype which lists government, healthcare, and institutional facilities as a primary use.
4. The subject property is located near one of Springfield's major intersections of Battlefield Road and U.S. Highway 65, classified as a primary arterial and freeway, respectively.
5. The proposed COD requires a traffic study at the time of development.
6. The GI district is established to apply to those lands where federal, state or local government activities are conducted, where governments hold title to such lands, and to major public and private educational and medical facilities. It is not intended to classify all lands owned by government into this district, but only those uses that are comparatively intensive or which require substantial buildings.
7. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this.
8. There are few changing conditions in the area affected that make the proposed rezoning necessary. Minor development of property within the vicinity has been occurring.
9. The range of uses in the proposed GI district is compatible with the uses permitted on other property in the immediate vicinity. The property to the north is zoned GI and is owned by City Utilities.
10. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.
11. The impact of the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity.
12. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.
13. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.

STAFF RECOMMENDATION:

DEVELOPMENT REVIEW STAFF REPORT

1. Staff recommends approval based on the proposal's general conformance to the Comprehensive Plan's Institutional & Employment Center placetype and on the finding of facts above.

PLANNING AND ZONING OPTIONS:

The planning and zoning commission shall make one of the following recommendations in connection with each proposed change in zoning district classification of this article:

1. Recommend against the proposed change in the zoning district classification.
2. Recommend a change in the zoning district classification.
3. Recommend a change in the zoning district classification together with recommendations which, in the judgment of the planning and zoning commission, will protect adjacent property and ensure that the proposed amendment is consistent with the purpose and intent of this article.

DEVELOPMENT REVIEW STAFF REPORT

ATTACHMENT 1

CONDITIONAL OVERLAY DISTRICT PROVISIONS NO. 259

The requirements of Section 36-401 of the Springfield Zoning Ordinance shall be modified herein for development within this district to include the following:

Off-site improvements related directly to the intensity of development shall be required at the time of development. To determine the off-site improvements needed for the intensity of development, a traffic impact study (TIS) that is in a format acceptable to the City shall be submitted at the time of development. Development shall be approved only after the TIS is approved by the City Traffic Engineer, and only after the off-site improvements determined necessary by the TIS are incorporated into the approved site plan, public improvement plan, or other permits (as applicable). These off-site improvements shall be constructed at no cost to the City and in accordance with the requirements in Section 36-250 and applicable section of the Public Works Design Standards. All public improvements must be constructed and approved, or funds escrowed for such permits, prior to the issuance of any building permits.

EXPLANATION TO COUNCIL BILL 2024-198 (HARDINGER)

FILED: 09/04/2024

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A general ordinance amending General Ordinance No. 3645, as amended, establishing Urban Conservation District No. 2, generally referred to as the Rountree Urban Conservation District, Section 4 - Subarea A through D Regulations, C. Building and Lot Standards, 3. Subarea C, f. Finished Ground Floor Level, to modify the finished ground floor elevations to allow for a four (4) foot maximum height if developed with a pedestrian-oriented frontage and a minimum building setback of at least four (4) feet.

PURPOSE: Amended the Urban Conservation District No. 2, generally referred to as the Rountree Urban Conservation District, section 4 Subarea A through D Regulations to modify the finished floor elevations to allow for a four (4) feet maximum height if developed with a pedestrian oriented frontage with a minimum building setback of at least four (4) feet. (Staff and Planning and Zoning Commission both recommend approval.)

BACKGROUND INFORMATION:

ROUNTREE UCD NO. 2 TEXT AMENDMENT: MODIFY FINISHED FLOOR ELEVATIONS

The applicant, the owners of Tie and Timber Beer Company, have requested to amend the Rountree Urban Conservation District No 2 section 4 Subarea A through D Regulations to modify the finished floor elevations to allow for a four (4) feet maximum height if developed with a pedestrian oriented frontage with a minimum building setback of at least four (4) feet. The frontage shall be used as pedestrian-oriented space along the façade of the building.

FINDINGS FOR STAFF RECOMMENDATION:

1. The current language of Subarea C (Pickwick and Cherry Street area) only allows for a maximum finished floor elevation of a building to a height of 6 inches above the adjacent sidewalk. The applicant is proposing to modify the finished floor elevations by allow for an alternative that would still allow for the 6-inch maximum but also allow for a maximum of 4 feet maximum height if the building is setback a minimum of 4 feet and there is a pedestrian amenity provided within this space. The 6-inch above grade would still be retained but allow for an alternative of 4 feet maximum finished floor elevation height under those conditions.

2. Subarea C is located around the Cherry/Pickwick neighborhood center. This area is designed to provide for sensitive and respectful infill development within this dense, urban, mixed-use, vibrant gathering space within the neighborhood. This subarea is

characterized by a mix of low intensity non-residential, multifamily and some single-family residential development. The intent of the regulations for this subarea is to regulate the physical form of the neighborhood center subarea to preserve and enhance the integrity and quality of the Cherry Pickwick Business District and serve as a primary gathering place in the neighborhood. This subarea is designated to provide for sensitive and respectful infill development which allows for the dense, urban, mixed-use development appropriate for this vibrant neighborhood commercial center found in the neighborhood.

3. Forward SGF supports a Comprehensive City Code Update. This Plan calls for a full update to the City's Land Development Code and Ordinances to align regulations with the recommendations contained in each chapter. The city's guiding principle of Quality of Place emphasizes the need for more public and private amenities and features.

4. Before an amendment shall be approved by ordinance, the Planning and Zoning Commission shall have first had a public hearing regarding the proposed amendment and made an official report to the City Council regarding the Planning and Zoning Commission's recommendation regarding said amendment. Once the Planning and Zoning Commission has made its official report, any further review by the Planning and Zoning Commission shall not be required unless City Council elects to refer a matter back to the Planning and Zoning Commission for further review.

5. The Growth and Development Advisory Committee (GDAC), Downtown Springfield Association (DSA), Commercial Club and all Registered Neighborhood Associations were notified of this amendment and public hearing dates for comment.

REMARKS: The Planning and Zoning Commission held a public hearing on August 22, 2024, and recommended approval, by a vote of 9 to 0, of the proposed amendments. The Planning and Development staff recommends the text amendment be approved (see the attached Development Review Staff Report).

FINDINGS FOR STAFF RECOMMENDATION: Staff recommends approval of the text amendment based on its consistency with the Comprehensive Plan.

Submitted By: Michael Sparlin, Senior City Planner

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

Maurice S. Jones, Deputy City Manager 9/18/2024

Attachments:

1. Rountree UCD Subarea C Text Amendment_ord
2. Rountree UCD Subarea C Text Amd_Exh A
3. Rountree UCD Subarea C Text Amd_Exh B

One-rdg. _____
P. Hrngs. X
Pgs. 11
Filed: 09-17-24

Sponsored by: Hardinger

First Reading: _____ Second Reading: _____

COUNCIL BILL 2024-198 GENERAL ORDINANCE _____

AN ORDINANCE

AMENDING General Ordinance No. 3645, as amended, establishing Urban Conservation District No. 2, generally referred to as the Rountree Urban Conservation District, Section 4 - Subarea A through D Regulations, C. Building and Lot Standards, 3. Subarea C, f. Finished Ground Floor Level, to modify the finished ground floor elevations to allow for a four (4) foot maximum height if developed with a pedestrian-oriented frontage and a minimum building setback of at least four (4) feet.

WHEREAS, Urban Conservation District No. 2, generally referred to as the Rountree Urban Conservation District, section 4 of Subarea A through D Regulations currently allows for a maximum finished ground floor elevation of six (6) inches above the adjacent sidewalk; and

WHEREAS, the owners of Tie and Timber Beer Company (“applicants”) have requested to amend the Rountree Urban Conservation District, section 4 of Subarea A through D Regulations to modify the finished ground floor elevations to allow for a four (4) foot maximum height if developed with a pedestrian-oriented frontage and a minimum building setback of at least four (4) feet; and

WHEREAS, following proper notice, the Planning and Zoning Commission held a public hearing regarding the proposed amendment to the Rountree Urban Conservation District, section 4 of Subarea A through D Regulations on August 22, 2024, a copy of the Record of Proceedings from said public hearing being attached hereto and incorporated herein by this reference as “Exhibit A,” and unanimously recommended approval of the proposed changes; and

WHEREAS, proper notice was given of a public hearing before City Council, and said hearing was held in accordance with the law.

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

Section 1 – Urban Conservation District No. 2, Section 4 - Subarea A through D Regulations, C. Building and Lot Standards, 3. Subarea C, f. Finished Ground Floor Level, is hereby amended as follows:

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

f. Finished Ground Floor Level:

Maximum:

- Six (6) inches [L] or
- Four (4) feet with a pedestrian-oriented frontage and a minimum building setback of at least four (4) feet. The frontage shall be used as pedestrian-oriented space along the façade of the building.
- Measured from elevation of back of sidewalk or adjacent lot level.

Section 2 – 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 accrued or existing, under any act or ordinance repealed hereby, nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

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

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

Passed at meeting: _____

Mayor

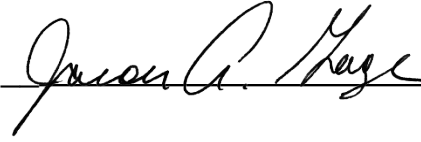
Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: Laura Vales, Assistant City Attorney

80
81
82

Approved for Council action:

A handwritten signature in black ink, appearing to read "Jason A. Hays", written over a horizontal line.

, City Manager

EXHIBIT A
RECORD OF PROCEEDINGS
Planning and Zoning Commission – August 22, 2024

Rountree UCD Regulation Subarea C - Text Amendment

Applicant: Tie & Timber Beer Co.

Mr. Sparlin stated that this is a request to amend the Rountree Urban Conservation District No 2 section 4 Subarea A through D Regulations to modify the finished floor elevations to allow for a four (4) feet maximum height if developed with a pedestrian oriented frontage with a minimum building setback of at least four (4) feet. The frontage shall be used as pedestrian oriented space along the façade of the building.

Mr. Knuckles questioned asked for clarification of what they are requesting.

Mr. Sparlin noted that they are adding a new building and during the design process they noted a problem with the requirement of the finished ground level (needed to be within 6' of adjacent sidewalk).

Staff and Commission discussion on what is required and topography challenges, exiting building, walkout, and the building to be removed. It was noted that the diagram looked confusing, but with further discussion it was explained and clarified.

Mr. Curt Marshall, 1459 E. Cherry noted the issues requiring the modifications into the first floor and was there to answer any questions.

Ms. Broekhoven closed the public hearing.

COMMISSION ACTION:

Planning and Zoning Commissioner Doennig moved to approve Rountree UCD Regulation Subarea C - Text Amendment; Commissioner Colony seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles, Commissioner Doennig and Commissioner Scott. Nays: None. Absent: None. Abstain: None.



Bob Hosmer, AICP
Planning Manager

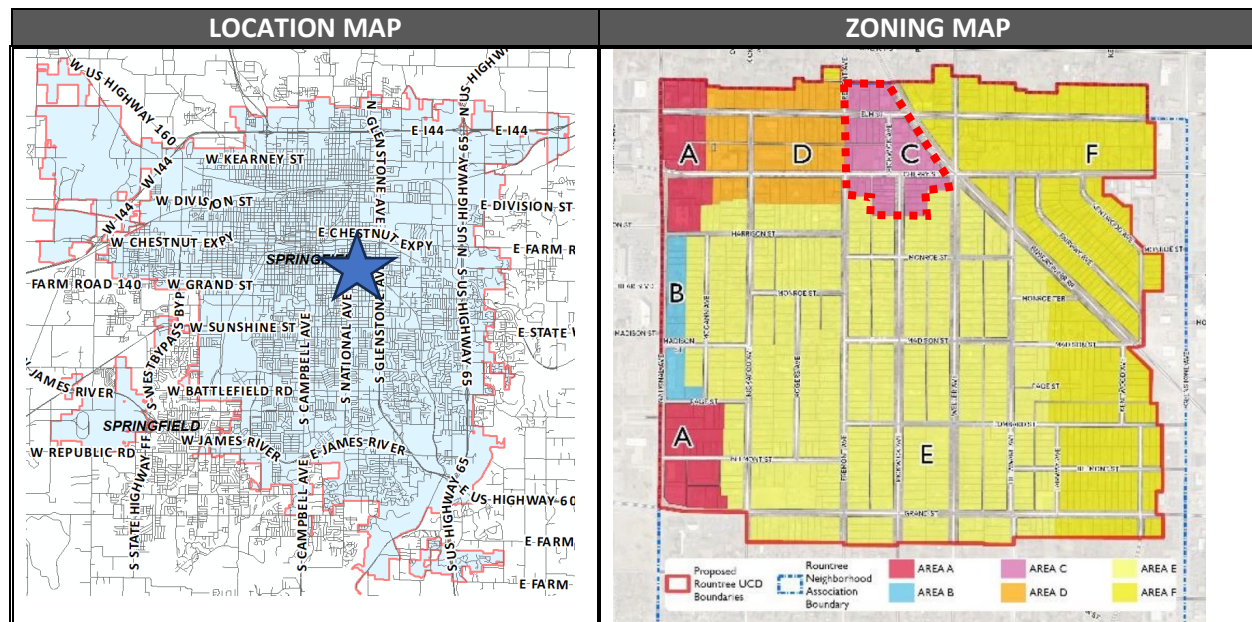
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION:

Case Number:	Urban Conservation District No 2. (Rountree UCD #2) text amendment
Location:	Subarea C: Generally located at Cherry and Pickwick
Total Acres:	NA
Applicant:	Tie and Timber Beer Company
Existing Land Use:	Commercial and Mixed Uses
Neighborhood Meeting:	NA
Planning and Zoning Commission:	August 22, 2024
City Council:	September 23, 2024
Public Notification:	Legal in Daily Events
Staff:	Michael Sparlin, Senior City Planner
Staff recommendation:	Staff recommends approval
Proposed motion:	Move to approve as submitted in the staff report. (All commission motions are made in the affirmative.)
Required Vote:	A majority of those present (5 members are a quorum).

PROJECT SUMMARY:

Request to amend the Rountree Urban Conservation District No 2 section 4 Subarea A through D Regulations to modify the finished floor elevations to allow for a four (4) feet maximum height if developed with a pedestrian oriented frontage with a minimum building setback of at least four (4) feet. The frontage shall be used as pedestrian oriented space along the façade of the building.



DEVELOPMENT REVIEW STAFF REPORT

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

(a) *Text amendments.* If the request is for an amendment of the text of this article, the recommendation of the planning and zoning commission may consider:

1. Whether the proposed text amendment is consistent with the Springfield Comprehensive Plan.
2. Whether the proposed text amendment is consistent with the intent and purpose of this article.
3. The areas of the city that are most likely to be affected by the proposed text amendment and the manner in which those areas will be affected.
4. Whether the proposed text amendment is necessitated by a change in conditions in the zoning districts affected and the nature of such changed conditions.
5. Information submitted at the public hearing.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

Under Development Regulations page 31 of Forward SGF it states that.. Increased use flexibility that promotes redevelopment and revitalization will need to be balanced by regulatory codes that promote and emphasize quality design and construction that is pedestrian focused and has a greater experience factor. The city's guiding principle of Quality of Place emphasizes the need for more public and private amenities and features. Future code changes will need to support the implementation of planning that promotes the development of places with a wide array of convenient services in proximity to amenity-rich, attractive, inviting, integrated corridors and districts that are within walking distance of neighborhood, trails, parks, and mixed-use centers with diverse housing options.

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant, Tie and Timber Beer Co., is proposing to amend the Rountree Urban Conservation District No 2 maximum finished floor elevations to allow for an alternative height of 4 feet if the building is setback at least 4 feet and a pedestrian amenity is provided.
2. The current language of Subarea C (Pickwick and Cherry Street area) only allows for a maximum finished floor elevation of a building to a height of 6 inches above the adjacent sidewalk. The applicant is proposing to modify the finished floor elevations by allow for an alternative that would still allow for the 6-inch maximum but also allow for a maximum of 4 feet maximum height if the building is setback a minimum of 4 feet and there is a pedestrian amenity provided within this space. The 6-inch above grade would still be retained but allow for an alternative of 4 feet maximum finished floor elevation height under those conditions. See current language on page 52 d. Building Height in the attached pdf:
<https://www.springfieldmo.gov/DocumentCenter/View/65542/Rountree-UCD-2023-PDF>
3. Subarea C is located around the Cherry/Pickwick neighborhood center. This area is designed to provide for sensitive and respectful infill development within this dense, urban, mixed-use, vibrant gathering space within the neighborhood. This subarea is characterized by a mix of low intensity non-residential, multifamily and some single-family residential development. The

DEVELOPMENT REVIEW STAFF REPORT

intent of the regulations for this subarea is to regulate the physical form of the neighborhood center subarea in order to preserve and enhance the integrity and quality of the Cherry Pickwick Business District and serve as a primary gathering place in the neighborhood. This subarea is designated to provide for sensitive and respectful infill development which allows for the dense, urban, mixed-use development appropriate for this vibrant neighborhood commercial center found in the neighborhood.

4. The Growth and Development Advisory Committee (GDAC), Downtown Springfield Association (DSA), Commercial Club and all Registered Neighborhood Associations were notified of these amendments and public hearing dates.
5. Before an amendment shall be approved by ordinance, the Planning and Zoning Commission shall have first had a public hearing regarding the proposed amendment and made an official report to the City Council regarding the Planning and Zoning Commission's recommendation regarding said amendment. Once the Planning and Zoning Commission has made its official report, any further review by the Planning and Zoning Commission shall not be required unless City Council elects to refer a matter back to the Planning and Zoning Commission for further review.
6. Staff believes the proposed text amendment is consistent with the Springfield Comprehensive Plan and Rountree Neighborhood Plan. The guiding principle of the Forward SGF Comprehensive Plan is Quality of Place. Quality of Place is defined by the built environment and the community's ability to provide amenity-rich neighborhoods and commercial districts. The Roundtree Neighborhood Plan Goal 10. Identify strategies to make the Cherry/Pickwick Commercial area safer and more pedestrian-friendly supported the text amendment intent to increase pedestrian activity along the street.
7. Staff believes the proposed text amendment is consistent with the intent and purpose of this article. The proposed amendment meets the intent of the Rountree UCD No 2 since subarea B has similar language as defined in the UCD No 2 Zoning Ordinance.
8. The areas of the city that are most likely to be affected by the proposed text amendment and the manner in which those areas will be affected will only be in subarea C of the Rountree UCD No 2. This proposed amendment will also promote the continued effort to highlight and preserve the Cherry/Pickwick neighborhood commercial node as well as to provide additional opportunities for mixed-use along Cherry and Elm Streets.
9. Staff believes that the proposed text amendment is necessitated by a change in conditions in the zoning districts affected and the nature of such changed conditions. While the 6-inch maximum above sidewalk grade is ideal however allowing for a maximum of 4 feet alternative with a building setback of a minimum of 4 feet with a pedestrian amenity will increase the areas quality of place and allow for alternative building design in the Pickwick and Cherry Street area (Subarea C).

STAFF RECOMMENDATION:

1. Staff recommends approval of the text amendment based on its compatibility with the *Comprehensive Plan and findings of facts in the staff report.*

DEVELOPMENT REVIEW STAFF REPORT

PLANNING AND ZONING OPTIONS:

The planning and zoning commission shall make one of the following recommendations in connection with each proposed change in zoning district classification of this article:

1. Recommend against the proposed change in the text amendment.
2. Recommend a change in the text amendment.
3. Recommend a change in the text amendment together with recommendations which, in the judgment of the planning and zoning commission, will ensure that the proposed amendment is consistent with the purpose and intent of this article.

DEVELOPMENT REVIEW STAFF REPORT

PROPOSED AMENDMENT:

Attachment 1

Note: The existing language is in black. Language to be added is underlined and to be removed is ~~stricken~~.

C. Building and Lot Standards

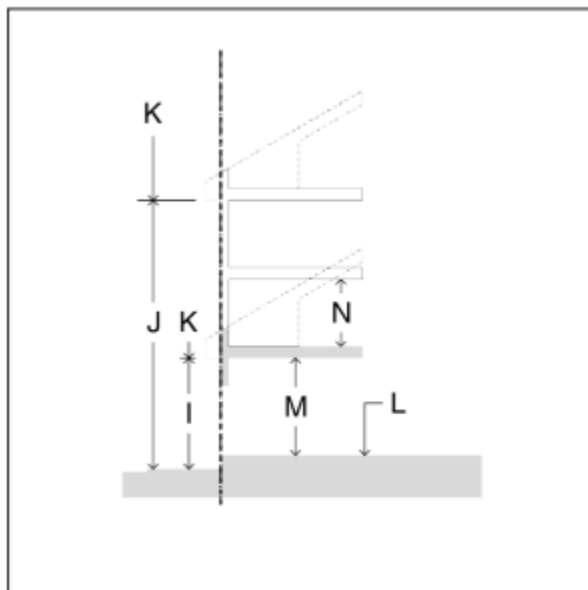
3. Subarea C: This subarea is characterized by a mix of low intensity non-residential, multifamily and some single-family residential development. The intent of the regulations for this subarea is to regulate the physical form of the neighborhood center subarea in order to preserve and enhance the integrity and quality of the Cherry Pickwick Business District and serve as a primary gathering place in the neighborhood. This subarea is designated to provide for sensitive and respectful infill development which allows for the dense, urban, mixed-use development appropriate for this vibrant neighborhood commercial center found in the neighborhood.

f. Finished Ground Floor Level:

Maximum:

- Six (6) inches [L] or
- Four (4) feet with a pedestrian oriented frontage with a minimum building setback of at least four (4) feet. The frontage shall be used as pedestrian oriented space along the façade of the building.
- Measured from elevation of back of sidewalk or adjacent lot level.

Subarea C Building Height - Figure 8



EXPLANATION TO COUNCIL BILL 2024-199 (MCGULL)

FILED: 08/28/2024

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.6 acres of property generally located at 1345, 1351, 1357, 1400, and 1418 East Florida Street from GM, General Manufacturing District to R-TH, Residential Townhouse District; and adopting an updated Official Zoning Map. (By: William and Anedra Mosley; 1345, 1351, 1357, 1400, and 1418 East Florida Street; Z-11-2024).

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.6 acres of property generally located at 1345, 1351, 1357, 1400, 1414 and 1418 East Florida Street from GM, General Manufacturing District to R-TH, Residential Townhouse District. (Staff and Planning and Zoning Commission recommend approval.)

BACKGROUND INFORMATION:
ZONING CASE NUMBER Z-11-2024

The applicant is requesting to rezone approximately 1.6 acres of property generally located at 1345, 1351, 1357, 1400, 1414 and 1418 East Florida Street from GM, General Manufacturing District to R-TH, Residential Townhouse District. The applicant intends to construct new residential structures on the existing lots.

REMARKS: The Planning and Zoning Commission held a public hearing on August 22, 2024, and recommended to approve, by a vote of 9 to 0.

The Planning and Development staff recommends the application be approved (see the attached Development Review Staff Report).

FINDINGS FOR STAFF RECOMMENDATION:

1. The applicant is requesting to rezone approximately 1.6 acres of property generally located at 1345, 1351, 1357, 1400, 1414 and 1418 East Florida Street from GM, General Manufacturing District to R-TH, Residential Townhouse District. The applicant intends to construct new residential structures on the existing lots. The R-TH district would allow single-family or duplexes. Single-family detached dwellings require a minimum of 6,000 square feet of land area. Duplexes will require at least 7,500 square feet of area so a replat of lots may occur after zoning.
2. While this area may have some consistencies with the Business Flex placetype of the Comprehensive Plan's Land Use & Development chapter, this area also has characteristics of the Center City Neighborhood placetype. The Land Use &

Development chapter states that typically, a one-to-two-block transition zone on either side of both placetype boundaries would be a practical zone to complete the transition from one placetype to another. Staff believes that the typology of the Center City Neighborhood placetype is as appropriate for these areas which have a mix of single-family residential and commercial/office uses. The Business Flex placetype would recommend uses like the contractor storage yards and buildings; however, the redevelopment of these areas are more likely to occur as residential uses. This would meet goals of the Comprehensive Plan to provide more housing options in the center city neighborhood areas.

3. This application is consistent with the Center City Neighborhood placetype which consists of a diverse range of single-family homes with varying architectural styles, setbacks, compact and shared spaces and parcel sizes. Center City neighborhoods historically had small scale neighborhood supporting retail services provided at key intersections, streetcar routes, and neighborhood centers. These building types and commercial uses were integrated into the neighborhood fabric.

4. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this.

5. There are few changing conditions in the area affected that make the proposed rezoning necessary. The proposed rezoning area has existing single-family residential and many other properties along Rogers and Florida Street are currently being used as single-family residential.

6. The range of uses in the proposed R-TH district is compatible with the existing uses on other properties in the immediate vicinity. This will allow for additional residential uses to be established in a predominantly residential area.

7. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.

8. The impact of the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity. The applicant is proposing a less intense zoning district than what is existing.

9. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.

10. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. Any existing single-family homes could remain as conforming uses, but new single-family homes or duplexes would not be allowed to be constructed in the general manufacturing district.

STAFF RECOMMENDATION: Staff recommends approval based on the proposal's general conformance to the Comprehensive Plan's Center City Neighborhood placetype and on the finding of facts above.

Submitted By: Daniel Neal, Senior City Planner



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

Maurice S. Jones, Deputy City Manager 9/12/2024

- Attachments:**
1. Z-11-2024 - 1345, 1351, 1357, 1400, 1414, & 1418 East Florida Street_Ord
 2. Z-11-2024_exh A
 3. Z-11-2024_exh B
 4. Z-11-2024_exh C

One-rdg. _____
P. Hrngs. X
Pgs. 21
Filed: 09-17-24

Sponsored by: McGull

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-199

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, 'Official
2 zoning map and rules for interpretation,' by rezoning approximately
3 1.6 acres of property generally located at 1345, 1351, 1357, 1400,
4 and 1418 East Florida Street from GM, General Manufacturing
5 District to R-TH, Residential Townhouse District; and adopting an
6 updated Official Zoning Map.
7 _____
8

9 WHEREAS, an application has been filed for a zoning change of the property
10 generally located at 1345, 1351, 1357, 1400, and 1418 East Florida Street from GM,
11 General Manufacturing District to R-TH, Residential Townhouse District; and
12

13 WHEREAS, following proper notice, the Planning and Zoning Commission held a
14 public hearing on August 22, 2024, a copy of the Record of Proceedings from said
15 public hearing being attached hereto and incorporated herein by this reference as
16 "Exhibit B," and said Commission made a unanimous recommendation of approval; and
17

18 WHEREAS, the City has reviewed the applicant's request and prepared a staff
19 report concerning the application, which is attached hereto and incorporated herein by
20 this reference as "Exhibit C"; and
21

22 WHEREAS, proper notice was given of a public hearing before City Council, and
23 said hearing was held in accordance with the law.
24

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

28 Section 1 – The property generally located at 1345, 1351, 1357, 1400, and 1418
29 East Florida Street and described in "Exhibit A," which is attached hereto and
30 incorporated herein by this reference, is hereby rezoned from GM, General
31 Manufacturing District to R-TH, Residential Townhouse District. Springfield Land
32 Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' is
33 hereby amended, changed, and modified consistent with this Ordinance.

34 Section 2 – City Council hereby directs the City Manager, or designee, to update
35 the City's digital zoning map to reflect this rezoning, and City Council adopts the map
36 thereby amended as the Official Zoning Map of Springfield, Missouri, as provided for in
37 the Springfield Land Development Code, Section 36-306, 'Official zoning maps and
38 rules of interpretation.'

39
40 Section 3 – The Official Zoning Map herein adopted shall be maintained and
41 archived in the same digital form in which this Council has approved its adoption.

42
43 Section 4 – This Ordinance shall be in full force and effect from and after
44 passage.

45
46 Passed at meeting: _____

47
48 _____
49 Mayor

50
51 Attest: _____, City Clerk

52
53 Filed as Ordinance: _____

54
55 Approved as to form: Laura Vales, Assistant City Attorney

56
57 Approved for Council action: Jason A. Hays, City Manager
58
59

EXHIBIT A
LEGAL DESCRIPTION

All of lots seventy-one (71) through seventy-four (74) in Block "C", Pleasant Hill Addition in Springfield, Greene County, Missouri.

and

All of lots one (1) through six (6) Coomb's Excelsior Addition in Springfield, Greene County, Missouri

and

Part Of The North Half Of The Southwest Quarter Of Section 7, Township 29 North, Range 21 West In The City Of Springfield, Greene County, Missouri, Described As Follows: Beginning At The Southwest Corner Of Lot 6 In Coombs Excelsior Addition To The City Of Springfield; Thence N02 ° 08'14"W Along The East Right-Of-Way Line Of Rogers Avenue, 61.30 Feet To A 5/8-Inch Iron Pin (Capped "Lsc-334"); Thence Southwesterly Along A Curve To The Left Having A Central Angle Of 01 ° 23'55", A Radius Of 677.95 Feet And A Chord Bearing Of S73° 04'20"W, An Arc Distance Of 16.55 Feet To A 5/8-Inch Iron Pin (Capped "LSC-334"); Thence N02 ° 08'14"W, 33.35 Feet To A Point 48 Feet Perpendicularly Distant In A Southerly Direction From The Center Line Of The Main Track Of The Burlington-Northern And Santa Fe Railroad; Thence N81° 33'38"E, Parallel To The Center Line Of Said Main Track, 64.53 Feet To The East Line Of Lot 6 In Said Coombs Excelsior Addition; Thence S02° 08'14"E Along The East Line Of Said Lot 6, A Distance Of 97.56 Feet To The Southeast Corner Thereof; Thence S87° 55'38"W Along The North Right-Of-Way Line Of Florida Street, 48.14 Feet To The Point Of Beginning, All As Shown On The Plat Of Survey By Landmark Surveying & Consulting, Drawing No. 3877, On File At The Greene County Recorder's Office.

EXHIBIT B
RECORD OF PROCEEDINGS
Planning and Zoning Commission – August 22, 2024

Z-11-2024

1345, 1351, 1357, 1400, 1414 & 1416 East Florida Street

Applicant: William Jr. and Anedra Mosley

Mr. Neal stated that this is a request to rezone approximately 1.6 acres of property from GM, General Manufacturing District to R-TH, Residential Townhouse District.

Anedra and Bill Mosley, 300 E. Sunshine Street stating that they want to make the neighborhood better, it has a lot of empty lots and here to answer any questions.

Ms. Broekhoven closed the public hearing.

COMMISSION ACTION:

Planning and Zoning Commission Board Member Knuckles moved to approve Z-11-2024, Commissioner Colony seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles, Commissioner Doennig and Commissioner Scott. Nays: None. Absent: None. Abstain: None.



Bob Hosmer, AICP
Planning Manager



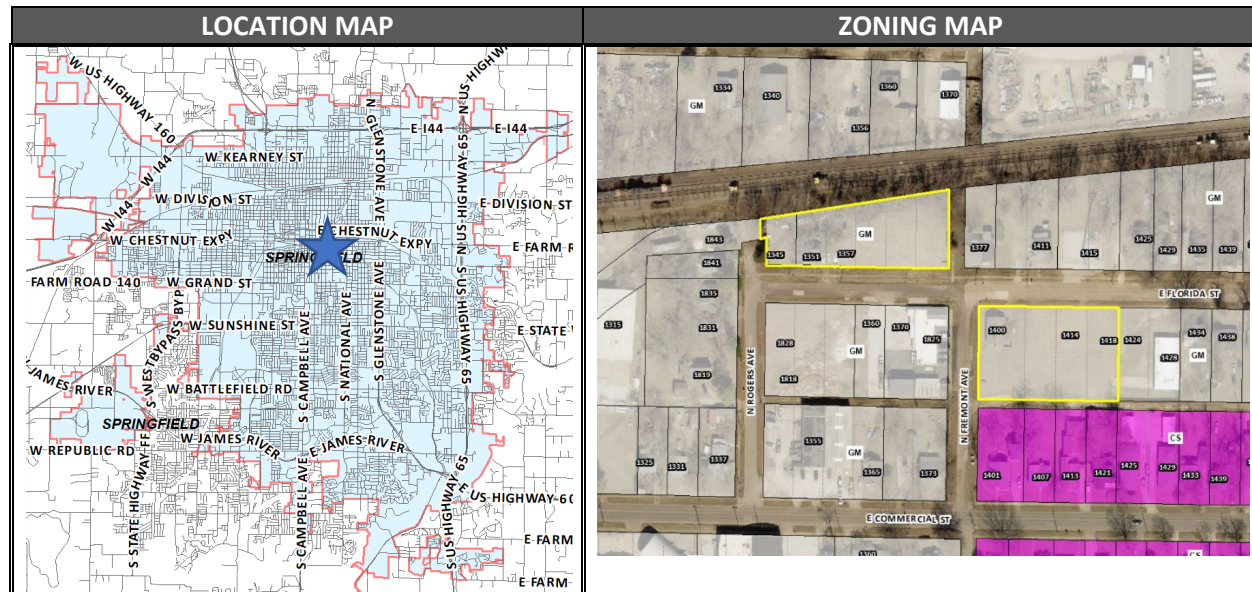
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Z-11-2024
Location:	1345, 1351, 1357, 1400, 1414 and 1418 East Florida Street
Total Acres:	1.6 acres
Applicant:	William and Anedra Mosley
Existing Land Use:	Single-family and vacant/undeveloped
Neighborhood Meeting:	July 18, 2024
Planning and Zoning Commission:	August 22, 2024
City Council:	September 23, 2024
Public Notification:	Mail, posted property, and legal in Daily Events
Staff:	Daniel Neal, Senior Planner
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to recommend approval of rezoning case Z-11-2024 (All commission motions are made in the affirmative).
Required Vote:	A majority of those present (5 members are a quorum).

PROJECT SUMMARY:

Request to rezone approximately 1.6 acres of property generally located at 1345, 1351, 1357, 1400, 1414 and 1418 East Florida Street from GM, General Manufacturing District to R-TH, Residential Townhouse District.



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GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE STREETVIEW:



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PROPERTY HISTORY:

The subject property was zoned GM in the 1995 city-wide remapping.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

(a) Rezoning. If the application is for a reclassification of property to a different zoning district classification on the zoning map, the report of the planning and zoning commission may consider:

1. Whether the proposed zoning district classification is consistent with the Springfield Comprehensive Plan;
2. Whether there are any changed or changing conditions in the area affected that make the proposed rezoning necessary;
3. Whether the range of uses in the proposed zoning district classification are compatible with the uses permitted on other property in the immediate vicinity;
4. Whether adequate utility and sewer and water facilities exist or can be provided to serve the uses that would be permitted on the property if it were rezoned;
5. The impact the uses, which would be permitted if the property were rezoned, will have upon the volume of vehicular and pedestrian traffic and traffic safety in the vicinity;
6. Whether the proposed rezoning would correct an error in the application of this article as applied to the subject property;
7. Whether a reasonably viable economic use of the subject property will be precluded if the proposed rezoning is denied; and
8. Information submitted at the public hearing.

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR R-TH DISTRICT
Use Limitations	(a) There shall be a separate platted lot of record for each single-family semi-detached or townhouse dwelling

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	(b) All uses shall operate in accordance with the noise standards contained in section 36-485, noise standards. (c) No use shall emit an odor that creates a nuisance as determined by chapter 2A, article X, Springfield City Code.
Minimum Lot Size	Single-family detached: 5,000 sq. ft. Duplexes: 7,500 sq. ft.
Maximum Height	When side yards are less than 15 feet in width: 35 feet or two and one-half stories above the finished grade.
Bulk Plane	None
Minimum Yard Requirements	1. <i>Front yard:</i> a. Twenty-five feet along a street classified as a collector or higher classification street or as required by section 36-453, supplemental open space, and yard regulations. b. Fifteen feet along a street classified as a local street or as required by section 36-453, supplemental open space, and yard regulations. 2. <i>Side yards:</i> Six feet or as required by section 36-453, supplemental open space and yard regulations, provided that no side yard is required for a townhouse or attached single-family dwelling when a common wall is located on the lot line. 3. <i>Rear yards:</i> Ten percent of the lot depth, but may not be less than ten feet nor more than 20 feet be required.
Minimum Open Space	Not less than 20 percent of the total lot area shall be devoted to open space including required yards and bufferyards unless modified in accordance with subsection 36-482(15). Open space shall not include areas covered by buildings, structures, parking, loading and other paved areas and internal streets. Open space shall contain living ground cover and other landscaping materials.
Design Requirements	(a) A site plan meeting the requirements of section 36-360, site plan review, shall be submitted and approved.

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	(b) A landscape plan meeting the requirements of section 36-482, landscaping and bufferyards, and 36-483, off-street parking and loading area design standards, shall be submitted, and approved. (c) All off-street parking and vehicular use areas shall be screened from all residential uses in accordance with section 36-480, screening, and fencing. (d) All outdoor storage and refuse storage areas shall be screened from view in accordance with section 36-480, screening, and fencing. (e) Mechanical and electrical equipment, including air conditioning units, shall be screened from view in accordance with section 36-480, screening, and fencing. (f) Lighting shall be designed to reflect away from any adjacent or nearby residential area and in accordance with section 36-484, lighting standards. (g) Accessory buildings and structures shall meet the requirements of section 36-450, accessory structures and uses.
Buffering and Landscaping	Whenever any development in an R-TH district is located adjacent to a different zoning district, screening and a bufferyard shall be provided in accordance with sections 36-480, screening, and fencing, and 36-482, landscaping and bufferyards.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

PLACETYPE:

The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the Business Flex placetype. This placetype includes areas with an eclectic mix of light industrial, office, storage, warehouse, and distribution centers, complemented by the occasional commercial sales and services. Business Flex areas are located on secondary roadways, where good street connectivity and access to major roadways and distribution routes can be easily accessed. Located in expanded areas adjacent to higher, more intense industrial uses and city corridors, Business Flex provide support services, sales, service, and supply of goods to consumers and contractors, where high visibility road frontage is not a priority. Planning for this placetype focuses on ensuring Business Flex operations have sufficient land available to expand and grow, while not dominating corridors where high visibility, retail frontage is prioritized.

PRIMARY USES

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- Maker spaces, artisan, and innovation spaces
- Personal and outdoor storage
- Light industry
- Warehousing and distribution facilities

SUPPORTING USES

- Parks, greenways and open space
- Sports complexes and recreational facilities
- Urban agriculture
- Office, hospitality, retail sales and service
- Universities, colleges, and vocational schools
- Government, healthcare and institutional facilities
- Airport, railroad, and freight facilities

Characteristics

TRANSPORTATION & INFRASTRUCTURE

- Access management is improved for vehicles through curb cut consolidation and cross-access between commercial properties, reducing traffic conflicts and backups.
- Electric vehicle charging facilities are integrated and incentivized into development plans.
- As technology, trends, and funds permit, utilities are buried or consolidated along rear property lines, reducing conflicts with street trees, pedestrian infrastructure, and viewsheds.
- Best management practices for stormwater management are required in development projects and within public rights-of-way, such as permeable paving, rain gardens, green roofs, native landscaping, and other low impact design strategies.
- Pedestrian and bicycle infrastructure, and micro-mobility are integrated.

URBAN DESIGN - BUILDING AND SITE TYPOLOGY:

- Perimeter landscaping screens surface parking lots that accommodate the high number of employees, vehicles, delivery, and large truck traffic.
- Outside storage, auto oriented, or light industrial uses are screened from view from the right-of-way.
- Use of quality materials, construction methods, workmanship, and design should be incorporated into new development and redevelopment.
- A mix of building heights is supported through structured site and building design strategies to soften the impact on adjacent lower intensity residential development.
- Lighting, landscaping, signage, mail, and delivery accommodations should also be proactively incorporated into the site design.

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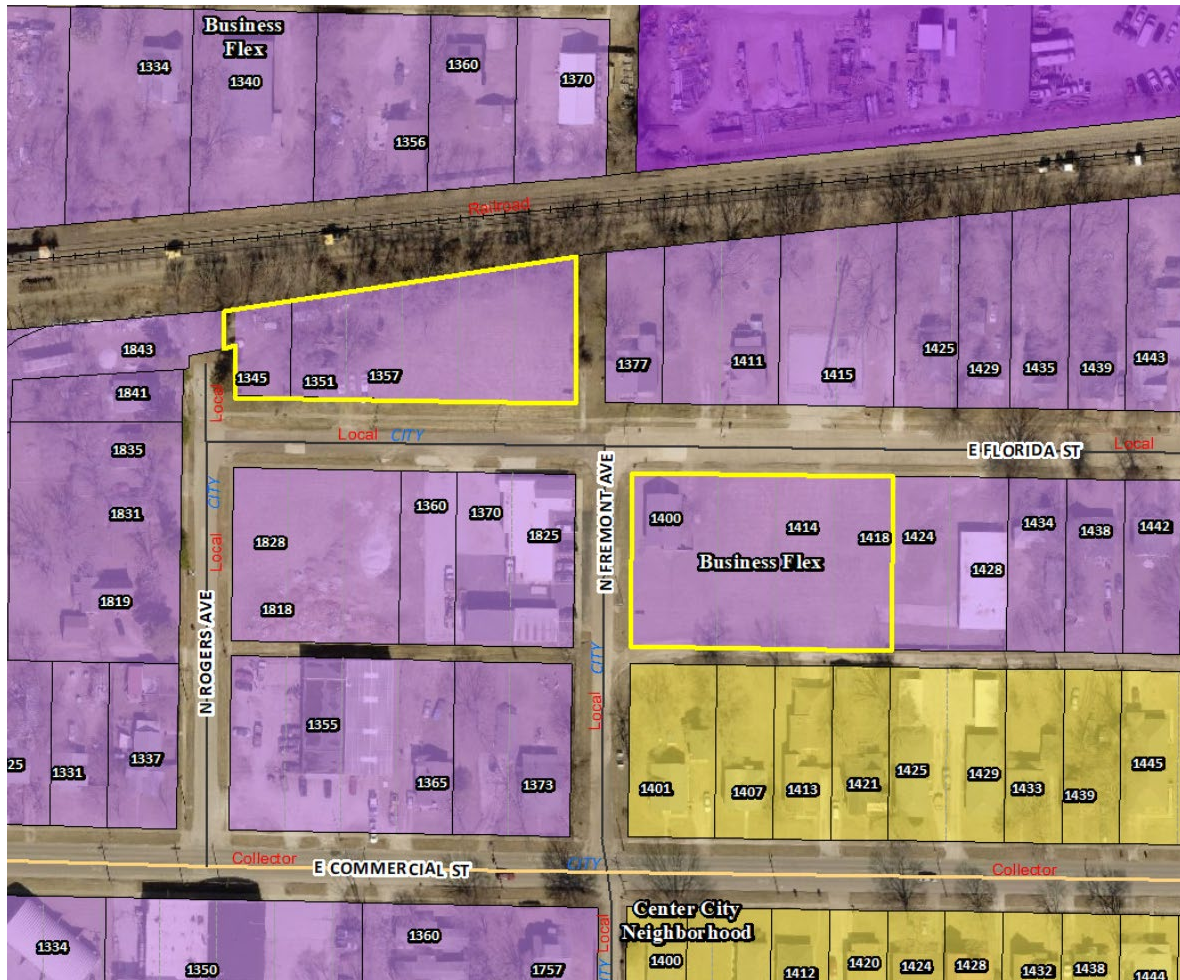
- Design should discourage the placement of mechanical equipment along major roadways or should be completely screened, along with trash receptacles, and recycling bins.

TRANSITIONS:

- Appropriate site design, parking access, massing, building orientation, screening, buffering, and separation standards are adopted and used to mitigate adjacent incompatible uses.
- Commercial and smaller office uses within the placetype are directed to its perimeter to provide a gradual transition into surrounding placetypes.

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FUTURE PLACETYPE MAP:



PLACETYPES	LAND USES													
	Single-Family Detached	Single-Family Attached	Multi-Family	Parks & Open Space	Sports Complexes & Recreational Facilities	Urban Agriculture	Office, Hospitality, Retail Sales & Service	Neighborhood Commercial	Major, Artisan & Innovation Spaces	Public & Private Schools & Places of Worship	Universities, Colleges & Vocational Schools	Government, Health Care & Institutional Facilities	Personal Storage, Outdoor Sales & Service	Light Industry
Residential Neighborhood	●	○	◇	○	◇	◇	○							
Mixed Residential	●	●	○	○	◇	◇	○							
Downtown	●	●	○	○	○	○	○	○	○	○	○	○	○	○
Mixed-Use	○	○	○	○	○	○	○	○	○	○	○	○	○	○
City Corridor	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Institutional & Employment Center	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Business Flex	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Industry & Logistics	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Urban Green Space & Recreation	○	○	○	○	○	○	○	○	○	○	○	○	○	○

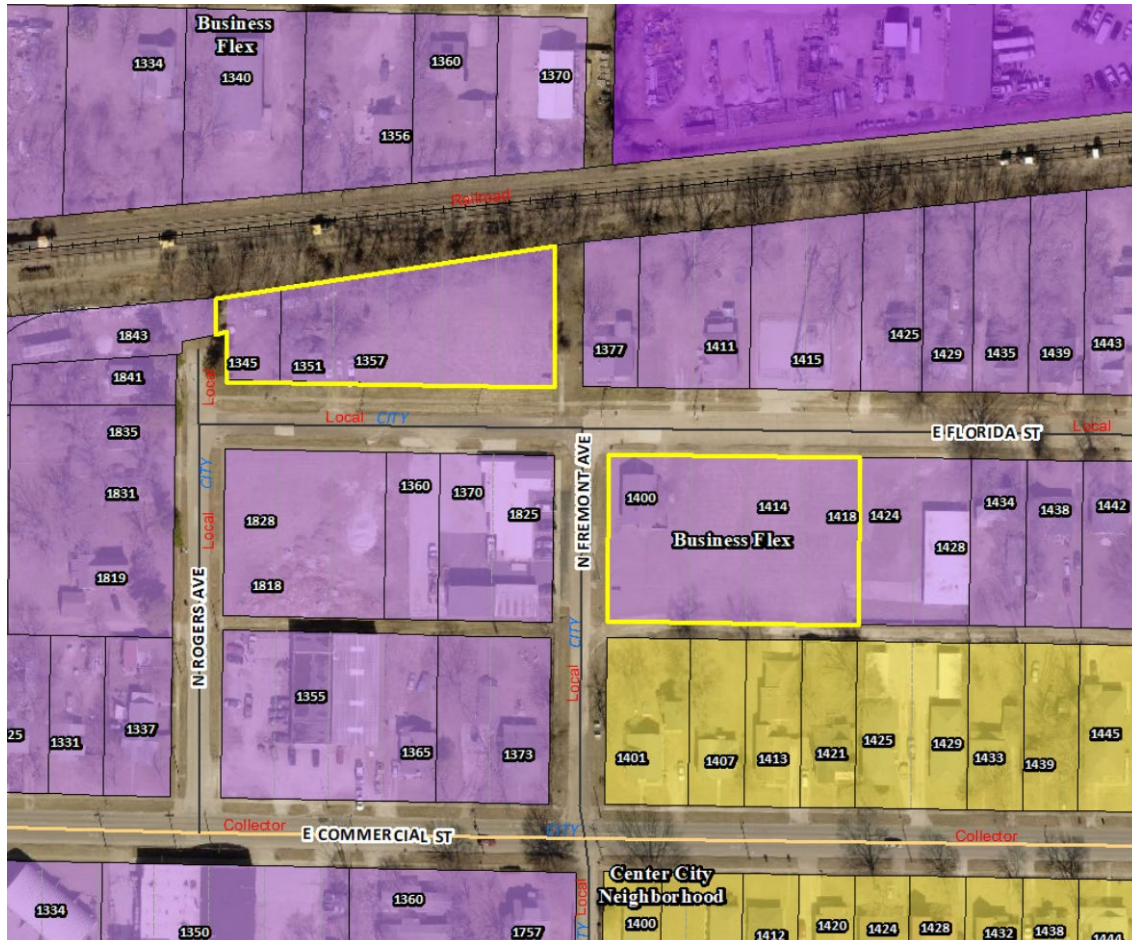
● **Primary Land Use:**
More prominent and play a pivotal role in characterizing that placetype

○ **Supporting Land Use:**
Less prevalent and serve to support the primary land use.

◇ **Low Intensity Supporting Land Use:**
Less prevalent and serve to support the primary use at neighborhood scale

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MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	GM	CS	GM	GM
LAND USE	Single-family residential & utilities	Single-family residential	Single-family residential & commercial	Single-family residential and industrial
PLACETYPES	Business Flex	Center City Neighborhood	Business Flex	Business Flex

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

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CITY UTILITIES:

No issues with proposed rezoning. CU Electric/Gas/Water is available to the property.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No issues with the rezoning. Each area has access to public sewer and is in an approved sewer district.

FIRE DEPARTMENT:

No comments.

DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

TRAFFIC REPORT

	Street Name	Street Classification	Jurisdiction	ROW from Centerline (ft.)		Traffic Count (vehicles per day)	On-Street Parking	Sidewalk	
				Required	Existing			Required	Existing
Street 1	E. Florida Street	Local	City	25	25	NA	Yes	Yes	Yes
Street 2	N. Rogers Avenue	Local	City	25	25	NA	Yes	Yes	Yes
Street 3	N. Fremont Avenue	Local	City	25	25	NA	Yes	Yes	Yes

ACCESS - All new or modified driveway approaches shall comply with current City of Springfield standards for the street classification.

TRAILS, BUS STOPS, AND ADDITIONAL INFORMATION - There are no Greenway Trails near the property. There are no bus stops near the property.

IMPROVEMENTS - No improvements are required for this rezoning. A traffic study is not required for this rezoning.

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

The property is in the **Jordan Creek North Branch** drainage basin. The property **is not** located in a FEMA designated floodplain. Staff **is not** aware of flooding problems in the local or downstream area. The city **is not** aware of a sinkhole or other Karst feature at this location. The property **does not have a stream buffer on site**. A fee in lieu of on-site stormwater detention **will be dependent on further analysis of the surrounding stormwater infrastructure and downstream impacts**.

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Please note that development of the property will be subject to the following conditions at the time of development:

All chapter and section references below are to the City's Flood Control and Water Quality Protection Manual Version April 2022.

DETENTION AND DISCHARGE REQUIREMENTS

1. Any development or redevelopment that increases runoff, through the increase in impervious surface, current detention requirements must be met per Chapter 3 Sec. 2.3.3. The only exception to building detention is a Fee in Lieu of detention application per the City of Springfield Code and the manual dependent on approvable by the Director of Public Works.
2. The two separate property locations need to drain through ROW to the box culvert under N Fremont Ave.

WATER QUALITY REQUIREMENTS

1. Water Quality is required for new development projects or redevelopment projects, with new or increased impervious surfacing, within the city limits of Springfield that disturb 1 acre or greater. Including projects less than 1 acre that are part of a larger common plan of development or sale that will disturb 1 or more acres over the life of the project. Chapter 10 Sec. 2.0.
2. A land disturbance permit will be required with disturbing 1 acre or greater per Chapter 4 Section 5 of the City's Flood Control and Water Quality Protection Manual.
3. Water Quality Credits are available to use in design for preserved trees and new planted trees. Landscaping and Bufferyards trees required by planning cannot be used for the water quality credits unless it is part of a SCM. Chapter 10, Section 3.1.

FLOODPLAIN

N/A

NATURAL CHANNEL & STREAM BUFFERS

N/A

SINKHOLES & KARST FEATURES

N/A

ADDITIONAL STORMWATER REQUIREMENTS

1. Stormwater Control Measures are the responsibility of the property owner or property owners' association to maintain, repair, and update unless the agreement is made with the City to operate. Operation and maintenance agreements are required for any permanent stormwater control measures.

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STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to rezone approximately 1.6 acres of property generally located at 1345, 1351, 1357, 1400, 1414 and 1418 East Florida Street from GM, General Manufacturing District to R-TH, Residential Townhouse District. The applicant intends to construct new residential structures on the existing lots. The R-TH district would allow single-family or duplexes. Single-family detached dwellings require a minimum of 6,000 square feet of land area. Duplexes will require at least 7,500 square feet of area so a replat of lots may occur after zoning.
2. While this area may have some consistencies with the Business Flex placetype of the *Comprehensive Plan's Land Use & Development* chapter, this area also has characteristics of the Center City Neighborhood placetype. The *Land Use & Development* chapter states that typically, a one-to-two-block transition zone on either side of both placetype boundaries would be a practical zone to complete the transition from one placetype to another. Staff believes that the typology of the Center City Neighborhood placetype is as appropriate for these areas which have a mix of single-family residential and commercial/office uses. The Business Flex placetype would recommend uses like the contractor storage yards and buildings; however, the redevelopment of these areas are more likely to occur as residential uses. This would meet goals of the Comprehensive Plan to provide more housing options in the center city neighborhood areas.
3. This application is consistent with the Center City Neighborhood placetype which consists of a diverse range of single-family homes with varying architectural styles, setbacks, compact and shared spaces and parcel sizes. Center City neighborhoods historically had small scale neighborhood supporting retail services provided at key intersections, streetcar routes, and neighborhood centers. These building types and commercial uses were integrated into the neighborhood fabric.
4. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this.
5. There are few changing conditions in the area affected that make the proposed rezoning necessary. The proposed rezoning area has existing single-family residential and many other properties along Rogers and Florida Street are currently being used as single-family residential.
6. The range of uses in the proposed R-TH district is compatible with the existing uses on other properties in the immediate vicinity. This will allow for additional residential uses to be established in a predominantly residential area.
7. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.
8. The impact of the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce

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traffic safety in the vicinity. The applicant is proposing a less intense zoning district than what is existing.

9. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.
10. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. Any existing single-family homes could remain as conforming uses, but new single-family homes or duplexes would not be allowed to be constructed in the general manufacturing district.
11. The proposed rezoning was reviewed by City departments and comments are contained in the staff report (above).
12. The applicant held a neighborhood meeting on July 18, 2024, regarding the rezoning request. A summary of the meeting is attached (Attachment 1).
13. The public notice was advertised in the Daily Events at least 15 days prior to the public hearing. The property was posted by the applicant at least 10 days prior to the public hearing. Public notice letters were sent out at least 10 days prior to the public hearing to all property owners within 185 feet.

STAFF RECOMMENDATION:

1. Staff recommends approval based on the proposal's general conformance to the Comprehensive Plan's Center City Neighborhood placetype and on the finding of facts above.

PLANNING AND ZONING OPTIONS:

The planning and zoning commission shall make one of the following recommendations in connection with each proposed change in zoning district classification of this article:

1. Recommend against the proposed change in the zoning district classification.
2. Recommend a change in the zoning district classification.
3. Recommend a change in the zoning district classification together with recommendations which, in the judgment of the planning and zoning commission, will protect adjacent property and ensure that the proposed amendment is consistent with the purpose and intent of this article.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: GM to RTH
(existing zoning) (proposed zoning)
2. Meeting Date & Time: July 18th 4-6:30
3. Meeting Location: Schweitzer Brentwood Branch Library
4. Number of invitations that were sent: 197
5. How the mailing list was generated: Planning & Zoning Office
6. Number of neighbors in attendance (attach a sign-in sheet): 0
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved).

N/A

8. List or attach the written comments and how you plan to address any issues:

D

I, Anedra Mosley (print name), attest that the neighborhood meeting was held on 07/18/2024 (month/date/year), and is at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing and in accordance with the attached "Neighborhood Notification and Meeting Process."


Signature of person completing affidavit

Anedra Mosley
Printed name of person completing affidavit



EXPLANATION TO COUNCIL BILL 2024-200 (HOSMER)

FILED: 09/04/2024

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 2.6 acres of property generally located at 1739, 1745, and 1755 South National Avenue; 1138 East University Street; and 1111, 1119, 1133, and 1141 East Sunshine Street from R-SF, Single-Family Residential District to GR, General Retail District and establishing Conditional Overlay District No. 258, and adopting an updated Official Zoning Map (By: BK&M, LLC; 1739, 1745, and 1755 South National Avenue; 1138 East University Street; and 1111, 1119, 1133, and 1141 East Sunshine Street; Z-22-2024 w/ Conditional Overlay District No. 258).

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 2.6 acres of the subject property generally located at 1739, 1745 and 1755 S. National Avenue, 1138 E. University Street and 1111, 1119, 1133 and 1141 E. Sunshine Street from R-SF, Single-Family Residential District to GR, General Retail District and establishing a new Conditional Overlay District No. 258. (Staff recommends approval and Planning and Zoning Commission recommends denial.)

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-22-2024/ CONDITIONAL OVERLAY DISTRICT NO. 258

The applicant is requesting to rezone approximately 2.6 acres of the subject property generally located at 1739, 1745 and 1755 S. National Avenue, 1138 E. University Street and 1111, 1119, 1133 and 1141 E. Sunshine Street from R-SF, Single-Family Residential District to GR, General Retail District and establishing a new Conditional Overlay District No. 258. The applicant is proposing a new commercial development.

The original rezoning application for General Retail (GR) zoning with Conditional Overlay District (COD) was submitted in August of 2022. That application was withdrawn in October of 2022 because the applicant had acquired 3 lots to add to the rezoning so a new application for GR with COD was resubmitted and later postponed until April of 2023. On April 6, 2023, Planning and Zoning Commission recommended denial of the proposed rezoning to GR with COD No. 220. At the May 22, 2023, City Council meeting the applicant proposed changes to the Conditional Overlay District and City Council remanded the rezoning case back to Planning and Zoning Commission. The case was postponed until the Planning and Zoning Commission meeting on December 14, 2023, where it was recommended for denial. The rezoning case was withdrawn in January and the applicant applied for a Planned Development in February.

The PD application was withdrawn in July and the latest GR with COD rezoning application was submitted.

The Comprehensive Plan is a policy guide that outlines the necessary actions for the City of Springfield to achieve the community's vision for its future. It is designed to serve as a guide for decision-making for staff, elected and appointed officials, developers, residents, and other stakeholders. Despite the comprehensive scope of the Plan's vision, goals, objectives, and recommendations, it is not regulatory.

In every city, dissimilar land uses converge at some point. Transitioning within, between, and along the edges is one of the most critical elements to align as Placetypes are implemented, changed, or amended. Typically, a one-to-two-block transition zone on either side of both placetype boundaries would be a practical zone to complete the transition from one placetype to another.

The friction that sometimes exists within and along the edges of neighborhoods, commercial areas, or roadways can be mitigated through a variety of planning strategies and regulatory tools. Design standards appropriate for transition areas should include the following:

- Preservation of mature canopy and understory trees
- Burying and consolidating utilities in areas that do not conflict with tree preservation, landscaping or other bufferyard elements
- Utilizing greater rear and side-yard setbacks and/or a reduction in structure height of more intense uses
- Scaling-down or minimizing the height of exterior lighting, signage, and other building and site elements
- Increasing the intensity or massing of tree plantings, landscaping, fences, and bufferyard features
- Placement of impactful site elements such as access drives, building entrances, windows, refuse, and grease bins
- Utilization of berms, preservation of natural elevation changes, or screening to block headlights, mechanical equipment, or trash receptacles
- Acquisition of additional right of way or easements to screen and separate uses from intense public infrastructure and improvements
- Designing building and site elements to be architecturally compatible with surrounding area

The Institutional and Employment Center placetype contains a variety of major medical and office parks, and a collection of institutional and employer campuses. Large campuses are supported by small commercial sales and service business, and a mix of community-orientated amenities. As Institutional and Employment Centers provide vital jobs and services to the entire metro area, multimodal accessibility and public transit connectivity are key components of this placetype. Underutilized parcels are assembled

and redeveloped into more intense supporting uses or higher density housing developments where appropriate, to increase activity within the center. Planning for Institutional and Employment Center placetype focuses on infrastructure and corridor improvements to facilitate traffic flow, multimodal connectivity, and streetscaping improvements, needed to enhance the character and connectivity of key corridors. As these centers of activity receive high volumes of visitors and commuters into the City, it is essential that the quality of development and visual appeal of the corridors remain attractive and representative of the City's desired image.

Cities are dynamic places where commercial, manufacturing, and residential land uses converge, often creating friction. Residential neighborhoods are particularly sensitive to transitional areas where established homes are adjacent to neighborhood edges, major arterials, or commercial activity centers. While most neighborhoods have a pronounced edge where redevelopment has already occurred and are occasionally challenged by expansion further into the neighborhood, some have persevered and retained residential uses right up to the edge. Battlefield Street, Division Street, Kansas Expressway, National Avenue, and Sunshine Street are among the major thoroughfares where residential properties still exist right up to the edge of the roadway and placetype. More targeted planning and the use of planning tools such as Planned Developments and Conditional Overlay Districts will be made to help strike a balance between neighborhood preservation and the pressure to redevelop these areas for non-residential uses at these edges. In transitional areas, more intense institutional and employment uses and supporting uses are recommended to be sufficiently separated and buffered from lower intensity residential uses.

The Residential Neighborhood and Mixed Residential placetypes include higher density housing, lower-intensity retail and services as supporting uses. Currently, the City's residential districts including the R-SF, R-TH, R-LD, R-MD, R-HD, and RMHC districts do not allow low-intensity neighborhood scale commercial, retail, or service uses. To better align the districts with the placetypes, the City should consider interim text amendments that allow compatible, lower-intensity commercial and higher-density housing conditionally, by requiring the submission of an application for a conditional overlay district or planned developments with a site plan.

REMARKS: The Planning and Zoning Commission held a public hearing on August 22, 2024, and recommended to deny, by a vote of 6 to 2.

The Planning and Development staff recommends the application be approved (see the attached Development Review Staff Report).

FINDINGS FOR STAFF RECOMMENDATION:

1. The Comprehensive Plan's Land Use & Development chapter identifies the subject property as the Traditional Neighborhood placetype. While there are some characteristics of a Traditional Neighborhood placetype based upon historic and existing housing patterns along Sunshine and National corridors, staff recognizes there

are other factors that would lend these properties to the Institutional & Employment placetype. These properties are on the edge of the Traditional Neighborhood placetype adjacent to Sunshine Street and National Avenue which are classified as primary arterial roadway on the City's Major Thoroughfare Plan. The intersection of Sunshine & National is a major intersection in the city with an enormous amount of traffic that significantly effects access. The other three corners of this major intersection of the city are designated as Institutional & Employment Placetypes with existing businesses and services that serve the Mercy hospital and medical clinics and offices in the area.

2. The Land Use & Development chapter of the Plan states that underutilized parcels are assembled and redeveloped into more intense supporting uses or higher density housing developments where appropriate, to increase activity within the employment center. The proposed General Retail District with the Conditional Overlay District is consistent with the intent and objectives of the Institutional & Employment placetype in this location. However, it also states that more intense institutional and employment uses and supporting uses are sufficiently separated and buffered from lower intensity residential uses. The proposed COD is meant to provide that appropriate buffering from the single-family residential uses.

3. The proposed General Retail District with COD has similar and, in some cases, more restrictive conditions of development than the northeast corner of Sunshine and National which rezoned and redeveloped starting in 2016.

4. The applicant is proposing to rezone to the GR, General Retail District with a Conditional Overlay District (COD). The conditional overlay district is a floating zone that allows the applicant to voluntarily limit uses to be established in accordance with specific standards and conditions. The applicant has chosen to restrict the ability to establish certain commercial land uses that could be considered more noxious than other land uses allowable in the district. Any office or commercial uses allowed in the GR district could be developed independently unless otherwise prohibited in the Conditional Overlay District; therefore, there is no guarantee that the development will be one particular use.

5. The proposed Conditional Overlay District requirements prohibit many objectionable uses that could be incompatible with the neighborhood and will limit traffic volumes; however, the Growth Management and Land Use Plan of the Comprehensive Plan states it is important to ensure that new land uses are not detrimental to residential areas and to recognize the vulnerability of residential areas to certain adverse impacts. This objective does not mean that non-residential land uses are automatically inappropriate in residential areas; it means that design and location criteria must consider the existing residential areas. The applicant has prohibited eating and drinking establishments with drive-in, pickup window or drive-thru facilities which can be a high-volume traffic generator. Other potentially objectionable uses such as retail sales of adult novelties, standalone vape shops, stores that primarily sell package liquor, and outdoor athletic courts are also prohibited amongst others as listed in the COD (Attachment 1). The compatibility with neighboring residential land uses is enhanced through the elimination of these land uses.

6. The Use Limitations restrict businesses operating within the proposed rezoning district shall be limited to business hours of 6:00 a.m. to 11:00 p.m. on Sunday,

Monday, Tuesday, and Wednesday and 6:00 a.m. to 12:00 a.m. (midnight) on Thursday, Friday, and Saturday. No business activity is allowed on the premises outside of these times. This limitation shall not apply to hotels.

7. The applicant has added design requirements to the COD that are based on the existing code requirements "Revised Multi-Family Location and Design Guidelines" that will be applied to any development of the site. The site will have requirements for pedestrian amenities, orientation of buildings to the street, avoiding blank walls on buildings along all street frontages, blending the building scale and setback with existing developments, street facing walls must be articulated and providing additional bicycle parking that will encourage pedestrian activity. The applicant will be required to provide pedestrian and bicycle connections to adjoining public sidewalks that will provide a good circulation system. The site will be designed to respect the natural environment by incorporating functional amenities in the open space, requiring additional trees with larger caliper to replace existing trees that are removed and requiring tree protection for trees being preserved onsite.

8. The building facades shall be designed to have a similar level of quality and architectural finish on all sides of the buildings visible to the public. This shall be accomplished by integrating architectural variations and treatments such as windows and other decorative features into all sides of a building design.

9. The COD limits building materials and colors to those that will have low reflectance. High-intensity, metallic or fluorescent colors will be prohibited. Façades shall incorporate no less than 60 percent brick, stone, stucco or craftsman style cementitious board or wood into the design. Stone veneer can be engineered stone or natural cut stone. No building shall have more than 50 percent exterior glazing on a frontage facing Sunshine Street or National Avenue and the first floor of any building facade facing a public right-of-way shall include transparent, clear glass windows and/or doors arranged so that the uses inside are visible from and/or accessible to the street. Window and/or doors with reflective or tinted glass that impede views into a building shall be prohibited. If roofs are visible to the public, whether viewed from the public right-of-way or adjacent property, they shall be comprised of architectural asphalt shingle roofing. These design elements will enhance compatibility with neighboring residential structures and are supportive of urban design that emphasizes pedestrian oriented buildings and traditional urban character as recommended by the Comprehensive Plan.

10. The development of the property will require a bufferyard along the west and north property lines immediately adjacent to the R-SF, Single-Family Residential zoning district. The normal bufferyard required between GR and R-SF would be a bufferyard "Type F" at least (20) twenty feet wide. For each one hundred (100) linear feet of bufferyard, there must be three (3) canopy trees, three (3) understory trees, four (4) evergreen tree and twenty (20) shrubs. A six-foot-tall solid wood fence is also required as part of this bufferyard. A bufferyard type S2 is required along the north side of the property that is across from University Street. This bufferyard is a minimum of 15 feet in depth with plantings. A structure (i.e. fence, wall, berm or hedge row) is not required as part of this bufferyard S2.

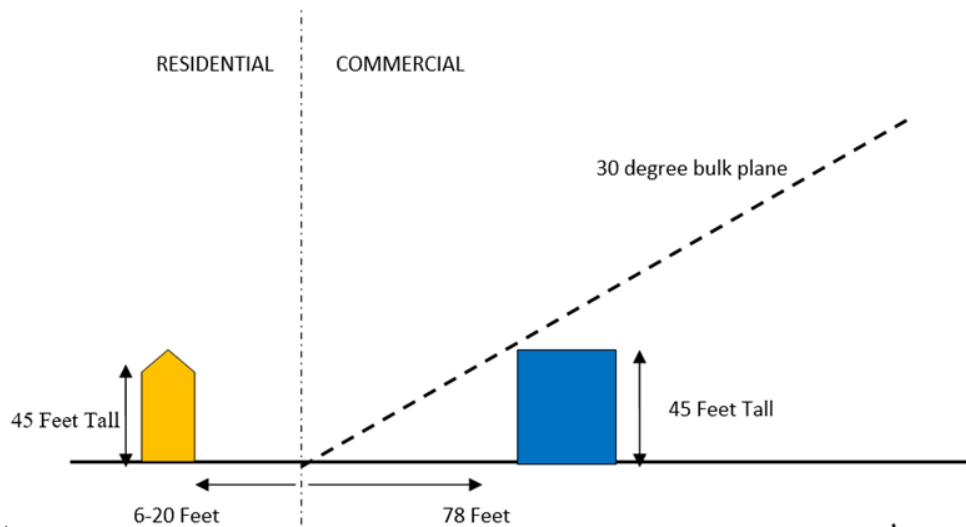
11. The applicant is voluntarily proposing to install more mature landscaping than is

currently required by code or an 8-foot-tall masonry wall and has eliminated the ability to administratively reduce the proposed bufferyard widths below the code required minimum standards. The increased height and bulk of the landscape material will assist with providing an enhanced landscape buffer between the site and the surrounding residential development, thus increasing compatibility between the differing land uses.

12. As part of the COD, the applicant is proposing two bufferyard options. An 8-foot masonry wall (with bufferyard type F plantings) or a minimum total of 60 non-deciduous evergreen trees to be planted in the bufferyard areas adjacent to the R-SF and along University Street. It also stipulates that each tree is to be a minimum of approximately 12 feet tall when planted. This can be a part of the evergreen tree bufferyard requirements; however, anything over and above the standard bufferyard landscaping must be planted in addition to the bufferyard area. It also states that these additional trees and landscaping shall not interfere with sight distance or any other city code requirements.

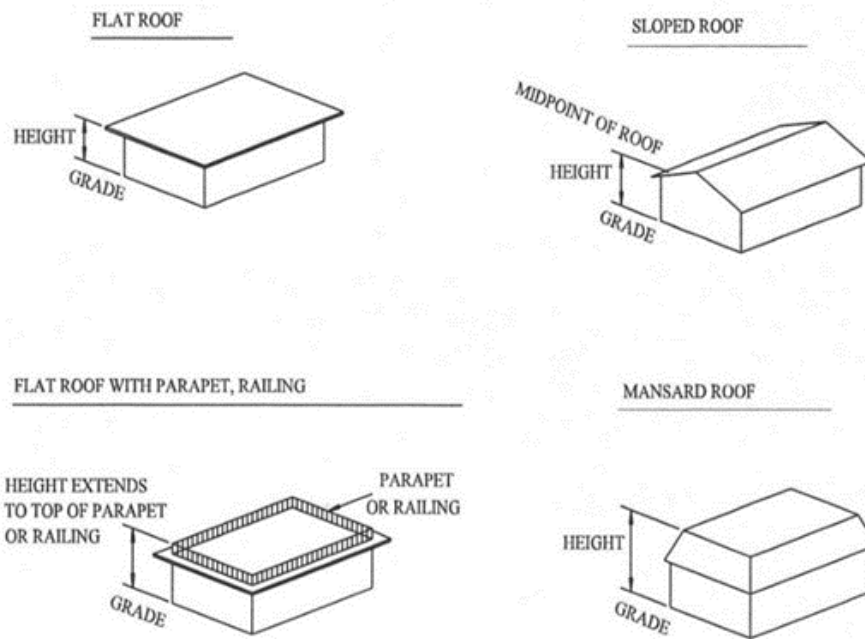
13. The proposed COD will restrict the structure height to 45 feet above finished grade which is the same height requirements as the adjacent R-SF District. This reduces the potential height of any structures to two to three stories. The 30-degree bulk plane will still apply, but in the areas where the bulk plane doesn't limit the height below 45 feet, then this restriction will come into effect. The applicant must meet the bulk plane requirements for the proposed GR zoning district. The bulk plane is a theoretical plane beginning at a district boundary (in this case) and rising over a slope determined by an acute angle measured up from the horizontal.

The bulk plane defines the relationship of the height of a structure and the structure's setback from the district boundary. The Zoning Ordinance requires a 30-degree bulk plane for the height of structures in a GR District measured from the R-SF District boundary line. This means that for every one (1) foot of structure height, the building must be set back 1.73 feet from the district boundary line (example below). This requirement would limit the height of the structure from the R-SF district boundaries to the north (across University Street), northwest (adjacent private property), east (across National Avenue), south (across Sunshine Street) and west (adjacent private property).



The applicant is proposing to limit the height of the structure to 45 feet with the same maximum height language as the R-SF District. The definition of height is the vertical distance of a structure measured from the average established grade at the street lot line or from the average natural ground level, if higher; or if no street grade has been established to the highest point of the roof's surface if a flat surface; to the deck line of mansard roofs; and to the mean height level between eaves and ridge for hip or gable roofs. In measuring the height of a building, the following structures shall be excluded: chimneys, cooling towers, telecommunication towers, ornamental cupolas, domes, or spires, elevator bulk heads, penthouses, tanks, water towers, and parapet walls not exceeding four feet in height.

Figure 2-5



This height limitation of 45 feet would not start limiting the structure until 78 feet from any R-SF district boundary into the site if the site was completely flat. The site increases approximately 10 feet in grade from University Street to Sunshine Street (from northeast to southwest) with the highest points at the southwest portion of the property along Sunshine Street.

14. The exterior lighting and signage requirements of the COD will limit the height of lighting sources to control glare and light spillover, and signage will be required to be compatible with the style of the building.

15. The Additional Requirements in section M. of the COD includes requirements for lot combination that will require additional right-of-way to meet current standards, access restrictions and site plan review.

16. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this.

17. There are changing conditions in the area affected that make the proposed rezoning necessary. The intersection of Sunshine and National has some of the highest traffic volumes in the city.

18. The range of uses in the proposed GR district with COD are compatible with the uses permitted on other property in the immediate vicinity to the east and south of the

intersection. Non-residential uses exist at all other corners of this major intersection. There is an existing retail shopping center at the northeast corner, the Mercy hospital campus at the southeast, and a new Cox hospital clinic at the southwest corner. These properties are on the edge of Placetypes and in a transition area of the Institutional & Employment placetype. The General Retail District allows for uses that provide community-wide personal and business services, shopping centers and specialty shops. This district is intended to be located along or at the intersection of two or more arterial or higher classification streets.

19. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned. City Utilities state that all subject properties have access to CU Electric/Gas/Water.

20. The impact of the proposed uses is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity. A Traffic Impact Analysis (TIA) has been completed and accepted by the city. The improvements required based on the TIA are required to be submitted on Public Improvement Plans (PIP) and the improvements constructed, or funds escrowed prior to approval of a building permit. Required improvements include a raised concrete median on National Avenue restricting access to University Street to Right-in/Right-out only on the west side of National Avenue and Right-in/Right-out/Left-in only on the east side of National Avenue.; a raised concrete median on Sunshine Street restricting access to the development to Right-in/ Right-out/Left-in only; traffic calming measures on University Street and/or Hampton Avenue; the development should be completed in a manner, or right-of-way provided, to allow future construction of the southbound National Avenue to westbound Sunshine Street turn lane; and any change in use that creates an increase in total trip generation, as determined by the Director of Public Works, as presented in the final accepted TIA of more than 500 trips daily and/or 50 trips in the peak hour will require a modified TIA. The requirements of said study shall be incorporated in the site plan, PIP, or other permits as applicable.

21. The following required traffic calming measures are to be installed, as approved by the City Traffic Engineer, and included in the Public Improvement Plans:

- Landscaped island on East University Street west of the proposed access to the development preventing traffic from heading west on East University Street beyond the development.
- Midblock speed cushions on East University Street between Hampton and the development and between S Hampton Ave and S Kings Avenue.
- Midblock speed cushions on S Hampton Avenue between E Sunshine Street and E University Street and between E University Street and E Stanford Street.
- Midblock speed cushion on E Stanford Street between S National Avenue and S Hampton Street.

22. The required dedication of additional right-of-way along National Avenue will facilitate the city's ability to construct a southbound to westbound right turn lane on National Avenue. The addition of this right turn lane on National Avenue will improve the overall level of service and traffic flow of the Sunshine St and National Avenue

signalized intersection.

23. City Code requires access on National Avenue to be a minimum of 400-feet from the nearest right-of-way line of E. Sunshine Street and access on E. Sunshine Street to be a minimum of 300-feet from the nearest right-of-way line of S. National Avenue.

There is not enough property frontage to meet these requirements along S. National Avenue, therefore access will not be allowed on S. National Avenue. Currently, City Code requires the proposed access from E. University Street to be a minimum of 110-feet from the nearest right-of-way line of S. National Avenue. Access to E. University Street can meet this requirement. A Traffic Impact Study has been conducted and right-of-way and traffic improvements will be required to ensure the development is consistent with access management design standards and City Code.

24. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district. There is no error being corrected with this application.

25. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. The multiple properties are zoned R-SF and could be developed as such.

STAFF RECOMMENDATION: Staff recommends approval based on the proposal's general conformance to the Comprehensive Plan's Institutional & Employment placetype and on the finding of facts above.>

Submitted By: Daniel Neal, Senior City Planner

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

Maurice S. Jones, Deputy City Manager 9/12/2024

Attachments:

1. Z-22-2024 COD 258 - Ord
2. Z-22-2024 COD 258_exh A
3. Z-22-2024 COD 258_exh B
4. Z-22-2024 COD 258_exh C
5. Z-22-2024 COD 258_exh D

One-rdg. _____
P. Hrngs. X
Pgs. 100
Filed: 09-17-24

Sponsored by: Hosmer

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-200

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, 'Official
2 zoning map and rules for interpretation,' by rezoning approximately
3 2.6 acres of property generally located at 1739, 1745, and 1755
4 South National Avenue; 1138 East University Street; and 1111,
5 1119, 1133, and 1141 East Sunshine Street from R-SF, Single-
6 Family Residential District to GR, General Retail District and
7 establishing Conditional Overlay District No. 258, and adopting an
8 updated Official Zoning Map.
9 _____

10
11 WHEREAS, an application has been filed for a zoning change of the property
12 generally located at 1739, 1745, and 1755 South National Avenue; 1138 East University
13 Street; and 1111, 1119, 1133, and 1141 East Sunshine Street from R-SF, Single-Family
14 Residential District to GR, General Retail District with Conditional Overlay District No.
15 258; and
16

17 WHEREAS, Conditional Overlay District No. 258 shall modify the requirements of
18 the Springfield Land Development Code Section 36-421, GR, General Retail District, by
19 requiring that the property described in "Exhibit B" comply with the requirements
20 described in "Exhibit A," both attached hereto and incorporated herein by this reference;
21 and
22

23 WHEREAS, following proper notice, the Planning and Zoning Commission held a
24 public hearing on August 22, 2024, a copy of the Record of Proceedings from said
25 public hearing being attached hereto and incorporated herein by this reference as
26 "Exhibit C," and said Commission made a recommendation for denial by a vote of 6 to
27 2; and
28

29 WHEREAS, the City has reviewed the applicant's request and prepared a staff
30 report concerning the application, which is attached hereto and incorporated herein by
31 this reference as "Exhibit D"; and
32

33 WHEREAS, proper notice was given of a public hearing before City Council, and

34 said hearing was held in accordance with the law.

35
36 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
37 SPRINGFIELD, MISSOURI, as follows, that:

38
39 Section 1 – The property described in "Exhibit B" is hereby rezoned from R-SF,
40 Single-Family Residential District to GR, General Retail District with Conditional Overlay
41 District No. 258. Springfield Land Development Code, Section 36-306, 'Official zoning
42 map and rules for interpretation,' is hereby amended, changed, and modified consistent
43 with this Ordinance.

44
45 Section 2 – City Council hereby establishes Conditional Overlay District No. 258,
46 which shall contain the requirements and standards provided in "Exhibit A." The
47 requirements of Conditional Overlay District No. 258 shall modify the requirements of
48 the Springfield Land Development Code Section 36-421, GR, General Retail District, by
49 requiring the property described in "Exhibit B" to comply with the requirements
50 contained in "Exhibit A."

51
52 Section 3 – City Council hereby directs the City Manager, or designee, to update
53 the City's digital zoning map to reflect this rezoning, and City Council adopts the map
54 thereby amended as the Official Zoning Map of Springfield, Missouri, as provided for in
55 the Springfield Land Development Code, Section 36-306, 'Official zoning maps and
56 rules of interpretation.'

57
58 Section 4 – The Official Zoning Map herein adopted shall be maintained and
59 archived in the same digital form in which this Council has approved its adoption.

60
61 Section 5 – This Ordinance shall be in full force and effect from and after
62 passage.

63
64 Passed at meeting: _____

65
66
67 _____
68 Mayor

69 Attest: _____, City Clerk

70
71 Filed as Ordinance: _____

72
73
74 Approved as to form: Laura Vales, Assistant City Attorney

75
76
77 Approved for Council action: Jason A. Hage, City Manager

EXHIBIT A
PROVISIONS FOR CONDITIONAL OVERLAY DISTRICT NO. 258

The requirements of Section 36-421 of the Springfield Zoning Ordinance shall be modified herein for development within this district to include the following:

A. USES PERMITTED

1. Accessory uses as permitted by section 36-450, accessory structures and uses.
2. Art Galleries, libraries, and museums.
3. Bars, as long as the bar use is not the primary use of the property. Bar uses shall be accessory to other permitted uses.
4. Churches and other places of worship, including parish houses and Sunday schools but excluding overnight shelters.
5. Commercial gardens and/or farmers markets with retail and/or wholesale sales on-site.
6. Community gardens without retail or wholesale sales in accordance with the performance standards of section 36-470, community gardens.
7. Day care centers in accordance with chapter 36, article XI, Springfield City Code.
8. Eating and drinking establishments use group. Excluding the uses listed in section E.
9. Entertainment-oriented use group, excluding outdoor athletic courts.
10. General office use group.
11. Medical office use group.
12. Residential uses provided such uses are located above the first floor or behind nonresidential uses so as to create a continuous nonresidential façade, on the first-floor level. When a lot has multiple street frontages, first-floor non-residential uses will be required on the street with the highest classification. All other street frontages may contain residential uses.
13. Personal service use group.
14. Retail sales use group.
15. Schools or development centers for persons with handicaps or development disabilities.
16. Schools, business.

17. Short term rental type 3 in accordance with 36-473, and subject to conditions in subsection (2)(b) or (y) if applicable.
18. Single-family residential dwellings as permitted in Section 36-380 of the Zoning Ordinance.
19. Temporary lodges use group.
20. Temporary uses, as permitted by section 36-452, temporary uses.
21. Temporary vendors as permitted under subsection 36-452(3)(b)2.
22. Veterinary clinics, animal hospitals, pet daycare services, pet grooming facilities and kennels. No outside activities shall be permitted for kennels. Veterinary clinics, animal hospitals, pet daycare services and pet grooming facilities may have supervised outside activities, which are defined as having a single animal under the physical control of an individual. All outside activity spaces shall be fully enclosed and screened from any adjacent residential uses, districts and all public rights-of-way with a six-foot tall barrier that is in conformance with subsection 36-480(3). No outside activity spaces shall be located within 25 feet of any residential use or district, and all animal waste shall be collected and disposed of on a daily basis.

B. USES PROHIBITED

1. Automotive washing businesses.
2. Bed and breakfast
3. Catering business
4. Commercial amusement, including bowling alleys, dance halls, video game arcades, billiard parlors, roller skating and ice-skating arenas, motion picture theatres, and drive-in theatres. This limitation does not apply to indoor athletic courts.
5. Commercial off-street parking lots and structures.
6. Comprehensive marijuana-infused products manufacturing type-2 post extraction facility.
7. Convenience stores with gas pumps.
8. Day care centers in accordance with chapter 36
9. Eating and drinking establishments with drive-ins, pickup windows, or drive-thru facilities.
10. Flea Markets entirely within closed buildings.
11. Food trucks.
12. Funeral homes and mortuaries.
13. Household resource recovery collection centers, screened from all residential districts and

public rights-of-way in conformance with section 36-480, screening and fencing.

14. Massage parlors or any adult motion picture theatre, adult store, or cabaret, as defined in section 36-321, definitions.
15. Medical, comprehensive or microbusiness marijuana dispensary facility and Medical Marijuana-infused products manufacturing type-2 post-extraction facility.
16. Pawn shops.
17. Payday loans or payday lending services or other activities related to credit intermediation.
18. Photo processing with drive-through facilities.
19. Police and fire stations.
20. Private clubs and lodges.
21. Public and private parks, outdoor playgrounds, and golf courses, including miniature golf courses and driving ranges.
22. Public service and public utility uses.
23. Satellite rental car offices limited to administrative functions related to the rental car business, drop off and pick up of rental cars, and on-site parking for not more than fifteen (15) rental cars and vans.
24. Seasonal outdoor sales and related storage as permitted by section 36-452, temporary uses.
25. Self-service laundromats.
26. Self-service storage facilities.
27. Recording studios.
28. Retail sales relating to adult bookstores, adult novelty shops, or any adult motion picture theatre, adult store, or cabaret as defined in section 36-321, definitions.
29. Retail stores where more than sixty percent (60%) of gross revenue is derived from package liquor sales.
30. Taverns or nightclubs.
31. Taxidermists.
32. Television and radio stations.
33. Tier I, III, IV, and V wireless facilities.
34. Towers other than wireless facilities, less than 100 feet in height and related facilities provided telecommunication towers comply with section 36-466, telecommunication tower.
35. Vape shops (standalone).
36. Water reservoirs, water stand pipes, and elevated and ground water storage tanks.

C. USE LIMITATIONS

1. Businesses operating within the proposed rezoning district shall be limited to business hours of:
 - a. 6:00 a.m. to 11:00 p.m. on Sunday, Monday, Tuesday, and Wednesday
 - b. 6:00 a.m. to 12:00 a.m. (midnight) on Thursday, Friday, and Saturday.
 - c. No business activity is allowed on the premises outside of these times. This limitation shall not apply to hotels.
2. All outdoor automobile parking areas used for the purpose of retail or wholesale storage or sale of motorized or commercial vehicles shall be prohibited.
3. No outdoor storage.
4. No use shall emit an odor that creates a nuisance as determined by chapter 2A, article X, Springfield City Code.

D. INTENSITY OF DEVELOPMENT

Development shall adhere to the following standards.

- a. Maximum multi-family residential density of 29 dwelling units per acres if all design requirements of the Multi-family Location and Design Guideline are met.

E. BULK, AREA AND HEIGHT REQUIREMENTS

Development shall adhere to the following standards.

- a. Maximum structure height: 45 feet above finished grade.
- b. All structures shall remain below a 30-degree bulk plane as measured from the boundary of any R-SF or R-TH district.

F. DESIGN REQUIREMENTS

1. Building development in the proposed rezoning district shall be based on existing references within the context of the adjacent neighboring community to create harmony between this site and the neighboring community.

2. The site shall be designed to encourage pedestrian activity and shall:
 - a. Provide pedestrian amenities such as pedestrian scale lighting and street furniture to enhance the pedestrian environment.
 - b. Orient buildings to the street or public/common open space and provide pedestrian access to the street;
 - c. Blend the building scale and set back with existing developments along National and Sunshine that are consistent with these guidelines. Street facing walls that are greater than 50' in length must be articulated at least each 25 feet with bays, projections, or recesses. Articulation means a difference in vertical planes of the building of at least 18 inches or more; and
 - d. Provide bicycle parking equal to five percent of required vehicle parking spaces or ten spaces, whichever is less.
3. The site shall be designed to provide a good circulation system and shall:
 - a. Provide pedestrian and bicycle connections to adjoining public sidewalks; and
 - b. Provide connectivity by including direct vehicular, pedestrian and bicycle connections between abutting or adjacent developments.
4. The site shall be designed to respect the natural environment and shall:
 - a. Incorporate functional amenities in the open space and recreational areas such as outdoor seating areas.
 - b. A tree study performed on the site identified five trees that should be preserved if possible. Due to redevelopment of the site, it is only practicable to preserve one tree, the Magnolia tree located in the northeast corner of the property. The Magnolia tree should be preserved to the extent reasonably possible; and
 - c. The remaining four trees being removed must be replaced with a tree of at least two inches (2") in diameter. Trees meeting the landscape requirements in the zoning ordinance may be counted toward this requirement.
5. The building facades shall be designed with the following requirements:
 - a. All sides of buildings visible to the public, whether viewed from the public right-of-way or a nearby property, shall display a similar level of quality and architectural finish. This shall be accomplished by integrating architectural variations and treatments such as windows and other decorative features into all sides of a building design.

b. Building materials and colors.

(1) Facade colors shall have low reflectance. High-intensity, metallic, or fluorescent colors are prohibited.

(2) Façade shall incorporate no less than 60% brick, stone, stucco, or craftsman style cementitious board or wood into the design. Stone veneer can be engineered stone or natural cut stone.

(3) Façade shall not have more than three materials or changes in color, excluding glass. Metal, Vinyl, or plastic siding is prohibited.

(4) No building(s) shall have more than fifty percent (50%) exterior glazing on any frontage facing Sunshine Street or National Avenue.

(5) The ground level of nonresidential or mixed-use buildings must offer pedestrian interest along sidewalks and pedestrian paths through the placement of window and doors. Therefore, the first floor of any building façade facing a public right-of-way shall include transparent, clear glass windows and/or doors arranged so that the uses inside are visible from and/or accessible to the street. Window and/or doors with reflective or tinted glass that impede views into a building shall be prohibited.

(6) If roofs are visible to the public, whether viewed from the public right-of-way or adjacent property, they shall be comprised of architectural asphalt shingle roofing.

c. Service and Loading Areas. Off-street loading shall be regulated in accordance with Sections 36-456 and 36-483 of the Springfield Municipal Code of Ordinances. The following requirements are supplementary.

(1) All service and loading areas shall be in the side or rear yard of buildings.

(2) Service and loading areas shall be designed so that the entire service and loading operations are conducted on the building site. The visibility of service and loading from public streets shall be minimized.

G. OPEN SPACE, LANDSCAPING & SCREENING

The landscaping and screening provisions are intended to improve the physical appearance of the District; to improve the environmental performance by contributing to the abatement of heat, glare and noise, and by promoting natural percolation of storm water and improvement of air quality; to buffer potentially incompatible land uses from one another; and to conserve the value of adjoining property and neighborhoods.

1. Open Space Requirements

a. 20% Minimum open space

(1) Pervious pavement will not be allowed to count towards open space requirements.

b. 80% Maximum impervious area.

2. Bufferyards and Screening

- a. 20-foot-wide buffer yard adjacent to R-SF zoning consisting of:
 - (1) An 8-foot-tall stone (natural or engineered), brick, or concrete wall; or
 - (2) An 6-foot-tall wood privacy fence and non-deciduous evergreen trees planted in the buffer yard at 8 feet on center. Each tree shall be a minimum of approximately 12 feet tall when planted and maintained in the bufferyard. An irrigation system will be installed as well to ensure maintenance, life and growth. Trees and landscaping shall not interfere with sight distance or other city code requirements;
 - b. 15-foot-wide Standard City S2 Buffer along E University Street;
 - c. A minimum 4-foot-tall wall, measured from the finished grade of the north edge of the parking lot adjacent to E University Street, shall be installed for the length of the parking lot where headlights from parking vehicles would face north.
 - d. Required bufferyards on a lot or tract shall be installed when the lot or tract is developed;
 - e. Required bufferyards in common areas shall be installed when any development occurs in the proposed rezoning district unless the installation is specifically delayed by the requirements.
3. Vehicular use area open space
- a. Perimeter Landscaping. The requirements and standards of Section 36-482(9) of the Springfield Zoning Ordinance, in effect at the time of development shall apply.
 - b. Interior Landscaping. The requirements and standards of *Section 36-482(9) of the Springfield Zoning Ordinance*, in effect at the time of development shall apply.
4. Open space landscaping
- a. Landscaping plantings. In all open space areas required by this District the following landscaping shall be planted and maintained for each five-hundred (500) square feet of such open space area. Existing trees approved for preservation shall be counted toward satisfaction of this provision.
 - (1) One (1) canopy tree or (2) understory, ornamental or evergreen trees.
 - (2) Six (6) shrubs.
 - b. Landscaping standards
 - (1) Tree species, sizes and spacing shall be approved consistent with the City of Springfield's *Arboricultural Design Guidelines* on file with the Planning and Development Director.
 - (2) Tree preservation shall be per Section I (5) (b-c) of the Planned Development Language.

- (3) Maintenance of required landscaping. Upon installation or preservation of required landscape materials, appropriate measures shall be taken to ensure their continued health and maintenance. Required materials that do not remain healthy shall be replaced consistent with this article.

H. EXTERIOR LIGHTING

1. All outdoor lighting fixtures shall either have a fixture cutoff classification of “full cutoff” or be fully shielded, unless otherwise expressly permitted.
2. All outdoor lighting utilizing a light-emitting diode (LED) fixture shall meet the following standards:
 - a. Color rendering. Outdoor LED fixtures shall be rated a minimum color rendering index (CRI) value of 70 or higher.
 - b. Color temperature. Outdoor LED fixtures shall have a correlated color temperature between 4,000- and 5,000-degrees Kelvin.
3. Maximum height of lighting poles shall not exceed 20 feet in height.

I. NOISE

The requirements and standards of *Section 36-485 of the Springfield Zoning Ordinance*, in effect at the time of development shall apply; and

Buildings and outdoor use areas such as patios should be placed and oriented in a manner that minimizes noise exposure to the adjoining residential properties. Speakers and noise emitting devices should be directed toward Sunshine Street and National Avenue.

J. ACCESS TO PUBLIC THOROUGHFARES

1. Access to the public street system shall be governed by the Traffic Impact Assessment which has to be approved by the City of Springfield Public Works Director.
 - a. Access P1 (Sunshine Street): Shall construct a raised concrete median on Sunshine Street to restrict access to Right-in/Right-out/Left-in only.
 - b. Access P2 (University Street): Full access driveway.
 - c. University Street at National Avenue: Shall Construct a raised concrete median on National Avenue to restrict access to Right-in/Right-out only on the west side of National Avenue and Right-in/Right-out/Left-in only on the east side of National Avenue.
 - d. University Street and/or Hampton Avenue: Shall install traffic calming measures, as approved by the City Traffic Engineer, and include them in the PIP.
 - e. The development should be completed in a manner, or right-of-way provided, to allow future construction of the southbound National Avenue to westbound Sunshine Street turn lane.

- f. A 5' permanent sidewalk easement along National Avenue may be required by the City of Springfield.
- 2. An internal pedestrian system connecting the front doors of each building with one another, and the sidewalks located along Sunshine Street and National Avenue shall be constructed as part of the development.
- 3. The existing driveway approaches on Sunshine Street and National Avenue in the proposed rezoning district shall be reduced so that there is no driveway or approach on National Avenue and no more than one driveway approach on Sunshine Street for ingress/egress to the subject properties.

K. SIGNS

- 1. Signs located on any building façade are required to be compatible with the style of the building in terms of location, scale, color, and lettering.
- 2. Signs that are visible from the public right-of-way inside of a window or door are prohibited.
- 3. All other signage requirements and standards will meet *Section 36-454 of the Springfield Zoning Ordinance*, in effect at the time of development shall apply.

L. REQUIRED IMPROVEMENTS

- 1. Public improvements to be completed. Public and private improvements necessary to adequately accommodate the intensity of development proposed in this District shall be constructed prior to or concurrently with the development of the property. If the development of the property is phased, the construction of the improvements may also be phased provided there is a logical relationship between each phase of the development and the construction of the required improvements. Prior to building permits being issued to the applicant, or subsequent owners shall:
 - a. construct the required improvements; or
 - b. provide assurances satisfactory to the Director of Public Works guaranteeing that all required improvements will be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department shall be provided to the City.
- 2. Certificate of occupancy. No certificate of occupancy shall be issued for any structure within this District, or phase of the development, unless:
 - a. the required improvements are completed prior to occupancy of the structures; or
 - b. the Director of Public Works has determined that:
 - (1) any incomplete required improvements have little or no effect on the occupancy of the facility; or

- (2) conditions beyond the control of the contractor, *i.e.*, strikes, weather, etc., have delayed the completion of the improvements.

If one of these conditions occurs, the Director of Building Development Services may permit occupancy under conditions satisfactory to the Director of Public Works that the required improvements will be completed as required by this ordinance within a reasonable time.

3. Required improvements. Improvements necessary to adequately accommodate the intensity of development in this District include the following.

- a. Street improvements.

- (1) Shall construct a raised concrete median on Sunshine Street to restrict access to Right-in/Right-out/Left-in only.
 - (2) Shall Construct a raised concrete median on National Avenue to restrict access to Right-in/Right-out only on the west side of National Avenue and Right-in/Right-out/Left-in only on the east side of National Avenue.
 - (3) Shall install traffic calming measures, as approved by the City Traffic Engineer, and include them in the Public Improvement Plans.
 - a. Landscaped island on East University Street west of the proposed access to the development preventing traffic from heading west on East University Street beyond the development.
 - b. Midblock speed cushions on East University Street between Hampton and the development and between S Hampton Ave and S Kings Avenue.
 - c. Midblock speed cushions on S Hampton Avenue between E Sunshine Street and E University Street and between E University Street and E Stanford Street.
 - d. Midblock speed cushion on E Stanford Street between S National Avenue and S Hampton Street.

- b. Sanitary sewer facilities.

- (1) It is recommended that public sewer be extended onto the site to better serve the development.

- c. Storm water management facilities.

- (1) On-site detention and water quality will be required for the site.

4. Improvement Standards.

Improvements shall conform to the following standards.

- a. All utilities and utility connections shall be located underground, including, but not limited

to, electrical and telephone cables, security and other telecommunication systems and wires. Transformers, meters of any type (including electric, gas or other meters), or other apparatus shall be adequately screened and landscaped.

M. ADDITIONAL REQUIREMENTS

1. A lot combination of all subject properties in accordance with all applicable subdivision regulations;
2. Vehicular access shall be limited to Sunshine Street and University Street and approved by the director of Public Works. The Existing driveways on National Avenue and Sunshine Street shall be removed so that there is no driveway approach on National Avenue and no more than one driveway or approach on Sunshine Street for ingress/egress to the proposed rezoning district. Access on Sunshine Street shall be restricted to right-in/right-out/left-in only as approved by the Director of Public Works; and
3. A final site plan, showing conformance with the requirements of this COD, shall be submitted to the Planning and Development Department or review and approval by the Administrative Review committee prior to the issuance of permits for the construction of permanent improvements within the proposed rezoning district.

EXHIBIT B
LEGAL DESCRIPTION

1111 E. Sunshine Street: ALL OF THE EAST FIFTY (50) FEET OF LOT TWENTY-NINE (29), IN UNIVERSITY HEIGHTS, AN ADDITION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF.

1119 E. Sunshine Street: ALL OF LOT TWENTY-EIGHT (28), IN UNIVERSITY HEIGHTS, AN ADDITION TO THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

1133 E. Sunshine Street: ALL OF THE WEST ONE-HALF ($W\frac{1}{2}$) OF LOT THIRTEEN (13), IN UNIVERSITY HEIGHTS, AN ADDITION, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

1138 E. University Street: ALL OF THE EAST SEVENTY (70) FEET OF LOT FOURTEEN (14), IN UNIVERSITY HEIGHTS, AN ADDITION TO THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF -

1755 National Avenue and 1141 E. Sunshine Street: TRACT I - ALL OF LOT TWELVE (12), UNIVERSITY HEIGHTS, AN ADDITION TO THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI. TRACT II - THE EAST ONE HALF ($E\frac{1}{2}$) OF LOT THIRTEEN (13), UNIVERSITY HEIGHTS, AN ADDITION TO THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

1739 S. National Avenue: ALL OF LOT TEN (10), IN UNIVERSITY HEIGHTS, AN ADDITION, ACCORDING TO THE RECORDED PLAT THEREOF, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

1745 National Avenue: ALL OF LOT ELEVEN (11), IN UNIVERSITY HEIGHTS, AN ADDITION TO THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF.

EXHIBIT C
RECORD OF PROCEEDINGS
Planning and Zoning Commission – August 22, 2024

Z-22-2024 COD 258

1739, 1745 & 1755 South National Avenue and 1111, 1119, 1133, & 1141 East Sunshine Street and
1138 East University Street

Applicant: BK&M, LLC

Christopher Lebeck recused himself with the following note: On the written advice and guidance of the legal department for the City of Springfield, I am recusing from this item as I'm a property owner in the University Heights neighborhood mere blocks from the proposed rezoning, and a putative plaintiff in the pending litigation, the city's legal department has advised that I need to read into the record under the city code of Ethics section 2161, that I have an implied conflict of interest because a decision on this rezoning directly affects the property value of my family's home.

Mr. Neal stated that this is a request to rezone approximately 2.6 acres of the subject property generally located from R-SF, Single-Family Residential District to GR, General Retail District and establishing a new Conditional Overlay District No. 258.

Mr. Scott asked about the traffic study and the measures taken for the two medians, landscape island, and the speed cushions as improvements.

Mr. Brett Foster stated that he believes it will substantially improve the traffic situation and with the development the city will be able to procure right-of-way (ROW) and build a southbound to westbound turn lane on National. With the speed cushions it will dramatically reduce people wanting to cut through and speeding in the neighborhood.

Mr. Colony asked about the traffic calming measures and if Public Works has discussed/consulted with the neighborhood and if there has any feedback on the measures and if they have received any complaints.

Mr. Foster stated that they have spoken with the Neighborhood Advisory Committee, fire department, and others about these specific devices in those specific locations but have not specifically gathered feedback from the neighborhood. He also noted that they do get complaints about speeding in all neighborhoods and this area is not as bad as other neighborhoods.

Mr. Colony asked if the taxpayers would pay for the traffic calming measures.

Mr. Foster noted that the developer has agreed to cover the costs based on the concerns of the neighborhood.

Ms. Ridge wanted to clarify about turning right from National Avenue onto University Street and noting that it will be blocked past the development.

Mr. Foster noted that based on the proposed infrastructure and of the neighborhoods concerns, you cannot proceed westbound on University Street past the development's entrance.

Mr. Chris Wynn, 5051 S. National representing the owner and noted that traffic was a major issue at the neighborhood meeting and stated that they are implementing traffic calming measures based on the neighborhood meeting (landscape island/speed cushions).

He also mentioned about general rezoning with a conditional overlay district versus a planned development and noted that they do not have a committed user for a planned development, so no site plan submitted, but will have to come forward for approval later.

Mr. Doennig asked about what part of the code would prevent a three-story hotel with a flat roof or a strip center.

Mr. Wynn noted that they have height limitations of 45 feet and stating that they are architectural standards that a strip center would have to follow (60% stone, brick, and stucco).

Mr. Knuckles asked about a planted median on University Street and if it only blocks one lane and the types of buffer yards.

Mr. Wynn noted that it would block the westbound lane, but still allows emergency vehicles to have access and they will be putting in an improved buffer yard (green giant trees or 8' tall stone wall).

Mr. Glenn Green, 901 E. Saint Louis representing my parents who has lived in University Heights for 50 years and questions whether the zoning is met in terms of the requirements of changing zoning from what the zoning is currently, and if they justified it and met their burden. He stated that when a developer is seeking spot rezoning that is arbitrary and unreasonable for the sole benefit of the private interest of the owner then it would be invalid. He noted that the applicant has not met the standards of being in harmony with the comprehensive plan and this is a traditional neighborhood and went over other issues and concerns.

Mr. Scott asked about this complying with the Comprehensive Plan and stated that they Comprehensive Plan shows an integration of residential to higher density residential and even fridge commercial and you also infer that it would only apply to development moving forward but wouldn't apply to this neighborhood.

Mr. Green noted that the staff report is trying to indicate that the designation is incorrect of being a traditional residential neighborhood and should not be changed to this institutional place-type and that chapter seven of Forward SFG prioritizes neighborhood identity and this neighborhood was originally developed in 1920 through 1940.

Mr. Don Donbar, 932 E. Kingsbury gave his background and believes he is having to defend his home repeatedly the last couple of years and the neighborhood has lost families (moved) due to the concerns of this development and if they continue knocking down more house, then inevitably it will bring more traffic, more problems, etc., and look to the notion of quality of place.

Mr. Scott thanked Mr. Donbar for his comments about quality of place and asked if this may enhance his quality of life by this development.

Mr. Donbar noted that they are looking exactly what University Heights offers as it stands.

Mr. Colony thanked Mr. Dunbar for this dedication to come back several times to speak on behalf of the neighborhood.

Ms. Dixie Sleight, 1124 E. University stated that is adjacent to her backyard and that her own 8' privacy fence does not block out any issues. She voiced her concern for the demolished homes and trees already gone and noted that Forward SFG states that they quality of place is the guiding principle for redirecting growth and planning for the next 20 years and the rezoning is not consistent with it and her hours of operation are not 6:00am to 11:00pm.

Ms. Barbara Robinson, 1010 E. University noted the neighborhood has been identified as Single Family Residential for 100 years and noted that the proposed rezoning does not allow for plans for traditional single family uses and voiced her concern for traffic issues stating that her neighborhood would have problems just getting out of their driveway. She also noted that there was a threat to sue if an appeal was pursued and said such behavior by the developer and their attorney is not best practices or civility.

Mr. Pauly asked if she was part of the Forward SGF list of volunteers and she stated that she was not.

Mr. John Walstrand, 1116 E. Portland stated that his parents bought the house in 1967 and voiced his concerns for traffic issues and that he is retired and was able to do an informal traffic count on Portland Avenue from 7:30am to 7:30pm with 1038 cars going up and down for 5 days. He also noted that some of the side streets are extremely narrow and hard to get through.

Mr. Kirk Banasik, 947 E. Portland stated that under Forward SGF that the proposed conditional overlay district language does not support the neighborhood's uniqueness and is considered a traditional neighborhood and stated that it has many Bisman homes that favor the traditional English Tudor cottage. He also expressed concerns about fire trucks and needing to navigate the turnarounds as a safety issue.

Ms. Maggie Castrey, 1006 E. Linwood stated that they are opposed to the rezoning by inflicting heavy damage on our neighborhood and property value and quality of life. She also noted that violate the homeowners trust in their 100 years of residential zoning and will greatly include traffic through the neighborhood and reduce its safety. She stated Forward SFG will be violated if rezoned and asked for the project to be rejected.

Ms. Cynthia Bylander, 1005 E. Kingsbury noted that she has two beautiful maples trees that were planted in 1948 and that it was a requirement to plant two maples trees at that time and this is why the neighborhood is so beautiful. She also voiced her concern for the traffic and the [potential of being a hazard to the people who walk every day and has had her house remodeled to meet the standards of the area and has invested a large amount of money and stated that there are a lot of Bisman Homes in University Heights.

Ms. Nancy Cooper, 635 E. University talked about the development of strip malls along Sunshine Street and how many of them are boarded up, noting that the large front yards with mature landscaping and trees and believes that any development will stick out like a sore thumb and cause more water runoff.

Ms. Nancy Williams, 953 E. Linwood talked that the development pattern along Sunshine and National where there is the hospital and clinic, and a strip mall that has been mostly empty since the beginning and asked how this development is going to be successful and does not want it and gave examples of areas that are blighted and empty and looks awful. She also stated that on pages 19 and 35 of Forward SGF it mentions the current and future place types as residential and not commercial.

Mr. Pauly noted his appreciation for Ms. Williams on being involved with the Forward SPF process and gave a small overview of what it entailed.

Mr. Doug Carroll, 815 E. Portland asking the commission not to approve this development and noted the entrances to the proposed development and has looked at other intersections throughout the city and noticed how close some retail stores has caused severe traffic congestion and does not want to see traffic flow through the neighborhood and believes people will just drive around the landscape island.

Mr. Jeff Carney, 920 E. Kingsbury has lived in University Heights for 34 years and how this development has allowed for property to be blighted and less attractive to single family homes and noted the Forward SGF has the area as a traditional family home and currently they are less than a 15 minutes' walk from anywhere in the neighborhood without being concerned about traffic and does not need more retail. He voiced his concerns regarding traffic, and it will be more dangerous with additional traffic and believes that people are selling and moving due to the despair of the proposed development.

Mr. Jeff VanDenBerg, 801 E. Kingsbury is here to speak against the rezoning specifically because of the negative environmental impacts that it will have and the incompatibility with Forward SGF. He asked the commission to consider the sights, sounds, and smells that would attract rodents and nuisance birds if restaurants are built as well as light pollution, increased traffic, increased storm water runoff, noting that a minimum of 1.23 acres will be impermeable if developed. He also noted that City Council voted to have a corridor study for Sunshine and believes this is premature to rezone.

Ms. Norma Capecci, 900 E. Kingsbury stated that she was planning on remodeling her 87-year-old Bisman home when the threat of rezoning the corner made her pause and has been told that the development could cause a decline in home values (20% to 25%). She went over the history of the neighborhood and stated that Forward SGF notes that there should be a one or two block transition between place types, but the developer is using a blank wall and a residential street to transition from commercial to residential.

Ms. Rina Edge, 1030 E. Stanford is against the proposed rezoning stating that it is a place for unique and historically significant single-family homes and not a place for general retail and that the neighborhood is coming up to its 100-year anniversary. She also noted that neighborhood exemplifies the goals placed in Forward SGF and that the proposed rezoning destroys the community and the development on the other corner of National/Sunshine is part empty and that there are areas that have vacancies and has heard suggestions to fill the gap of missing middle housing types by utilizing mixed use buildings.

Ms. Evelyn Mangan, 818 E. Portland opposes the general retail rezoning and stated that she had met with Mr. Duda and talked about the traffic flow and the how impact is going to be had on the neighborhood. Gave out examples of the traffic flow for the area and voiced her concern at the traffic engineer's remarks about traffic calming measures.

Mr. John Stinson, 1110 E. Stanford gave out information that University Heights offers to the city that a business development does not and quoted \$502M (yearly) that is spent by people living in the neighborhood and went over other examples and does not believe that a strip mall would ever generate for Springfield over \$500M a year and stated that the average lease on strip malls is one year. He also noted that upcoming 100-year anniversary and believes we are destroying history.

Ms. Judy Stanfill, 926 E. University asking the commission if they have ever been visited or walked in the neighborhood and that the development of University Heights was a dream and was very successful and Mr. Duda has not invested anything into the neighborhood, and no one will benefit from the development. She voiced her concern regarding traffic and even has problems now with getting through as well as people speeding.

Ms. Broekhoven closed the public hearing.

Mr. Scott noted that Forward SGF was an enormous undertaking and did take hundreds of hours of input and that ownership, neighborhoods, mixed uses, greenfield development, and quality of place were discussed tonight and that what might be a quality of place to one could be a quality of place would be different for someone else and trying to balance work, live and play scenario. He noted that that staff is trying to approach a brand-new Comprehensive Plan and that it is also new to the Commission.

Mr. Colony stated that if done harmoniously, in a manner that protect and even enhances the existing charm and character of the neighborhood, it could be redeveloped successfully and believes that the collaborative creativity to offer a high level of confidence in the finished development is not being proposed by the conditional overlay district language. He also stated that he believes the developer has made revisions and attempts for the neighborhood, but not heard important harmony and character that are in Forward SGF and will not be supporting the proposal.

Ms. Ridge stated that she wants the best of Springfield preserved and move forward and believes that because it is a busy intersection that it does not have to be commercial and gave out examples of other cities with similar areas (large houses that have reuses) and noted that she has no problems with the previous proposals but if they were at another location and will not be able to support it.

Ms. Gunther wanted clarification on what is being proposed on University Street.

Mr. Foster stated from University Street you will only be able to do a right turn on National Avenue and that westbound traffic will not be able to go past the proposed entrance to the development. Again, she noted that University Street is a problem which has held her back each time and it is not ideal.

Mr. Doennig went over what his thoughts were – developer speculatively purchased the properties, and that the applicant has failed to prove any changed conditions making the rezoning necessary and stated the new homes built on University and Sunshine Steet in the past 20 years. He also noted that the developer has not proven the conditional overlay district is compatible with the neighborhood and that the commercial development across the way was built on mostly vacant property and did not negatively impact the neighborhood along University Street due to lack of access requirement from that street and believes it is incompatible with Comprehensive Plan and the traffic plan is a disaster and will not be in support.

Mr. Pauly stated even though it has been brought forward previously there has not been the right or enough information to go ahead and yes and so will not be able to support it.

Ms. Ridge also stated that when people come to the intersection it is noted that it is a beautiful stretch of homes between Sunshine and Grand Street and like preserving quality neighborhoods that give a positive impression.

Ms. Broekhoven noted that she does drive through the neighborhood and sees that people have put in a lot of personal investment into their homes and believes that the Comprehensive Plan would want to protect and buffer against development that may damage it. She also noted that the traffic layout drive is the foundation of what is happening, and that developer could have proposed a more meaningful design and proposition and that this is an opportunity to have less intense buffer zone development and will not recommend approval.

Mr. Scott went over his history of historic restoration and stated that his viewpoints has evolved and likes the residential aspects of it as a transitional type of solution. He noted that there are other solutions and would like to see it as compatible to the neighborhood and believes that it follows Forward SGF. He noted that the constraints on the site and building development have been negotiated positively and provide good protections for the neighborhood as well as the traffic reducing and safety measure. He voiced his opinion on stand-alone vape shops and would add an additional limited use of land and buildings (definition of uses) and believes that Forward SFG is a correction of errors in the past and see a greater need to step forward in the commissions approach.

Mr. Knuckles stated that it is a tough intersection to work with, but believes that the island and limited turn lanes would work and that development of this corner is inevitable and the proposed development fits in the neighborhood, noting that the conditional overlay district does limit what the developer can do but would like to see that it is less intense than a three story building, but will support it, however he still has concerns.

COMMISSION ACTION:

Planning and Zoning Commissioner Colony moved to approve Z-22-2024 COD 258; Commissioner Doennig seconded the motion. It **Failed** with the following vote: Ayes: Commissioner Knuckles and Commissioner Scott. Nays: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Colony, and Commissioner Doennig. Absent: None. Abstain: None. Christopher Lebeck recused himself.



Bob Hosmer, AICP
Planning Manager



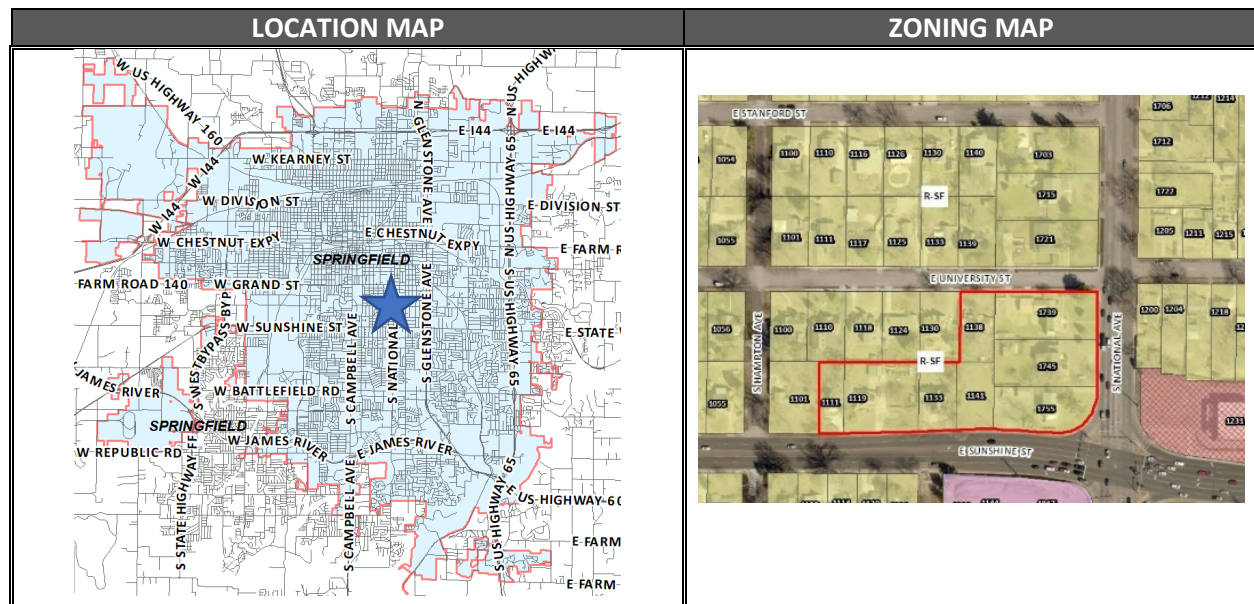
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Z-22-2024 with Conditional Overlay District No. 258
Location:	1739, 1745 and 1755 S. National Avenue and 1138 E. University Street and 1111, 1119, 1133 and 1141 E. Sunshine Street
Total Acres:	2.6 acres
Applicant:	BK&M, LLC
Existing Land Use:	Single-family residential and vacant lots
Neighborhood Meeting:	July 18, 2024
Planning and Zoning Commission:	August 22, 2024
City Council:	September 23, 2024
Public Notification:	Mail, posted property, and legal in Daily Events
Staff:	Daniel Neal, Senior Planner
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to recommend approval of rezoning case Z-22-2024 with Conditional Overlay District No. 258 as set forth in Attachment 1. (All commission motions are made in the affirmative).
Required Vote:	A majority of those present (5 members are a quorum).

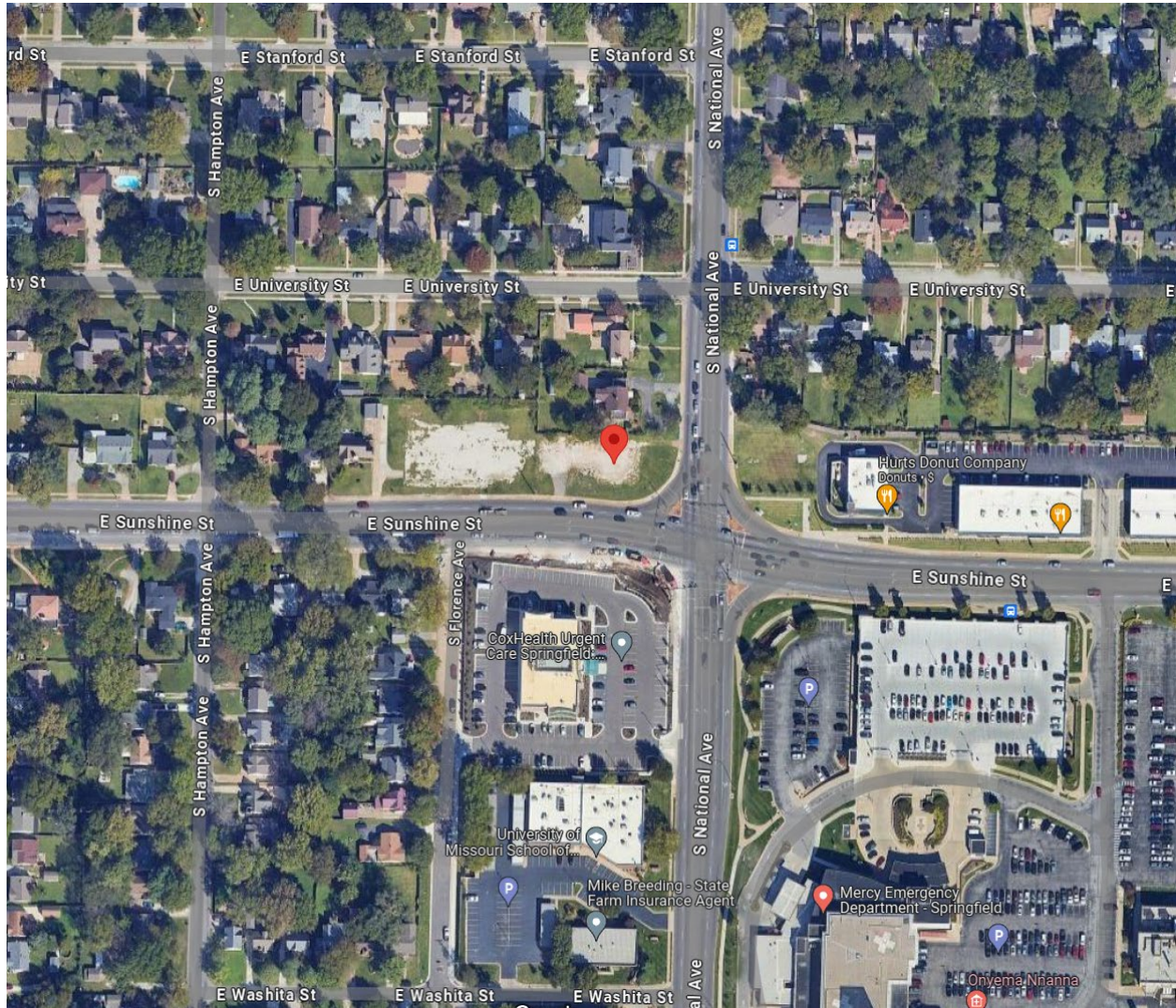
PROJECT SUMMARY:

Request to rezone approximately 2.6 acres of the subject property generally located at 1739, 1745 and 1755 S. National Avenue, 1138 E. University Street and 1111, 1119, 1133 and 1141 E. Sunshine Street from R-SF, Single-Family Residential District to GR, General Retail District and establishing a new Conditional Overlay District No. 258.

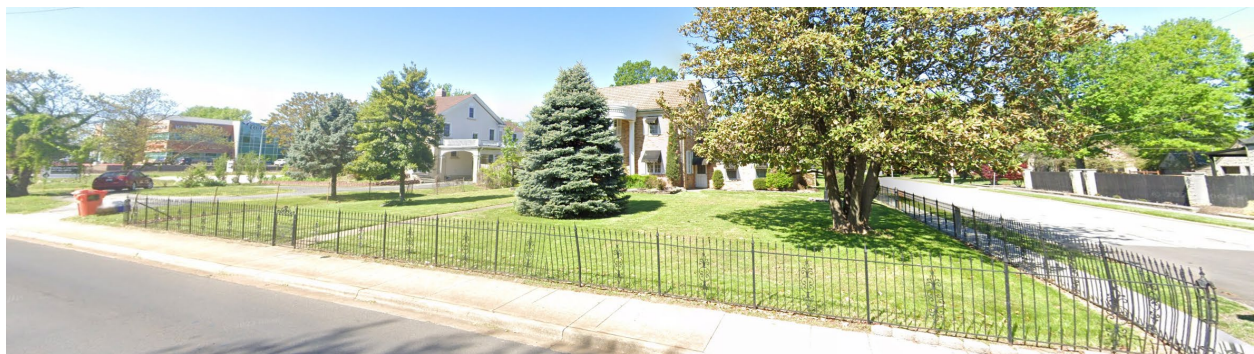


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GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



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PROPERTY HISTORY:

The subject property has been zoned R-SF, Single-Family Residential District since the Citywide remapping in 1995.

The original rezoning application for General Retail (GR) zoning with Conditional Overlay District (COD) was submitted in August of 2022. That application was withdrawn in October of 2022 because the applicant had acquired 3 lots to add to the rezoning so a new application for GR with COD was resubmitted and later postponed until April of 2023. On April 6, 2023, Planning and Zoning Commission recommended denial of the proposed rezoning to GR with COD No. 220. At the May 22, 2023, City Council meeting the applicant proposed changes to the Conditional Overlay District and City Council remanded the rezoning case back to Planning and Zoning Commission. The case was postponed until the Planning and Zoning Commission meeting on December 14, 2023, where it was recommended for denial. The rezoning case was withdrawn in January and the applicant applied for a Planned Development in February. The PD application was withdrawn in July and the latest GR with COD application was submitted.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

(a) Rezoning. If the application is for a reclassification of property to a different zoning district classification on the zoning map, the report of the planning and zoning commission may consider:

1. Whether the proposed zoning district classification is consistent with the Springfield Comprehensive Plan;
2. Whether there are any changed or changing conditions in the area affected that make the proposed rezoning necessary;
3. Whether the range of uses in the proposed zoning district classification are compatible with the uses permitted on other property in the immediate vicinity;
4. Whether adequate utility and sewer and water facilities exist or can be provided to serve the uses that would be permitted on the property if it were rezoned;

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5. The impact the uses, which would be permitted if the property were rezoned, will have upon the volume of vehicular and pedestrian traffic and traffic safety in the vicinity;
6. Whether the proposed rezoning would correct an error in the application of this article as applied to the subject property;
7. Whether a reasonably viable economic use of the subject property will be precluded if the proposed rezoning is denied; and
8. Information submitted at the public hearing.

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR GR
Use Limitations	(a) All outdoor automobile parking areas used for the purpose of retail or wholesale storage or sale of motorized or commercial vehicles shall be prohibited. Other outdoor activities that are not specifically permitted may only be allowed as an accessory use to the permitted uses as provided in subsection 36-421(2), permitted uses, as follows: 1. If any portion of the premises abuts any residential zoning district, the outdoor activities may be permitted, provided they meet the provisions of, and a conditional use permit is issued pursuant to section 36-363, conditional use permits, of this article. A building permit(s) showing compliance with all applicable codes and ordinances may be required as determined by the director of building development services. 2. If the premises abuts only nonresidential zoning districts, the outdoor activities may be permitted. A conditional use permit will not be required. A building permit(s) showing compliance with all applicable codes and ordinances may be required as determined by the director of building development services. (b) No outdoor storage except as provided in subsection 36-421(2), permitted uses, and subsection 36-421(3), conditional uses. (c) All uses shall operate in accordance with the noise standards contained in section 36-485, noise standards. (d) No use shall emit an odor that creates a nuisance as determined by chapter 2A, article X, Springfield City Code. (e) Uses on parcels not served by public water and public sewer shall meet the requirements of subsection 36-303(22). (f) Streets through an adjacent residential area shall not be used to provide principal access for truck traffic to any nonresidential use in this district except on streets classified as expressways, arterials, or collectors.

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Maximum Structure Height	None, except that all structures shall remain below a 30-degree bulk plane as measured from the boundary of any R-SF or R-TH district.
Minimum Yard Requirements	1. <i>Front yard:</i> a. Twenty-five feet along a street classified as a collector or higher classification street or as required by section 36-453, supplemental open space and yard regulations. b. Fifteen feet along a street classified as a local street or as required by section 36-453, supplemental open space and yard regulations. c. The front yard setback may be reduced below the minimum required above if a conditional use permit is approved in accordance with section 36-363, conditional use permits, or an approved preliminary plat in accordance with the city's subdivision regulations. 2. <i>Side and rear yards:</i> None, except as required by section 36-453, supplemental open space and yard regulations, and the bufferyard requirements in subsection 36-421(8). However, in no event may a structure be erected closer to the centerline of an existing or planned street than as prescribed below, except as permitted by subsection 36-303(17)(b) and subsection 36-303(17)(d).
Minimum Open Space	Not less than 20 percent of the gross site area

COMPATIBILITY WITH COMPREHENSIVE PLAN:

PLACETYPE:

The *Comprehensive Plan's Land Use & Development* chapter identifies the subject properties as the Traditional neighborhood placetype; however, this is considered a transition area that is better suited as an Institutional & Employment placetype (see Staff Analysis and Recommendations). The Institutional and Employment Center placetype contains a variety of major medical and office parks, and a collection of institutional and employer campuses. Large campuses are supported by small commercial sales and service business, and a mix of community-orientated amenities. Student housing is also a common component. In the case of universities or colleges, along with mixed housing types located along the fringes and transitional areas, providing housing near major employers is important. Areas within this placetype act as centers of culture, education, and business development, while providing numerous employment opportunities for residents of Springfield and others from the region. As Institutional and Employment Centers provide vital jobs and services to the entire metro area, multimodal accessibility and public transit connectivity are key components of this placetype. Underutilized parcels are assembled and redeveloped into more intense supporting uses or higher density housing developments where appropriate, to increase activity within the center.

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Planning for Institutional and Employment Center placetype focuses on infrastructure and corridor improvements to facilitate traffic flow, multimodal connectivity, and streetscaping improvements, needed to enhance the character and connectivity of key corridors. As these centers of activity receive high volumes of visitors and commuters into the City, it is essential that the quality of development and visual appeal of the corridors remain attractive and representative of the City's desired image.

LAND USES PRIMARY USES

- Universities, colleges, and vocational schools
- Government, healthcare, and institutional facilities

SUPPORTING USES

- Single-family detached
- Single-family attached
- Multi-family
- Parks, greenways, and open space
- Sports complexes and recreational facilities
- Office, hospitality, retail sales and service
- Maker, artisan and innovations spaces
- Public and private schools and places of worship

CHARACTERISTICS TRANSPORTATION & INFRASTRUCTURE

- Access management is improved for vehicles through curb cut consolidation and cross-access between commercial properties, reducing traffic conflicts and backups.
- Electric vehicle charging facilities, pedestrian and bicycle infrastructure, and automated vehicle parking and loading spaces are integrated along major corridors, installed at key destinations, and integrated into private development plans.
- As technology, trends, and funds permit, utilities are buried or consolidated along rear property lines reducing conflicts with street trees, pedestrian infrastructure, and viewsheds.
- Transit service is prioritized at key employment centers, institutions, and along major corridors with bus stops enhanced with shelters and live timetables.
- The pedestrian environment is enhanced with expanded sidewalks and pedestrian infrastructure, such as benches, pedestrian-scaled lighting, and street trees.
- Best management practices for stormwater management are required in development projects and within public rights-of-way, such as permeable paving, rain gardens, green roofs, native landscaping, and other low impact design strategies.

URBAN DESIGN - BUILDING AND SITE TYPOLOGY

- Parking should be located behind or beside the primary buildings with abundant landscaping and screening to encourage greater interest and interaction between the adjoining street and the building, that contributes to community-wide quality of place.

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- Pedestrian pathways within large parking lots provide safe access to business entrances.
- Character is enhanced by gateway features, landscaping, and branding elements, particularly within university, health care campuses, and innovation districts, to identify entry into campus areas.
- A greater focus on site design, parking access, massing, and building orientation are adopted to ensure development that is complementary to adjacent lower density residential development.
- Lighting, signage, landscaping, mail, and delivery accommodations should also be proactively incorporated into the site design.
- Multi-story buildings designed with active ground floor spaces should be visible and inviting with a high degree of transparency using clear glass windows and doors to increase a vibrant pedestrian environment.
- Use of quality materials, construction methods, workmanship, and design should be incorporated into new development and redevelopment.
- A mix of building heights is supported through structured site and building design strategies to soften the impact on adjacent lower intensity residential development.
- Design should discourage the placement of mechanical equipment along the adjacent streets or should be completely screened, along with trash receptacles, and recycling bins.

TRANSITIONS

- Strong connections to local universities, innovation districts, and neighborhoods are established through branding and connectivity.
- More intense institutional and employment uses and supporting uses are sufficiently separated and buffered from lower intensity residential uses.

PLACETYPE ASSIGNMENTS AND TRANSITIONS

Assignments

Placetype designations are based on a variety of factors but largely represent desired future land use patterns. Placetype assignments also reflect existing development patterns, take into consideration historical value, as well as the impact and relationship to the built and natural environment. The following conditions and land characteristics should be considered when changes or amendments are proposed to and within a placetype.

Primary use - The predominate historical use and development pattern of a geographic area that exists within the built and natural environment.

Proximity – The location with respect to significant landmarks and geographic places

Edges and boundaries – Natural boundaries and geographic edges, including major roadways, railways, waterways, parks, and geographical land features.

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Roadway classifications – Functional use and type of roadways on the edges or at crossroads

Regulatory – Existing zoning, permitted and conditional uses, historic designations, and redevelopment plans.

Forecasts – Anticipated major land use shifts, changes in use, or trends.

Other Considerations –

- Decreasing or increasing market demand for commercial or housing in non-traditional districts or corridors
- Greater focus on integrating diverse uses at the edges and areas of transition.
- Community expectations
- More walkable, livable integrated neighborhoods and districts
- Documented increases in nuisances, code violations, disinvestment, and other related trends
- More diversity in housing types, affordability, and availability
- Increased beautification, aesthetics, and identity
- Greater focus on preservation, adaptation, and reuse of existing homes and structures

Transitions

In every city, dissimilar land uses converge at some point. Transitioning within, between, and along the edges is one of the most critical elements to align as Placetypes are implemented, changed, or amended. Typically, a one-to-two-block transition zone on either side of both placetype boundaries would be a practical zone to complete the transition from one placetype to another.

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FUTURE PLACETYPE MAP:



PLACETYPES	LAND USES													
	Single-Family Detached	Single-Family Attached	Multi-Family	Parks & Open Space	Sports Complexes & Recreational Facilities	Urban Agriculture	Office, Hospitality, Retail Sales & Service	Neighborhood Commercial	Maker, Artisan & Innovation Spaces	Public & Private Schools & Places of Worship	Universities, Colleges & Vocational Schools	Government, Healthcare & Institutional Facilities	Personal Storage, Outdoor Sales & Service	Light Industry
Residential Neighborhood	●	○	◇	○	◇	◇	○							
Mixed Residential	●	●	○	○	◇	◇	○							
Downtown	●	●	●	○	○	○	●	○	○	○				
Mixed-Use	○	○	○	○	○	○	○	○	○	○				
City Corridor	○	○	○	○	○	○	○	○	○	○				
Institutional & Employment Center			○	○	○	○	○	○	○	○				
Business Flex				○	○	○	○	○	○	○	○	○	○	○
Industry & Logistics				○	○	○	○	○	○	○	○	○	○	○
Urban Green Space & Recreation				○	○	○								

● **Primary Land Use:**
More prominent and play a pivotal role in characterizing that placetype

○ **Supporting Land Use:**
Less prevalent and serve to support the primary land use.

◇ **Low Intensity Supporting Land Use:**
Less prevalent and serve to support the primary use at neighborhood scale

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DEPARTMENT COMMENTS:

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

No issues with proposed rezoning or COD. All subject properties have access to CU Electric/Gas/Water. Note that the requirement for underground utilities may impact electric/telecom services to neighboring properties.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No objection to the rezoning.

FIRE DEPARTMENT:

No issues with zoning.

DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

TRAFFIC REPORT

	Street Name	Street Classification	Jurisdiction	ROW from Centerline (ft.)		Traffic Count (vehicles per day)	On-Street Parking	Sidewalk	
				Required	Existing			Required	Existing
Street 1	S. National Avenue	Primary Arterial	City	50	40	31,910	No	Yes	Yes
Street 2	E. Sunshine Street	Primary Arterial	City	50	50	28,940	No	Yes	Yes
Street 3	E. University Street	Local	City	25	25	260	Yes	Yes	Yes
				Daily		AM Peak		PM Peak	
Existing Trips Generated (R-SF)				125		11		13	
*Proposed Trips Generated (GR w/COD)				1872		42		244	
Additional Trips Generated				1747		31		231	
*Proposed Trips Generated is based on the highest, most intense use permitted in the proposed rezoning, Conditional Overlay District, and traffic impact analysis.									

ACCESS - All new and existing driveway approaches shall comply with the accepted traffic study and planned development.

- National Avenue: No direct access is allowed to S. National Avenue from the development.

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- Sunshine Street: Access P1 will serve as a Right-in/Right-out/Left-In only access driveway, providing ingress and egress to the development.
- University Street: Access P2 will serve as a full access driveway, providing ingress and egress to the development.

TRAILS, BUS STOPS, AND ADDITIONAL INFORMATION - There are no Greenway Trails near the property. There is one (1) bus stop near the property on S. National Avenue.

IMPROVEMENTS - A Traffic Impact Analysis (TIA) has been completed and accepted by the City. The improvements required based on the TIA are required to be submitted on Public Improvement Plans (PIP) and the improvements constructed, or funds escrowed prior to approval of a building permit. Required improvements include:

- a raised concrete median on National Avenue restricting access to University Street to Right-in/Right-out only on the west side of National Avenue and Right-in/Right-out/Left-in only on the east side of National Avenue.
- a raised concrete median on Sunshine Street restricting access to the development to Right-in/Right-out/Left-in only.
- traffic calming measures on University Street and/or Hampton Avenue, as approved by the Director of Public Works.
- the development should be completed in a manner, or right-of-way provided, to allow future construction of the southbound National Avenue to westbound Sunshine Street right turn lane.
- any change in use that creates an increase in total trip generation, as determined by the Director of Public Works, as presented in the accepted TIA of more than 500 trips daily and/or 50 trips in the peak hour will require a modified TIA.
- The requirements of said study shall be incorporated in the site plan, PIP, or other permits as applicable.

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

The property is in the **Fassnight Creek** drainage basin. The property **is not** located in a FEMA designated floodplain. Staff **is not** aware of flooding problems in the local or downstream area. The city **is not** aware of a sinkhole or other Karst feature at this location. The property **does not have a stream buffer on site**. A fee in lieu of on-site stormwater detention **will not be allowed and detention is required**.

PW Stormwater only concerns with the property is based on the large amount of new impervious surface area draining to R-SF properties and the National Ave right-of-way (Primary Arterial). The PW-Stormwater concerns are addressed through the Flood Control and Water Quality Protection manual standards for Stormwater Control Measures and would not prevent a rezoning to a higher usage zoning. Please note that development of the property will be subject to the following conditions at the time of development:

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All chapter and section references below are to the City's Flood Control and Water Quality Protection Manual Version April 2022.

DETENTION AND DISCHARGE REQUIREMENTS

1. Any development or redevelopment that increases runoff, through the increase in impervious surface, must meet current detention requirements per Chapter 3 Sec. 2.3.3.

a. Detention of stormwater runoff is required. A fee in lieu of detention for this development will not be permitted. The proposed job description and future site plan has eight properties combining into one lot. The combined lot and future development will add 1.23 acres of impervious area (see table below).

Estimated Impervious Area from GIS

Total Combined Area	2.6 acres
Existing Impervious Area	0.85 acres
Proposed Impervious Area	2.08 acres
New Impervious Area	1.23 acres

b. The current property has two drainage areas draining West and East/Northeast with the high point at 1119 E Sunshine St. The West drainage area is 0.3 acres and drains to 1111 E Sunshine St and 1110/1118 E University St. The East drainage area is 2.3 acres and drains to S National Ave along with part of E Sunshine St. The proposed site plan does not show elevations but is capable of being graded to change the drainage patterns to all 2.6 acres draining to the east.

c. PW-Stormwater would recommend the onsite detention connect to the 48"x30" Box Culvert running North along the East side of S National Ave. The development can possibly connect to the street curb inlet box on S National Ave by 1721 E University St. The area inlet is connected the Box Culvert through an 18-inch diameter RCP.

d. The Exhibit 2 Site Plan is describing an underground detention in the North section.

2. Any Stormwater infrastructure serving more than one property needs to be submitted on public improvement plans. City Code 98-14 requires all PIP work completed prior to issuance of the building permit or Final Plat. PIP must be approved and Completed or Escrowed through the Bond or Security.

WATER QUALITY REQUIREMENTS

1. Water Quality is required for new development projects or redevelopment projects, with new or increased impervious surfacing, within the city limits of Springfield that disturb 1 acre or greater. Including projects less than 1 acre that are part of a larger common plan of development or sale that will disturb 1 or more acres over the life of the project. Chapter 10 Sec. 2.0.

a. Water Quality is required for the project with over 1 acre disturbed and over 1 acre of new impervious area. For the approximately 0.85 acres of area that can qualify as redevelopment the Rainfall Factor, $P=0.5$ inches can be used in the volume calculations.

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2. A land disturbance permit will be required with disturbing 1 acre or greater per Chapter 4 Section 5 of the City's Flood Control and Water Quality Protection Manual.

3. Water Quality Credits are available to use in design for preserved trees and new planted trees. Landscaping and Bufferyards trees required by planning cannot be used for the water quality credits unless it is part of a SCM. Chapter 10, Section 3.1.

FLOODPLAIN

N/A

NATURAL CHANNEL & STREAM BUFFERS

N/A

SINKHOLES & KARST FEATURES

N/A

ADDITIONAL STORMWATER REQUIREMENTS

1. Stormwater Control Measures are the responsibility of the property owner or property owners' association to maintain, repair, and update unless the agreement is made with the City to operate. Operation and maintenance agreements are required for any permanent stormwater control measures.

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to rezone approximately 2.6 acres of the subject property generally located at 1739, 1745 and 1755 S. National Avenue, 1138 E. University Street and 1111, 1119, 1133 and 1141 E. Sunshine Street from R-SF, Single-Family Residential District to GR, General Retail District and establishing a new Conditional Overlay District No. 258.
2. The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the Traditional Neighborhood placetype. While there are some characteristics of a Traditional Neighborhood placetype based upon historic and existing housing patterns along Sunshine and National corridors, staff recognizes there are other factors that would lend these properties to the Institutional & Employment placetype. These properties are on the edge of the Traditional Neighborhood placetype adjacent to Sunshine Street and National Avenue which are classified as primary arterial roadway on the City's Major Thoroughfare Plan. The intersection of Sunshine & National is a major intersection in the city with an enormous amount of traffic that significantly effects access. The other three corners of this major intersection of the city are designated as Institutional & Employment Placetypes with existing businesses and services that serve the Mercy hospital and medical clinics and offices in the area.
3. The *Land Use & Development* chapter of the Plan states that underutilized parcels are assembled and redeveloped into more intense supporting uses or higher density housing developments where appropriate, to increase activity within the employment center. The proposed General Retail District with the Conditional Overlay District is consistent with the

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intent and objectives of the Institutional & Employment placetype in this location. However, it also states that more intense institutional and employment uses and supporting uses are sufficiently separated and buffered from lower intensity residential uses. The proposed COD is meant to provide that appropriate buffering from the single-family residential uses.

4. The proposed General Retail District with COD has similar and, in some cases, more restrictive conditions of development than the northeast corner of Sunshine and National which rezoned and redeveloped starting in 2016.
5. The applicant is proposing to rezone to the GR, General Retail District with a Conditional Overlay District (COD). The conditional overlay district is a floating zone that allows the applicant to voluntarily limit uses to be established in accordance with specific standards and conditions. The applicant has chosen to restrict the ability to establish certain commercial land uses that could be considered more noxious than other land uses allowable in the district. Any office or commercial uses allowed in the GR district could be developed independently unless otherwise prohibited in the Conditional Overlay District; therefore, there is no guarantee that the development will be one particular use.
6. The proposed Conditional Overlay District requirements prohibit many objectionable uses that could be incompatible with the neighborhood and will limit traffic volumes; however, the *Growth Management and Land Use Plan* of the *Comprehensive Plan* states it is important to ensure that new land uses are not detrimental to residential areas and to recognize the vulnerability of residential areas to certain adverse impacts. This objective does not mean that non-residential land uses are automatically inappropriate in residential areas; it means that design and location criteria must consider the existing residential areas. The applicant has prohibited eating and drinking establishments with drive-in, pickup window or drive-thru facilities which can be a high- volume traffic generator. Other potentially objectionable uses such as retail sales of adult novelties, standalone vape shops, stores that primarily sell package liquor, and outdoor athletic courts are also prohibited amongst others as listed in the COD (Attachment 1). The compatibility with neighboring residential land uses is enhanced through the elimination of these land uses.
7. The Use Limitations restrict businesses operating within the proposed rezoning district shall be limited to business hours of 6:00 a.m. to 11:00 p.m. on Sunday, Monday, Tuesday, and Wednesday and 6:00 a.m. to 12:00 a.m. (midnight) on Thursday, Friday, and Saturday. No business activity is allowed on the premises outside of these times. This limitation shall not apply to hotels.
8. The applicant has added design requirements to the COD that are based on the existing code requirements "Revised Multi-Family Location and Design Guidelines" that will be applied to any development of the site. The site will have requirements for pedestrian amenities, orientation of buildings to the street, avoiding blank walls on buildings along all street frontages, blending the building scale and setback with existing developments, street facing walls must be articulated and providing additional bicycle parking that will encourage pedestrian activity. The applicant will be required to provide pedestrian and bicycle connections to adjoining public sidewalks that will provide a good circulation system. The site will be designed to respect the natural environment by incorporating functional

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amenities in the open space, requiring additional trees with larger caliper to replace existing trees that are removed and requiring tree protection for trees being preserved onsite.

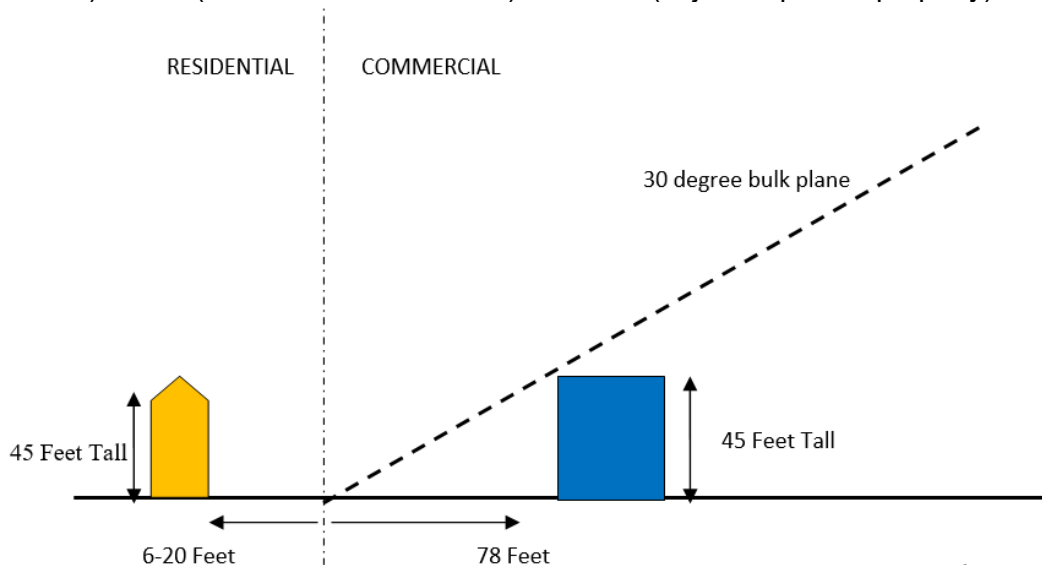
9. The building facades shall be designed to have a similar level of quality and architectural finish on all sides of the buildings visible to the public. This shall be accomplished by integrating architectural variations and treatments such as windows and other decorative features into all sides of a building design.
10. The COD limits building materials and colors to those that will have low reflectance. High-intensity, metallic or fluorescent colors will be prohibited. Façades shall incorporate no less than 60 percent brick, stone, stucco or craftsman style cementitious board or wood into the design. Stone veneer can be engineered stone or natural cut stone. No building shall have more than 50 percent exterior glazing on a frontage facing Sunshine Street or National Avenue and the first floor of any building facade facing a public right-of-way shall include transparent, clear glass windows and/or doors arranged so that the uses inside are visible from and/or accessible to the street. Window and/or doors with reflective or tinted glass that impede views into a building shall be prohibited. If roofs are visible to the public, whether viewed from the public right-of-way or adjacent property, they shall be comprised of architectural asphalt shingle roofing. These design elements will enhance compatibility with neighboring residential structures and are supportive of urban design that emphasizes pedestrian oriented buildings and traditional urban character as recommended by the Comprehensive Plan.
11. The development of the property will require a bufferyard along the west and north property lines immediately adjacent to the R-SF, Single-Family Residential zoning district. The normal bufferyard required between GR and R-SF would be a bufferyard "Type F" at least (20) twenty feet wide. For each one hundred (100) linear feet of bufferyard, there must be three (3) canopy trees, three (3) understory trees, four (4) evergreen tree and twenty (20) shrubs. A six-foot-tall solid wood fence is also required as part of this bufferyard. A bufferyard type S2 is required along the north side of the property that is across from University Street. This bufferyard is a minimum of 15 feet in depth with plantings. A structure (i.e. fence, wall, berm or hedge row) is not required as part of this bufferyard S2.
12. The applicant is voluntarily proposing to install more mature landscaping than is currently required by code or an 8-foot-tall masonry wall and has eliminated the ability to administratively reduce the proposed bufferyard widths below the code required minimum standards. The increased height and bulk of the landscape material will assist with providing an enhanced landscape buffer between the site and the surrounding residential development, thus increasing compatibility between the differing land uses.
13. As part of the COD, the applicant is proposing two bufferyard options. An 8-foot masonry wall (with bufferyard type F plantings) or a minimum total of 60 non-deciduous evergreen trees to be planted in the bufferyard areas adjacent to the R-SF and along University Street. It also stipulates that each tree is to be a minimum of approximately 12 feet tall when planted. This can be a part of the evergreen tree bufferyard requirements; however, anything over and above the standard bufferyard landscaping must be planted in addition to

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the bufferyard area. It also states that these additional trees and landscaping shall not interfere with sight distance or any other city code requirements.

14. The proposed COD will restrict the structure height to 45 feet above finished grade which is the same height requirements as the adjacent R-SF District. This reduces the potential height of any structures to two to three stories. The 30-degree bulk plane will still apply, but in the areas where the bulk plane doesn't limit the height below 45 feet, then this restriction will come into effect. The applicant must meet the bulk plane requirements for the proposed GR zoning district.

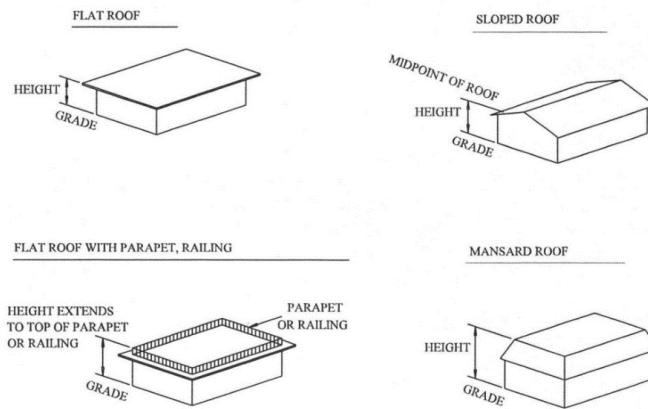
The bulk plane is a theoretical plane beginning at a district boundary (in this case) and rising over a slope determined by an acute angle measured up from the horizontal. The bulk plane defines the relationship of the height of a structure and the structure's setback from the district boundary. The Zoning Ordinance requires a **30-degree bulk plane** for the height of structures in a GR District measured from the R-SF District boundary line. **This means that for every one (1) foot of structure height, the building must be set back 1.73 feet from the district boundary line (example below).** This requirement would limit the height of the structure from the R-SF district boundaries to the north (across University Street), northwest (adjacent private property), east (across National Avenue), south (across Sunshine Street) and west (adjacent private property).



The applicant is proposing to limit the height of the structure to 45 feet with the same maximum height language as the R-SF District. The definition of height is the vertical distance of a structure measured from the average established grade at the street lot line or from the average natural ground level, if higher; or if no street grade has been established to the highest point of the roof's surface if a flat surface; to the deck line of mansard roofs; and to the mean height level between eaves and ridge for hip or gable roofs. In measuring the height of a building, the following structures shall be excluded: chimneys, cooling towers, telecommunication towers, ornamental cupolas, domes, or spires, elevator bulk heads, penthouses, tanks, water towers, and parapet walls not exceeding four feet in height.

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Figure 2-5



This height limitation of 45 feet would not start limiting the structure until 78 feet from any R-SF district boundary into the site if the site was completely flat. The site increases approximately 10 feet in grade from University Street to Sunshine Street (from northeast to southwest) with the highest points at the southwest portion of the property along Sunshine Street.

15. The exterior lighting and signage requirements of the COD will limit the height of lighting sources to control glare and light spillover, and signage will be required to be compatible with the style of the building.
16. The Additional Requirements in section M. of the COD includes requirements for lot combination that will require additional right-of-way to meet current standards, access restrictions and site plan review.
17. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this.
18. There are changing conditions in the area affected that make the proposed rezoning necessary. The intersection of Sunshine and National has some of the highest traffic volumes in the city.
19. The range of uses in the proposed GR district with COD are compatible with the uses permitted on other property in the immediate vicinity to the east and south of the intersection. Non-residential uses exist at all other corners of this major intersection. There is an existing retail shopping center at the northeast corner, the Mercy hospital campus at the southeast, and a new Cox hospital clinic at the southwest corner. These properties are on the edge of Placetypes and in a transition area of the Institutional & Employment placetype. The General Retail District allows for uses that provide community-wide personal and business services, shopping centers and specialty shops. This district is intended to be located along or at the intersection of two or more arterial or higher classification streets.

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20. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned. City Utilities state that all subject properties have access to CU Electric/Gas/Water.
21. The impact of the proposed uses is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity. A Traffic Impact Analysis (TIA) has been completed and accepted by the city. The improvements required based on the TIA are required to be submitted on Public Improvement Plans (PIP) and the improvements constructed, or funds escrowed prior to approval of a building permit. Required improvements include a raised concrete median on National Avenue restricting access to University Street to Right-in/Right-out only on the west side of National Avenue and Right-in/Right-out/Left-in only on the east side of National Avenue.; a raised concrete median on Sunshine Street restricting access to the development to Right-in/ Right-out/Left-in only; traffic calming measures on University Street and/or Hampton Avenue; the development should be completed in a manner, or right-of-way provided, to allow future construction of the southbound National Avenue to westbound Sunshine Street turn lane; and any change in use that creates an increase in total trip generation, as determined by the Director of Public Works, as presented in the final accepted TIA of more than 500 trips daily and/or 50 trips in the peak hour will require a modified TIA. The requirements of said study shall be incorporated in the site plan, PIP, or other permits as applicable.
22. The following required traffic calming measures are to be installed, as approved by the City Traffic Engineer, and included in the Public Improvement Plans:
- Landscaped island on East University Street west of the proposed access to the development preventing traffic from heading west on East University Street beyond the development.
 - Midblock speed cushions on East University Street between Hampton and the development and between S Hampton Ave and S Kings Avenue.
 - Midblock speed cushions on S Hampton Avenue between E Sunshine Street and E University Street and between E University Street and E Stanford Street.
 - Midblock speed cushion on E Stanford Street between S National Avenue and S Hampton Street.
23. The required dedication of additional right-of-way along National Avenue will facilitate the city's ability to construct a southbound to westbound right turn lane on National Avenue. The addition of this right turn lane on National Avenue will improve the overall level of service and traffic flow of the Sunshine St and National Avenue signalized intersection.
24. City Code requires access on National Avenue to be a minimum of 400-feet from the nearest right-of-way line of E. Sunshine Street and access on E. Sunshine Street to be a minimum of 300-feet from the nearest right-of-way line of S. National Avenue. There is not enough property frontage to meet these requirements along S. National Avenue, therefore access will not be allowed on S. National Avenue. Currently, City Code requires the proposed access from E. University Street to be a minimum of 110-feet from the nearest right-of-way line of S. National Avenue. Access to E. University Street can meet this

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requirement. A Traffic Impact Study has been conducted and right-of-way and traffic improvements will be required to ensure the development is consistent with access management design standards and City Code.

25. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district. There is no error being corrected with this application.
26. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. The multiple properties are zoned R-SF and could be developed as such.
27. The proposed rezoning was reviewed by City departments and comments are contained in the staff report (above).
28. Water quality measures and detention of stormwater runoff is required. A fee in lieu of detention for this development will not be permitted. The proposed development has 8 properties combining into one lot. The combined lots and future development will add approximately 1.23 acres of impervious area.
29. Private covenants or restrictions on private property are a civil matter. The City does not consider or enforce such matters as their legal status must be determined by a court.
30. The applicant held a neighborhood meeting on July 18, 2024, regarding the rezoning request. A summary of the meeting is attached (Attachment 2).
31. The public notice was advertised in the Daily Events at least 15 days prior to the public hearing. The property was posted by the applicant at least 10 days prior to the public hearing. Public notice letters were sent out at least 10 days prior to the public hearing to all property owners within 185 feet.

STAFF RECOMMENDATION:

1. Staff recommends approval based on the proposal's general conformance to the Comprehensive Plan's Institutional & Employment placetype and on the finding of facts above.

PLANNING AND ZONING OPTIONS:

The planning and zoning commission shall make one of the following recommendations in connection with each proposed change in zoning district classification of this article:

1. Recommend against the proposed change in the zoning district classification.
2. Recommend a change in the zoning district classification.
3. Recommend a change in the zoning district classification together with recommendations which, in the judgment of the planning and zoning commission, will

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protect adjacent property and ensure that the proposed amendment is consistent with the purpose and intent of this article.

DEVELOPMENT REVIEW STAFF REPORT**ATTACHMENT 1****CONDITIONAL OVERLAY DISTRICT PROVISIONS NO. 258**

The requirements of Section 36-421. of the Springfield Zoning Ordinance shall be modified herein for development within this district to include the following:

A. USES PERMITTED

1. Accessory uses as permitted by section 36-450, accessory structures and uses.
2. Art Galleries, libraries, and museums.
3. Bars, as long as the bar use is not the primary use of the property. Bar uses shall be accessory to other permitted uses.
4. Churches and other places of worship, including parish houses and Sunday schools but excluding overnight shelters.
5. Commercial gardens and/or farmers markets with retail and/or wholesale sales on-site.
6. Community gardens without retail or wholesale sales in accordance with the performance standards of section 36-470, community gardens.
7. Day care centers in accordance with chapter 36, article XI, Springfield City Code.
8. Eating and drinking establishments use group. Excluding the uses listed in section E.
9. Entertainment-oriented use group, excluding outdoor athletic courts.
10. General office use group.
11. Medical office use group.
12. Residential uses provided such uses are located above the first floor or behind nonresidential uses so as to create a continuous nonresidential façade, on the first-floor level. When a lot has multiple street frontages, first-floor non-residential uses will be required on the street with the highest classification. All other street frontages may contain residential uses.
13. Personal service use group.
14. Retail sales use group.
15. Schools or development centers for persons with handicaps or development disabilities
16. Schools, business.
17. Short term rental type 3 in accordance with 36-473, and subject to conditions in subsection (2)(b) or (y) if applicable.
18. Single-family residential dwellings as permitted in Section 36-380 of the Zoning Ordinance.
19. Temporary lodges use group.
20. Temporary uses, as permitted by section 36-452, temporary uses.
21. Temporary vendors as permitted under subsection 36-452(3)(b)2.
22. Veterinary clinics, animal hospitals, pet daycare services, pet grooming facilities and kennels. No outside activities shall be permitted for kennels. Veterinary clinics, animal hospitals, pet daycare services and pet grooming facilities may have supervised outside activities, which are defined as having a single animal under the physical control of an individual. All outside activity spaces shall be fully enclosed and screened from any adjacent residential uses, districts and all public rights-of-way with a six-foot tall barrier that is in conformance with subsection 36-480(3). No outside activity spaces shall be located within 25 feet of any residential use or district, and all animal waste shall be collected and disposed of on a daily basis.

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B. USES PROHIBITED

1. Automotive washing businesses.
2. Bed and breakfast
3. Catering business
4. Commercial amusement, including bowling alleys, dance halls, video game arcades, billiard parlors, roller skating and ice-skating arenas, motion picture theatres, and drive-in theatres. This limitation does not apply to indoor athletic courts.
5. Commercial off-street parking lots and structures.
6. Comprehensive marijuana-infused products manufacturing type-2 post extraction facility.
7. Convenience stores with gas pumps.
8. Day care centers in accordance with chapter 36
9. Eating and drinking establishments with drive-ins, pickup windows, or drive-thru facilities.
10. Flea Markets entirely within closed buildings.
11. Food trucks.
12. Funeral homes and mortuaries.
13. Household resource recovery collection centers, screened from all residential districts and public rights-of-way in conformance with section 36-480, screening and fencing.
14. Massage parlors or any adult motion picture theatre, adult store, or cabaret, as defined in section 36-321, definitions.
15. Medical, comprehensive or microbusiness marijuana dispensary facility and Medical Marijuana-infused products manufacturing type-2 post-extraction facility.
16. Pawn shops.
17. Payday loans or payday lending services or other activities related to credit intermediation.
18. Photo processing with drive-through facilities.
19. Police and fire stations.
20. Private clubs and lodges.
21. Public and private parks, outdoor playgrounds, and golf courses, including miniature golf courses and driving ranges.
22. Public service and public utility uses.
23. Satellite rental car offices limited to administrative functions related to the rental car business, drop off and pick up of rental cars, and on-site parking for not more than fifteen (15) rental cars and vans.
24. Seasonal outdoor sales and related storage as permitted by section 36-452, temporary uses.
25. Self-service laundromats.
26. Self-service storage facilities.
27. Recording studios.
28. Retail sales relating to adult bookstores, adult novelty shops, or any adult motion picture theatre, adult store, or cabaret as defined in section 36-321, definitions.
29. Retail stores where more than sixty percent (60%) of gross revenue is derived from package liquor sales.
30. Taverns or nightclubs.
31. Taxidermists.
32. Television and radio stations.

DEVELOPMENT REVIEW STAFF REPORT

33. Tier I, III, IV, and V wireless facilities.
34. Towers other than wireless facilities, less than 100 feet in height and related facilities provided telecommunication towers comply with section 36-466, telecommunication tower.
35. Vape shops (standalone).
36. Water reservoirs, water stand pipes, and elevated and ground water storage tanks.

C. USE LIMITATIONS

1. Businesses operating within the proposed rezoning district shall be limited to business hours of:
 - a. 6:00 a.m. to 11:00 p.m. on Sunday, Monday, Tuesday, and Wednesday
 - b. 6:00 a.m. to 12:00 a.m. (midnight) on Thursday, Friday, and Saturday.
 - c. No business activity is allowed on the premises outside of these times. This limitation shall not apply to hotels.
2. All outdoor automobile parking areas used for the purpose of retail or wholesale storage or sale of motorized or commercial vehicles shall be prohibited.
3. No outdoor storage.
4. No use shall emit an odor that creates a nuisance as determined by chapter 2A, article X, Springfield City Code.

D. INTENSITY OF DEVELOPMENT

Development shall adhere to the following standards.

- a. Maximum multi-family residential density of 29 dwelling units per acres if all design requirements of the Multi-family Location and Design Guideline are met.

E. BULK, AREA AND HEIGHT REQUIREMENTS

Development shall adhere to the following standards.

- a. Maximum structure height: 45 feet above finished grade.
- b. All structures shall remain below a 30-degree bulk plane as measured from the boundary of any R-SF or R-TH district.

F. DESIGN REQUIREMENTS

1. Building development in the proposed rezoning district shall be based on existing references

DEVELOPMENT REVIEW STAFF REPORT

within the context of the adjacent neighboring community to create harmony between this site and the neighboring community.

2. The site shall be designed to encourage pedestrian activity and shall:
 - a. Provide pedestrian amenities such as pedestrian scale lighting and street furniture to enhance the pedestrian environment.
 - b. Orient buildings to the street or public/common open space and provide pedestrian access to the street;
 - c. Blend the building scale and set back with existing developments along National and Sunshine that are consistent with these guidelines. Street facing walls that are greater than 50' in length must be articulated at least each 25 feet with bays, projections, or recesses. Articulation means a difference in vertical planes of the building of at least 18 inches or more; and
 - d. Provide bicycle parking equal to five percent of required vehicle parking spaces or ten spaces, whichever is less.
3. The site shall be designed to provide a good circulation system and shall:
 - a. Provide pedestrian and bicycle connections to adjoining public sidewalks; and
 - b. Provide connectivity by including direct vehicular, pedestrian and bicycle connections between abutting or adjacent developments.
4. The site shall be designed to respect the natural environment and shall:
 - a. Incorporate functional amenities in the open space and recreational areas such as outdoor seating areas.
 - b. A tree study performed on the site identified five trees that should be preserved if possible. Due to redevelopment of the site, it is only practicable to preserve one tree, the Magnolia tree located in the northeast corner of the property. The Magnolia tree should be preserved to the extent reasonably possible; and
 - c. The remaining four trees being removed must be replaced with a tree of at least two inches (2") in diameter. Trees meeting the landscape requirements in the zoning ordinance may be counted toward this requirement.
5. The building facades shall be designed with the following requirements:
 - a. All sides of buildings visible to the public, whether viewed from the public right-of-way or a nearby property, shall display a similar level of quality and architectural finish. This shall be accomplished by integrating architectural variations and treatments such as windows and other decorative features into all sides of a building design.
 - b. Building materials and colors.
 - (1) Facade colors shall have low reflectance. High-intensity, metallic, or fluorescent colors are prohibited.
 - (2) Façade shall incorporate no less than 60% brick, stone, stucco, or craftsman style

DEVELOPMENT REVIEW STAFF REPORT

cementitious board or wood into the design. Stone veneer can be engineered stone or natural cut stone.

(3) Façade shall not have more than three materials or changes in color, excluding glass. Metal, Vinyl, or plastic siding is prohibited.

(4) No building(s) shall have more than fifty percent (50%) exterior glazing on any frontage facing Sunshine Street or National Avenue.

(5) The ground level of nonresidential or mixed-use buildings must offer pedestrian interest along sidewalks and pedestrian paths through the placement of window and doors. Therefore, the first floor of any building façade facing a public right-of-way shall include transparent, clear glass windows and/or doors arranged so that the uses inside are visible from and/or accessible to the street. Window and/or doors with reflective or tinted glass that impede views into a building shall be prohibited.

(6) If roofs are visible to the public, whether viewed from the public right-of-way or adjacent property, they shall be comprised of architectural asphalt shingle roofing.

c. Service and Loading Areas. Off-street loading shall be regulated in accordance with Sections 36-456 and 36-483 of the Springfield Municipal Code of Ordinances. The following requirements are supplementary.

(1) All service and loading areas shall be in the side or rear yard of buildings.

(2) Service and loading areas shall be designed so that the entire service and loading operations are conducted on the building site. The visibility of service and loading from public streets shall be minimized.

G. OPEN SPACE, LANDSCAPING & SCREENING

The landscaping and screening provisions are intended to improve the physical appearance of the District; to improve the environmental performance by contributing to the abatement of heat, glare and noise, and by promoting natural percolation of storm water and improvement of air quality; to buffer potentially incompatible land uses from one another; and to conserve the value of adjoining property and neighborhoods.

1. Open Space Requirements

a. 20% Minimum open space

(1) Pervious pavement will not be allowed to count towards open space requirements.

b. 80% Maximum impervious area.

2. Bufferyards and Screening

a. 20-foot-wide buffer yard adjacent to R-SF zoning consisting of:

(1) An 8-foot-tall stone (natural or engineered), brick, or concrete wall; or

(2) An 6-foot-tall wood privacy fence and non-deciduous evergreen trees planted in the buffer yard at 8 feet on center. Each tree shall be a minimum of approximately 12 feet tall when planted and maintained in the bufferyard. An irrigation system will be installed as well to ensure maintenance, life and growth. Trees and landscaping shall

DEVELOPMENT REVIEW STAFF REPORT

- not interfere with sight distance or other city code requirements;
 - b. 15-foot-wide Standard City S2 Buffer along E University Street;
 - c. A minimum 4-foot-tall wall, measured from the finished grade of the north edge of the parking lot adjacent to E University Street, shall be installed for the length of the parking lot where headlights from parking vehicles would face north.
 - d. Required bufferyards on a lot or tract shall be installed when the lot or tract is developed;
 - e. Required bufferyards in common areas shall be installed when any development occurs in the proposed rezoning district unless the installation is specifically delayed by the requirements.
3. Vehicular use area open space
- a. Perimeter Landscaping. The requirements and standards of Section 36-482(9) of the Springfield Zoning Ordinance, in effect at the time of development shall apply.
 - b. Interior Landscaping. The requirements and standards of *Section 36-482(9) of the Springfield Zoning Ordinance*, in effect at the time of development shall apply.
4. Open space landscaping
- a. Landscaping plantings. In all open space areas required by this District the following landscaping shall be planted and maintained for each five-hundred (500) square feet of such open space area. Existing trees approved for preservation shall be counted toward satisfaction of this provision.
 - (1) One (1) canopy tree or (2) understory, ornamental or evergreen trees.
 - (2) Six (6) shrubs.
 - b. Landscaping standards
 - (1) Tree species, sizes and spacing shall be approved consistent with the City of Springfield's *Arboricultural Design Guidelines* on file with the Planning and Development Director.
 - (2) Tree preservation shall be per Section I (5) (b-c) of the Planned Development Language.
 - (3) Maintenance of required landscaping. Upon installation or preservation of required landscape materials, appropriate measures shall be taken to ensure their continued health and maintenance. Required materials that do not remain healthy shall be replaced consistent with this article.

H. EXTERIOR LIGHTING

1. All outdoor lighting fixtures shall either have a fixture cutoff classification of “full cutoff” or be fully shielded, unless otherwise expressly permitted.
2. All outdoor lighting utilizing a light-emitting diode (LED) fixture shall meet the following standards:
 - a. Color rendering. Outdoor LED fixtures shall be rated a minimum color rendering index (CRI) value of 70 or higher.
 - b. Color temperature. Outdoor LED fixtures shall have a correlated color temperature

DEVELOPMENT REVIEW STAFF REPORT

between 4,000- and 5,000-degrees Kelvin.

3. Maximum height of lighting poles shall not exceed 20 feet in height.

I. NOISE

The requirements and standards of *Section 36-485 of the Springfield Zoning Ordinance*, in effect at the time of development shall apply; and

Buildings and outdoor use areas such as patios should be placed and oriented in a manner that minimizes noise exposure to the adjoining residential properties. Speakers and noise emitting devices should be directed toward Sunshine Street and National Avenue.

J. ACCESS TO PUBLIC THOROUGHFARES

1. Access to the public street system shall be governed by the Traffic Impact Assessment which has to be approved by the City of Springfield Public Works Director.
 - a. Access P1 (Sunshine Street): Shall construct a raised concrete median on Sunshine Street to restrict access to Right-in/Right-out/Left-in only.
 - b. Access P2 (University Street): Full access driveway.
 - c. University Street at National Avenue: Shall Construct a raised concrete median on National Avenue to restrict access to Right-in/Right-out only on the west side of National Avenue and Right-in/Right-out/Left-in only on the east side of National Avenue.
 - d. University Street and/or Hampton Avenue: Shall install traffic calming measures, as approved by the City Traffic Engineer, and include them in the PIP.
 - e. The development should be completed in a manner, or right-of-way provided, to allow future construction of the southbound National Avenue to westbound Sunshine Street turn lane.
 - f. A 5' permanent sidewalk easement along National Avenue may be required by the City of Springfield.
2. An internal pedestrian system connecting the front doors of each building with one another, and the sidewalks located along Sunshine Street and National Avenue shall be constructed as part of the development.
3. The existing driveway approaches on Sunshine Street and National Avenue in the proposed rezoning district shall be reduced so that there is no driveway or approach on National Avenue and no more than one driveway approach on Sunshine Street for ingress/egress to the subject properties.

K. SIGNS

1. Signs located on any building façade are required to be compatible with the style of the building in terms of location, scale, color, and lettering.
2. Signs that are visible from the public right-of-way inside of a window or door are prohibited.

DEVELOPMENT REVIEW STAFF REPORT

3. All other signage requirements and standards will meet *Section 36-454* of the *Springfield Zoning Ordinance*, in effect at the time of development shall apply.

L. REQUIRED IMPROVEMENTS

1. Public improvements to be completed. Public and private improvements necessary to adequately accommodate the intensity of development proposed in this District shall be constructed prior to or concurrently with the development of the property. If the development of the property is phased, the construction of the improvements may also be phased provided there is a logical relationship between each phase of the development and the construction of the required improvements. Prior to building permits being issued to the applicant, or subsequent owners shall:
 - a. construct the required improvements; or
 - b. provide assurances satisfactory to the Director of Public Works guaranteeing that all required improvements will be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department shall be provided to the City.
2. Certificate of occupancy. No certificate of occupancy shall be issued for any structure within this District, or phase of the development, unless:
 - a. the required improvements are completed prior to occupancy of the structures; or
 - b. the Director of Public Works has determined that:
 - (1) any incomplete required improvements have little or no effect on the occupancy of the facility; or
 - (2) conditions beyond the control of the contractor, *i.e.*, strikes, weather, etc., have delayed the completion of the improvements.

If one of these conditions occurs, the Director of Building Development Services may permit occupancy under conditions satisfactory to the Director of Public Works that the required improvements will be completed as required by this ordinance within a reasonable time.

3. Required improvements. Improvements necessary to adequately accommodate the intensity of development in this District include the following.
 - a. Street improvements.
 - (1) Shall construct a raised concrete median on Sunshine Street to restrict access to Right-in/Right-out/Left-in only.
 - (2) Shall Construct a raised concrete median on National Avenue to restrict access to Right-in/Right-out only on the west side of National Avenue and Right-in/Right-out/Left-in only on the east side of National Avenue.
 - (3) Shall install traffic calming measures, as approved by the City Traffic Engineer, and include them in the Public Improvement Plans.
 - a. Landscaped island on East University Street west of the proposed access to the development preventing traffic from heading west on East University Street beyond the development.
 - b. Midblock speed cushions on East University Street between Hampton and the

DEVELOPMENT REVIEW STAFF REPORT

- development and between S Hampton Ave and S Kings Avenue.
 - c. Midblock speed cushions on S Hampton Avenue between E Sunshine Street and E University Street and between E University Street and E Stanford Street.
 - d. Midblock speed cushion on E Stanford Street between S National Avenue and S Hampton Street.
 - b. Sanitary sewer facilities.
 - (1) It is recommended that public sewer be extended onto the site to better serve the development.
 - c. Storm water management facilities.
 - (1) On-site detention and water quality will be required for the site.
4. Improvement Standards.
- Improvements shall conform to the following standards.
- a. All utilities and utility connections shall be located underground, including, but not limited to, electrical and telephone cables, security and other telecommunication systems and wires. Transformers, meters of any type (including electric, gas or other meters), or other apparatus shall be adequately screened and landscaped.
- M. ADDITIONAL REQUIREMENTS**
- 1. A lot combination of all subject properties in accordance with all applicable subdivision regulations;
 - 2. Vehicular access shall be limited to Sunshine Street and University Street and approved by the director of Public Works. The Existing driveways on National Avenue and Sunshine Street shall be removed so that there is no driveway approach on National Avenue and no more than one driveway or approach on Sunshine Street for ingress/egress to the proposed rezoning district. Access on Sunshine Street shall be restricted to right-in/right-out/left-in only as approved by the Director of Public Works; and
 - 3. A final site plan, showing conformance with the requirements of this COD, shall be submitted to the Planning and Development Department or review and approval by the Administrative Review committee prior to the issuance of permits for the construction of permanent improvements within the proposed rezoning district.

Attachment 2

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: R-SF to GR w/ COD
(existing zoning) (proposed zoning)
2. Meeting Date & Time: July 18th 2024 - 4:00 to 6:30 PM
3. Meeting Location: Springfield Art Museum - 1111 E Brookside Dr Springfield MO 65807
4. Number of invitations that were sent: 156
5. How the mailing list was generated: City of Springfield provided
6. Number of neighbors in attendance (attach a sign-in sheet): 55
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved).

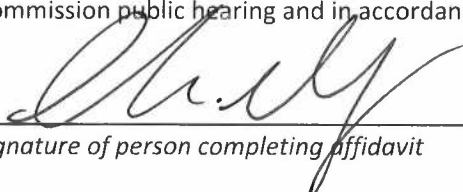
Traffic
Noise
Landscaping
Uses
Light
Architectural

See attached Summary list

8. List or attach the written comments and how you plan to address any issues:

No written comments

I, Chris Wynn (print name), attest that the neighborhood meeting was held on 7-18-24 (month/date/year), and is at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing and in accordance with the attached "Neighborhood Notification and Meeting Process."


Signature of person completing affidavit

Chris Wynn
Printed name of person completing affidavit

Neighborhood Concerns summary / Response

Traffic Concerns – Major concern with new cut through traffic. Developers will install traffic calming measures including speed cushions and a landscape island preventing traffic from heading west on University. Also, as part of the development the City will get ROW for new southbound left turn lane on National which will help traffic on National and reduce existing cut through traffic.

Noise - Building to be orientated toward intersection of National and Sunshine. Additionally, trash pickup occurs during business hours.

Uses – Neighborhood requested that daycares and food trucks be added to the prohibited uses. This has been added. Additionally, they asked that multi-family be added to the prohibited list. However, the developer is not in favor of adding this.

Architectural (flat roofs) – It was requested that flat and/or low sloped roofs be prohibited. This language was not added to the COD. Previous renderings for the site did not include flat or low sloped roofs.

Landscaping – Some neighbors raised concerns with the proposed row of Green Giant trees. Others liked the idea. They stated they were susceptible to disease and drought. The COD calls out that the trees shall be maintained, and irrigation provided so we feel this concern is already addressed. Additionally, the developer met with the neighborhood and came up with an alternative which is a 8' tall stone wall. Both options are included in the COD and the decisions of which to use will be left to the developer.

Light – One neighbor asked to have the development meet dark sky requirements. This is already included in the COD language.

Please Sign-In

Welcome !



18-Jul-24
4:00 - 6:30 PM

National & Sunshine Neighborhood Meeting
Thank you for coming. Please leave your name and contact information.

	NAME	ADDRESS	EMAIL	PHONE
1	Jack McGee	media	jmcgee@sfgate.com	4177295229
2	Don Dunbar	932 E. Kingsbury	diver84@yahoo.com	4177555706
3	Cindy Helfer	1215 E. University	Cindy my friend@yahoo	417-209-3167
4	Tracy McKay	952 E. Kingsbury	TRZSARB@GMAIL.COM	
5	Trish McKay	1505 S. CLAY AVE	McKayt@verizon.net	
6	Barb Hughes	951 E PortHaul St.	cyclonegate@yahoo.com	417-861-1783
7	Annette West	1515 S. Kings Ave		417.830.4362
8	Jackie Moore	925 E. Stanford St	jackie@glmooretire.com	417 840 5193
9	Kathy Pulley	826 E Kingsbury	kathypulley@missouri-state.edu	
10	Kevin R. Evans	953 E. University Dr	stratigraphix@gmail.com	417-459-0691
11	Cynthia Bylander	1005 E. Kingsbury St	cbylander36@gmail.com	417-496-4042
12	Norma Capecci	900 E Kingsbury		417 883 3379
13	DARRON HEMANN	1039 E UNIVERSITY	DARRON.HEMANN@wellsfargo.com	417-496-5167
14	Greg Lawson	1024 E. Stanford St.	Boo Zoo 4321@sbcglobal.net	918-899-5080
15	Wise Dixon	1118 E University		417 827 8208
16	Nicole Massey	1041 E. Stanford	n-massey415@yahoo.com	573-489-9338
17	Gabby & Michael Lampe	702 E. Stanford St	GabbyBodee@gmail.com	4174961212
18	ROWENA PAROBATZ	1127 E STANFORD ST		510 926 0078
19	Match Munkatun	959 E. Kingsbury		417-725-2691 x150
20	Lisa Munkatun	11	lisa.munkatun@yahoo.com	

21	Renee Fogle	1125 E Kingsbury	anfogle@aol.com	417-882-2622
22	Nancy Cooper	635 E University	nancyjcooper@outlook.com	417-459-8830
23	JEANETTE ROSE	1125 E University		
24	Nancy Karasik	947 E Portland	Nancy.Karasik@gmail.com	
25	Kirk Karasik	" "	" "	" "
26	Karla Carroll	815 E Portland	Karla.gcarroll@google.com	417-368-8015
27	Doug Carroll	" "	doug.c@mst.edu	" "
28	Nancy Williams	953 E Linwood Dr	whimsicalwms@gmail.com	
29	Evelyn Mangen	818 E. Portland	emangen@culpmangen.com	818-811x
30	Maggie Castrey	1006 E Linwood Dr -07	maggie@maggiecastrey.com	
31	Anne Griffith	1512 S Kings	aggwta@gmail.com	
32	Sherry Wirth	1035 E PORTLAND	SWIRTH98@AOL.COM	
33	Peta Wirth	1043 E, PORTLAND		
34	Julia Fuller	945 E. University		
35	Geri Miller	1025 E. Linwood Gr.	gerimiller@gmail.com	417-839-7234
36	Mike Miller	" "	" "	" "
37	Peggy Wise.			
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46	Dane Carroll	1657 S. Kimbrough	DaneCarroll@MissouriState.edu	459-8362
47	SEAMUS MCKENZIE	1127 E. STANFORD ST	smckenzie@missouri-state.edu	417-426-5404
48	Jason Ray	1136 E. Kingsbury	jasonray@missouri-state.edu	
49	Lois Shufeldt	1008 E. Kingsbury	lmshufeldt@aol.com	417-619-7115
50	Gayla Gary	1653 S. National	gayla@wrcary.com	417-866-7484
51	Donna Carey	930 E. Kingsbury	donnecarey@gmail.com	417-881-1161
52	Dixie Sleight	1124 E. University		417-881-3518
53	Barbara S. Robinson	1010 E. University St	Barbara S. Robinson	417-225-2522
54	ASHTON LEWIS	1032 E. UNIVERSITY ST	Ashton LEWIS	417-830-2337
55	MIKE O'BRIEN	1031 E. UNIVERSITY ST.	Mike O'Brien	417-887-0373
56	RINA EDGE	1030 E STANFORD ST	rina@edgeimmigrationlaw.com	4175008472
57	Rick Walker	1124 E. Linwood Terrace		
58	Holly Acharya	972 E. Linwood Dr	har545s@gmail.com	
59	Sreekanth Acharya	972 E. Linwood Dr	sreekanth.ach@gmail.com	
60	Ray Green	1055 E Kingsburg	Ray - byars - green	417-881-5068
61	Walter Green	" " " " "	" " " " "	" " " " "
62	STEPHANIE SHADNICK	1101 E STANFORD ST	SSHADNICK@GMAIL.COM	417-343-9222
63	LISA Munkatchy	959 E. Kingsburg St.	Lmunkatchy@yahoo.com	417-429-7297
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Attachment 3

From: [Greg Lawson](#)
To: Zoning@springfieldmo.gov
Subject: B, K, & M's proposed development at Sunshine St. & National Ave. Springfield, MO 07-11-2024
Date: Thursday, July 11, 2024 11:56:25 AM

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Secured by Check Point

07-11-2024

Planning and Zoning Commision
Springfield, MO

Good day,

My name is Gregory Lawson, I live at 1024 E. Stanford Street and my wife and I own our home.

I am completely against the rezoning of B,K, & M's property at Sunshine Street and National Ave.

I have attended all of the meetings concerning this issue and I am convinced that it is a wrong decision to rezone it.

My wife and I bought our property thinking that it wouldn't be harmed by an entity like BKM because of the zoning requirements of our neighborhood.

I have no faith in anything that BKM does or says, as I have found them to be unreliable, unfaithful, condescending, and dishonest.

I feel that anything that they would be allowed to build would be poorly built and poorly managed.

I remember at the meeting at the Double Tree Hotel, they told the 145 in attendance that the development that they were proposing was going to be what we all wanted, we just didn't know it.

I know what I want and I don't want anything to do with B,K, & M.

Sincerely,

Gregory Lawson
1024 E. Stanford St.
Springfield, MO 65807
417-849-5086

From: [Matthew Calihman](#)
To: Zoning@springfieldmo.gov; [Council](#)
Subject: resident opposed to rezoning the corner Sunshine and National
Date: Thursday, July 11, 2024 3:23:20 PM

Dear City Council and Planning and Zoning Commission:

I am a resident of University Heights, and I am writing to urge you to reject the proposal to rezone the corner of Sunshine and National.

That corner is part of a stable, safe, clean middle-class neighborhood of single-family historic residences. Almost without exception, these homes are very well maintained and add a lot of value to the city. And the residents of University Heights love it as it is. The neighborhood would be the envy of many other municipalities, and the Springfield city government ought to do everything in its power to preserve University Heights as it is. The city does not have many such neighborhoods.

A redevelopment project of the sort being proposed would do great harm to the University Heights.

Thank you for your consideration.

Sincerely,
Matthew Calihman
1533 S. Clay Ave., Springfield, MO 65807

From: boyer50@mediacombb.net
To: Zoning@springfieldmo.gov
Subject: Rezoning of 2.60 acres located at the northwest corner of Sunshine and National: Comment Card
Date: Friday, July 12, 2024 11:27:30 AM

Date: July 12, 2024

Telephone: (417) 887-4811

Your Name: Mark G. Boyer

Your Address: 1140 E. Stanford St., Springfield, MO 65807

Project Address: 1755 S. National Ave., Northwest Corner of Sunshine and National

Comments:

I wish to comment on the Christopher Wynn, PE--CJW Transportation Consultants, LLC proposal to change the zoning of 2.60 acres on the northwest corner of Sunshine and National in the University Heights Neighborhood.

Whatever is located there will add to the number of additional cars passing through the University Heights Neighborhood; already, there are many cars cutting through the neighborhood to avoid the light at Sunshine and National. And those who do that speed through the neighborhood streets with no police around to give tickets! Any business on the corner of Sunshine and National would only increase the traffic on and through neighborhood streets.

A neighborhood is where people live, not where businesses are located. Businesses are located in business districts. Neighborhoods should be kept neighborhoods. Business space is available on the northeast corner of National and Sunshine, and that business strip has been open for several years already. It is very difficult to get to those businesses and very difficult to get out of those businesses, and the same bottle neck will be created if businesses are allowed to occupy the northwest corner of Sunshine and National.

University Heights Neighborhood contains some of the oldest houses in Springfield. I live in one built in 1918 before the neighborhood was founded in 1925. While in principle I am not opposed to the development of businesses, I am opposed to the destruction of old neighborhoods. Once it begins, there is no end to how much will be lost block by block. Part of a city's grandeur is appreciating and preserving its heritage in old buildings. There is an integrity to an old building that needs to be preserved. In University Heights there are no cookie cutter houses; every home is different and needs to be preserved.

Property values throughout the neighborhood will drop if businesses begin to be added; no one wants to live next to or near a business; no one will want to buy a house next to or near a business; there is enough noise on National and Sunshine without adding more traffic. People who live in University Heights Neighborhood do not want a business in their neighborhood. They have expressed this several times in the past and several times more recently. How loud do they need to shout before they are heard by the people they elected to hear and serve them? Is the Planning and Zoning Commission going to listen to them? They have lived in the neighborhood long before someone wanted to build a business there. Would YOU want a business removing houses and increasing traffic and noise going into your neighborhood?

Please do not rezone the northwest corner of Sunshine and National for business purposes. Please do not grant any more requests to have homes demolished in the University Heights Neighborhood. Please keep the neighborhood intact.

From: [Jeff VanDenBerg](#)
To: Zoning@springfieldmo.gov
Subject: Opposition to BK&D rezoning request for University Heights
Date: Monday, July 15, 2024 7:18:03 PM

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Secured by Check Point

Dear Planning and Zoning Committee,

I am writing to urge that P&Z deny the request to rezone residential properties in University Heights to commercial. I am a resident of University Heights, and my opposition to rezoning these properties is both out of concern for its impact on my neighborhood and for city-wide quality of place reasons.

Rezoning these homes does not follow the city's existing comprehensive plan or Forward SGF. In these plans, University Heights is designated as Single Family Residential and classified as a "Residential Neighborhood-Traditional." There are no changing conditions that make rezoning necessary. University Heights is a flourishing historic residential neighborhood, one of the few left in Springfield, and property values are among the highest in the city. It is essential that we protect this neighborhood from commercial encroachment.

The likely negative impacts of commercial development include increased traffic and safety hazards, especially on University Street, increased crime with commercial development, and declining property values for residences in the neighborhood.

Furthermore, City Council has recently authorized a comprehensive corridor study for Sunshine Street that would include this stretch near the intersection of National. It would be quite premature (and irreversible) to approve a rezoning request ahead of this study.

Thank you for your service to our community,

Jeff VanDenBerg
801 E. Kingsbury St.
Springfield 65807

From: [Lisa Dixon](#)
To: Zoning@springfieldmo.gov
Subject: 1755 S National Ave. Springfield, MO 65807
Date: Monday, July 22, 2024 7:27:50 PM

We are writing to comment on the proposed rezoning of the 2.60 acres at the corner of National and Sunshine Streets. We oppose the rezoning from (R-SF) to (GR). We do not think this will improve anything for our neighborhood and will be extremely detrimental. Traffic is already a problem and any increase in traffic around and directly in our neighborhood will result in loss of walk ability, biking, and beauty. The increased traffic will increase noise, lower property values, and destroy the historic homes that have been in this city for 100 years. We live on University Street behind the proposed development, so this directly affects us. When we talk to friends and acquaintances, they all want to know what is going on and they ALL agree with us that the development is wrong for the neighborhood and the city. They ALL are sad that the white house on the corner has already been torn down and that our neighborhood will be so negatively impacted by any future commercial development.

S Hampton, S Kings, S Dollison, and S Holland have NO homes facing them on either side and only S Holland has a sidewalk on one side. They are alleys in our neighborhood, not true streets. They cannot accommodate 2 large vehicles going opposite directions. They cannot be widened because they lead directly into homes' yards and driveways. Any increased traffic through the neighborhood would overwhelm these alleys and lead to frustration for drivers and neighbors and would ultimately lead to accidents. People from all over the city regularly walk through our neighborhood and use these alleys to walk on. Increased traffic from the development would make this impossible and impact the entire city.

Please consider the current homeowners of University Heights, who keep their homes and properties beautiful. It is not worth destroying our neighborhood so that one developer can build something the entire city doesn't want or need.

Rodney and Lisa Dixon
1118 E University Street
Springfield, MO 65807
417 827 8208

DEVELOPMENT REVIEW NOTICE/COMMENT CARD

Enclosed you have received a notice of a "Neighborhood Meeting" submitted by the applicant to discuss a change in land use or zoning in your neighborhood. For all development applications involving an advertised public hearing, City Council requires developers to hold a neighborhood meeting and invite the property owners within 500 feet of the property and to the officers of neighborhood association on file with the Department.

A "Neighborhood Meeting" is held early enough to provide adequate time for the developer to negotiate with the neighborhood in order to resolve any issues and provide any proposed changes to City staff to evaluate and include in City staff reports.

If the developer submits an application for a change in land use or zoning, the property will be posted and there will be public notifications in the newspaper and notification by mail to the property owners within 185 feet of the project.

The Land Use or Zoning Change Process:

1. Application
2. Neighborhood Meeting (500 feet notification from subject property)
3. Planning and Zoning Commission Public Hearing (185 feet notification from subject property)
4. 1st City Council Public Hearing (185 feet notification from subject property)
5. 2nd City Council Meeting to decide either to approve or to deny the change in land use or zoning

City staff is available to meet with you or your neighborhood association representative(s) to discuss the proposed change in land use or zoning and answer questions at 417-864-1611.

Staff submits a report with a recommendation one week prior to the date of the public hearing at the Planning and Zoning Commission. You can provide comments on the attached "Comment Card" by mail or by email at zoning@springfieldmo.gov. Please include your name, address and telephone number as well as the address of the project in your correspondence.

Bob Hosmer, AICP Planning Manager
City of Springfield Development Review Office
840 Boonville Avenue
Springfield, Missouri 65801

Comment Card: Mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	10 JULY - 24	Telephone No.	417-839-1584
YOUR NAME:	ALAN DE BRUL		
YOUR ADDRESS:	1126 E. SUNSHINE ST. SPRINGFIELD, MO 65807		
PROJECT ADDRESS:	1755 S. NATIONAL SPRINGFIELD, MO 65807		
COMMENTS:	THIS PROJECT WILL INCREASE TRAFFIC - A PREVIOUS PROJECT TO CONVERT A LARGE HOUSE TO A 4-PLX, AT THIS SAME LOCATION WAS TURNED DOWN FOR TRAFFIC ISSUES. IT WILL EXAGGERATE THE FLOODING IN THIS AREA - THE CITY'S EXISTING PLANS CALL FOR THIS AREA TO BE RESIDENTIAL. THIS WILL ATTRACT A CRIMINAL ELEMENT AND DECREASE PROPERTY VALUES - IT WILL CAUSE EVENTUAL ELIMINATION OF THE RESIDENTIAL NEIGHBORHOOD -		

City of Springfield, Missouri - Development Review Office - 840 Boonville, Springfield, MO 65802 - 417.864.1611
Application for Zoning Map Amendment & Planned Developments
*Fees are non-refundable

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Comment Card: Mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	10 JULY - 24	Telephone No.	417. 839-1584
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City of Springfield, Missouri - Development Review Office - 840 Boonville, Springfield, MO 65802 - 417.864.1611

Application for Zoning Map Amendment & Planned Developments

*Fees are non-refundable

7/20/24

To

PLANNING & ZONING COMMISSION,

SPFLD, MO

DEAR SIRs:

My wife and I have lived at 1455 So CLAY AVE, JUST NORTH OF THE UNIVERSITY HEIGHTS AREA FOR THE PAST 42 YEARS.

IT IS OUR REQUEST THAT YOU LEAVE THE UNIVERSITY HEIGHTS ZONING AS IT NOW IS. "RESIDENTIAL NEIGHBORHOOD (R-SF)".

NO CHANGES HAVE OCCURED THAT WOULD REQUIRE REZONING, PROPERTY VALUES ARE HIGH AND WILL STAY THAT WAY WITH THE ZONING REMAINING AS IT NOW IS.

INCREASED TRAFFIC, LOWER PROPERTY VALUES, CHANCES OF FLOODING, AND A HIGHER CRIME RATE COULD OCCUR AS A RESULT OF THE PROPOSED ZONING CHANGES. PLEASE LEAVE THE ZONING AS IS.

THANK YOU FOR YOUR CONSIDERATION

Sincerely

Freddie D. Rabeen
Wilma Rabeen

Planning and Zoning Commission
840 N Boonville, 1st Floor
Springfield, MO 65802

We are writing in opposition to the rezoning of the properties at the northwest corner of National and Sunshine. Re-zoning this area does not follow Springfield's existing Comprehensive Plan or the now ratified Forward SGF. These plans designate all of University Heights as Single Family Residential. There are no changing conditions that make re-zoning necessary. The goal of Forward SGF is improving "quality of place". Currently the University Heights neighborhood has that "quality". We have a variety of well-maintained homes in a livable, walkable, center city neighborhood. The rezoning and commercial development of the National/Sunshine corner will change that for the worse. University Heights is enjoying the highest property values in its history and the vast majority of residents do not support commercial development. University Heights has always been residential and has never had commercial development within its borders.

The proposed entrance from University Street to the commercial development will greatly increase the traffic on University, which is a quiet, interior residential street. We oppose any commercial development in the University Heights neighborhood, but adding an entrance to a quiet neighborhood street is the most egregious concern. The developer (BK&M) has held several meetings and claims that the "City" will not allow him to put a property entrance on National and will only allow one entrance on Sunshine. The developer says that he is required to put an entrance on University Street. We do not believe that he is being truthful. There are similar commercial developments at similar intersections in the city that have multiple entrances in both directions. We oppose any commercial development in University Heights, but if there must be a commercial development on the property, please require that entrances be from National and Sunshine and do not allow an entrance on University Street.

In the following four pages we have compared the intersection at National and Sunshine to the three closest busy intersections in the city, including Sunshine and Campbell, Sunshine and Glenstone, and National and Battlefield. These are all busy intersections that carry approximately the same amount of traffic as the intersection in question (National and Sunshine). We have shown that for a development the size of the proposed (BK&M) development there is space for one entrance off National into the property and multiple entrances off Sunshine. There is no need to have an entrance from University Street into the proposed development, and there will be much less impact to the neighborhood if the entrances are from National and/or Sunshine. Please see pages 2-5 for the analysis.

In summary, we oppose the commercial development at National and Sunshine. The City's existing Comprehensive Plan and the now ratified Forward SGF show University Heights to be a residential neighborhood. The City should follow through with the planning and not allow commercial development in University Heights.

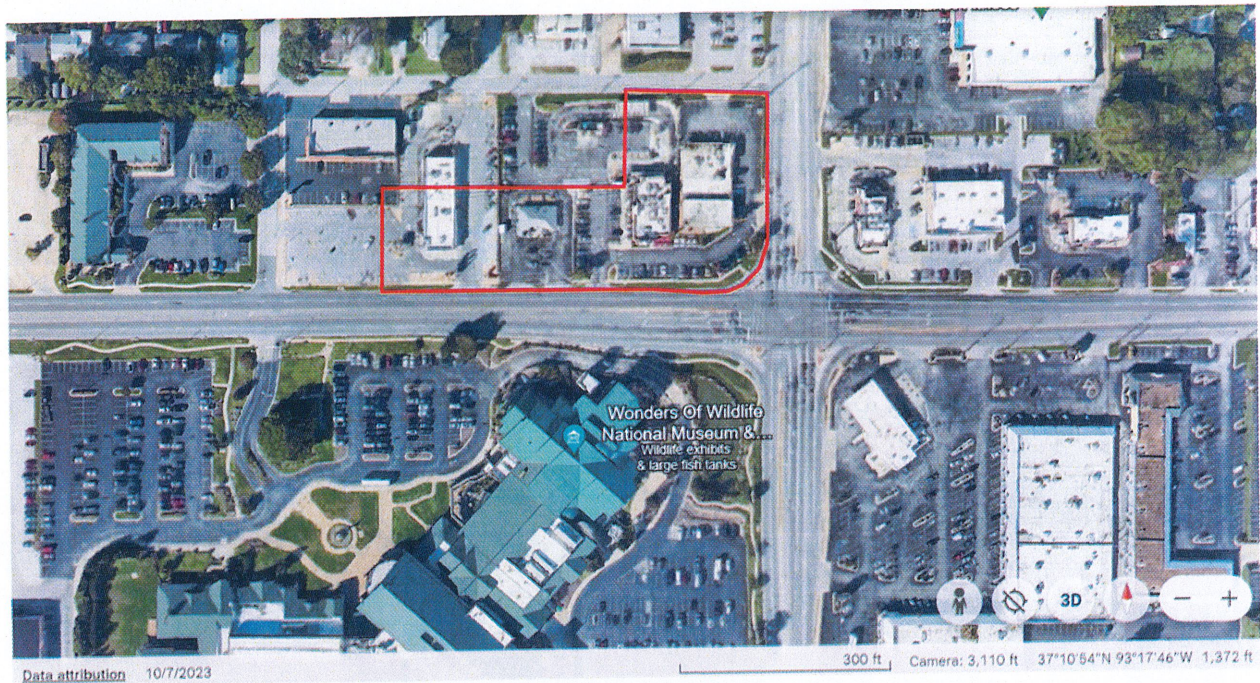
Sincerely,

Doug & Karla Carroll
815 E Portland



National and Sunshine

The figure above shows the intersection of National and Sunshine. The proposed development is outlined in red. The figure is from Google Earth and there is a scale at the bottom. The same scale was used for all figures in this document. Please notice that there is a commercial development on the southwest corner of the street that has an entrance from National located about 250 ft from the intersection. It would be possible to put an entrance into the proposed development from National that is about the same distance from the intersection. The business on the southwest corner also has an entrance from Sunshine Street about 300 ft from the intersection. There is plenty of space to put two entrances into the proposed development from Sunshine Street.



Campbell and Sunshine

The figure above shows the intersection of Campbell and Sunshine streets. The red outline is the size and shape of the BK&M proposed development at National and Sunshine. Please notice that there are 4 business entrances from Sunshine Street, and one business entrance from Campbell that would fit into the proposed development. This intersection is similar to National and Sunshine, so if there is space to have 5 business entrances at this intersection, then there should be plenty of space to have 5 business entrances to the proposed BK&M development for National and Sunshine.

Also please look at the northeast corner of the intersection. There are 4 business entrances from Sunshine and one from Campbell on this corner in a space the same size as the proposed BK&M development. If you examine the southeast corner, there are 3 business entrances from Sunshine and one from Campbell in a space the size of the BK&M development. The intersection of Campbell and Sunshine is comparable in size and traffic to National and Sunshine. If we can put all of these business entrances at this intersection, then we should be able to provide the necessary business entrances to the proposed BK&M development from National and Sunshine. It is not necessary to put an entrance from University Street.



Glenstone and Sunshine

The figure above shows the intersection of Glenstone and Sunshine. The red outline is the size and shape of the proposed development at National and Sunshine. Please notice that there are 4 business entrances from Sunshine Street that would fit into the proposed development. There is an entrance from Glenstone into the business that would partially fit into the proposed development. This intersection is similar to National and Sunshine, so if there is space to have 4 business entrances from Sunshine Street at this intersection, then there should be plenty of space to have 4 business entrances to the proposed BK&M development from Sunshine street. The entrance from Glenstone into the business is on the edge of the footprint for the proposed BK&M development, but it is close.

The intersection of Glenstone and Sunshine is comparable in size and traffic to National and Sunshine. If we can put all these business entrances at this intersection, then we should be able to provide the necessary business entrances to the proposed BK&M development from National and Sunshine streets. It is not necessary to put an entrance from University Street.



National and Battlefield

The figure above shows the intersection of National and Battlefield. The red outline is the size and shape of the proposed development at National and Sunshine. Please notice that there are 3 business entrances from Battlefield, and 3 business entrances from National that would fit into the proposed development. This intersection is similar to National and Sunshine, so if there is space to have 6 business entrances at this intersection, then there should be plenty of space to have 6 business entrances to the proposed BK&M development for National and Sunshine.

Please notice that on the northeast corner there is one business entrance from National and 3 business entrances from Battlefield that would fit into the footprint of the proposed development. On the southeast corner there are 4 business entrances from Battlefield that would fit into the proposed development footprint. On the southwest corner there is one business entrance from National that would fit into the proposed development footprint. If we can put all these business entrances at this intersection, then we should be able to provide the necessary business entrances to the proposed BK&M development from National and Sunshine streets. It is not necessary to put an entrance from University Street.

From: [Kevin Ray Evans](#)
To: Zoning@springfieldmo.gov
Subject: Forward SGF guidelines and proposed rezoning of Sunshine and National
Date: Wednesday, July 31, 2024 8:30:54 AM
Importance: High

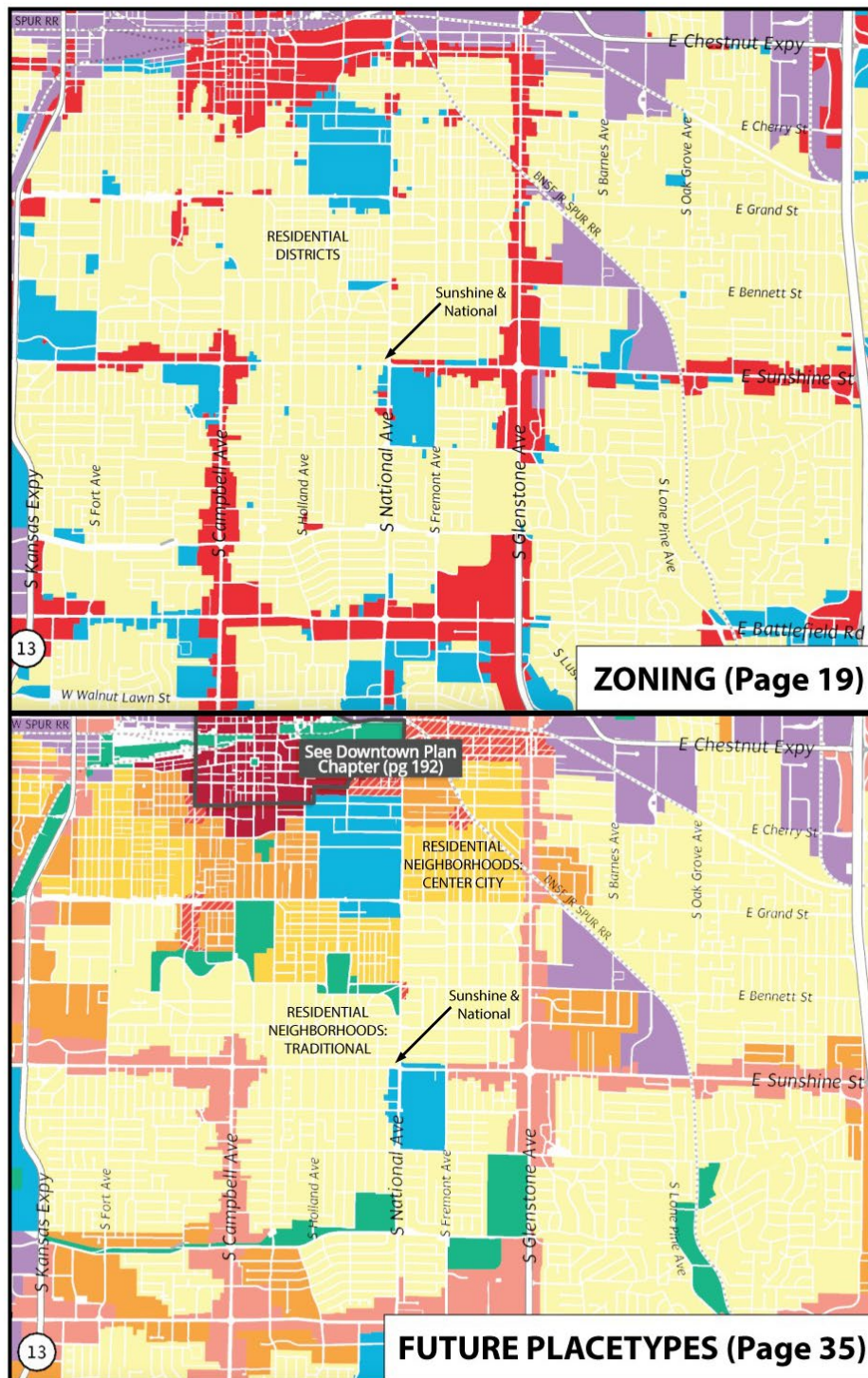
This is the first time you received an email from this sender (kevinrayevans@gmail.com). Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

Secured by Check Point

Dear Chair and Members of the Planning and Zoning Commission,

BK&M, developers, recently resubmitted an application to rezone the area at Sunshine Street and National Avenue as a conditional overlay district, changing zoning from single-family residential to general retail. Like all new proposals, BK&M are bound by the *current* Comprehensive Plan (Forward SGF), which was adopted 14 November 2022. On pages 19 and 35 of the Forward SGF document (see figure below), current and future placetypes for University Heights neighborhood are shown on maps. The former(current) regards the area at Sunshine and National as "Residential District" and future placetype map refers to it as "Residential Neighborhood: Traditional". These are the sentiments of nearly all of the residents of University Heights and the way we would like to see it remain, residential rather than general retail. Did the City waste taxpayer money on consultants and countless hours of citizens' and staff's time on a meaningless document, performing an exercise in futility? I don't think it should be so. The City needs to follow through with the plan as it was adopted. I view the document as a contract in which the Planning and Zone Commission and City Council *must* abide. This area is *only* suitable for residential re-development rather than General Retail zoning. Thank you for your consideration.

Best regards,
Kevin Ray Evans
953 E. Linwood Dr. (Zone 4)



From SPRINGFIELD, MISSOURI | FORWARD SGF
 COMPREHENSIVE PLAN (adopted 14 November 2022)

From: [Chris Wynn](#)
To: doug@mst.edu; karlagcarroll@gmail.com
Cc: [Ralph Duda](#)
Subject: National and Sunshine Rezoning - Comment Card / Response
Date: Wednesday, July 31, 2024 5:01:59 PM

Good Afternoon Doug and Karla,

I received comment letters this afternoon that were submitted to the City of Springfield regarding the rezoning case at National and Sunshine. I wanted to follow up on some of the concerns that were presented.

At the neighborhood meeting and in your letter, you brought up the CoxHealth development located on the southwest corner of National and Sunshine and how they have a new access to S National Ave. I tried to explain this at the meeting but in the heat of the moment may not have gotten the information across properly or clearly. If we were to put an access onto S National approximately 200 feet north of the intersection right-of-way for National and Sunshine, it would put the proposed access less than 100 feet from the intersection of National and University St. Access spacing code does not allow for a new access that close to an existing intersection (I have attached a clip from the zoning code referencing access to primary arterials, this is just a portion of the requirements we have to follow). Additionally, the City plans to install a new southbound right turn lane on S National Ave with the right-of-way that is being dedicated as part of this redevelopment. A new access in the middle of a turn lane is not encouraged.

Looking at the CoxHealth development I would agree it is very similar to our development. They were allowed one limited access on S National Ave and no access to W Sunshine St, in part due to the spacing between the intersections of Sunshine and National and Sunshine and Florence as well as the existing eastbound right turn lane. The access to Sunshine you mention in your letter is actually S Florence Ave (a public street). CoxHealth ultimately took a second access to Florence since access to Sunshine was not allowable. CoxHealth has the same access as we are proposing just reversed between National and Sunshine.

At the end of the day if the City would support access on S National Ave we would do it without question. Developers always want access to a major thoroughfare when possible.

Looking at the other examples you provided of similar intersections, the overwhelming majority of these access are existing non-conforming accesses. If these properties were to be re-developed, submit a lot combination, replat, or any other formal development request to the City they would be required to update the access spacing to current standards. Many of the commercial access points along major streets in Springfield were constructed in the 1960s or earlier. The City and MoDOT have since updated their access standards to improve access management.

I would like to let you know that we met with the City of Springfield Traffic, Planning, and Fire Departments yesterday and they are agreeable to allowing us to place a landscape

island in the westbound lane of W University Street just west of our proposed development to prevent traffic from the development entering the neighborhood while still allowing traffic to exit on to National. Additionally, we are proposing the installation of speed cushions at approved locations along University, Hampton, and Stanford. I also feel that the installation of the southbound right turn lane on National will greatly reduce the amount of existing cut through traffic that the University Heights Subdivision currently receives due to the back up at the intersection.

If you have further questions regarding the access spacing and requirements, please contact the City of Springfield Traffic Engineers Brett Foster or Chad Zickafoose at 417-864-1980

Sincerely,
Chris

Christopher J. Wynn, P.E., LSI

President

CJW Transportation Consultants, LLC

cwynn@gocjw.com | www.GoCJW.com

5051 S. National, Suite 7A | Springfield, MO 65810

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Neal, Daniel

Subject: University Heights - Communication

From: Aimee Jackson <aimeemj76@gmail.com>

Sent: Thursday, August 1, 2024 8:55 AM

To: Gage, Jason <jgage@springfieldmo.gov>

Subject: University Heights.

Dear Jason, I'm asking you nicely to consider what I have to say. We don't need any more businesses put up in the area because eventually it will lead to entirely too much traffic. We don't need this. Please sir consider what I'm saying. I would invite anyone that is concerned with this to my home so they understand what having entirely too much traffic does to an area. You are more than welcome in my home so that you can understand what this means. Please don't just let people come into town and do whatever they want. Please consider this.

From: [Walstrand, Gwen](#)
To: [Council](#); Zoning@springfieldmo.gov
Subject: Z-22-2024 COD 258
Date: Tuesday, August 13, 2024 12:07:43 PM
Attachments: [future-strip.pdf](#)

Dear Zoning Commission and City Council,

I am writing in opposition of the rezoning **proposal Z-27-2022 COD #220** for 1739, 1745, 1755 S National, 1141, 1131, 1119, 1111 E Sunshine, and 1138 University St. Removing eight (or any) historic homes in good or easily maintainable condition should not be considered. Destruction of livable, beautiful, historic neighborhoods and inviting further blight and retail sprawl into areas that are well established residential areas with deed restrictions preventing such actions should not be allowed by the city and would have a long-term negative effect on the entire city and surrounding area.

Preservation, planning: Preservation and enhancement of residential architecture, livable green spaces, safe streets and neighborhoods, and integrity of history should be foremost considered. Already our city is known for strip malls, sprawl, poorly constructed chain stores and restaurants. If we allow those areas to further sprawl into irreplaceable historic areas, we trade away the character and desirability of our city and its residential areas for quick dollars and future blight issues. Arguably, nearly every strip center/retail/restaurant structure erected in this town in the last twenty or thirty years has been constructed for short-term use, eventual blight, demolition, then similar new construction/rebuild. The retail shops along National Ave across from the Missouri State University have lived this cycle, as have the East Sunshine areas east and west of Fremont Ave, nearly all of Glenstone Avenue, Campbell Ave near Sunshine Street, and pockets of Chestnut Expressway. These commercial strip centers have compromised each of our historic urban neighborhoods in some way by the noise and other unattractive qualities of cheap construction and devaluation of property. This is true of the Delaware neighborhood, Rountree neighborhood, Phelps Grove neighborhood, and Midtown neighborhood, and of University Heights. If left as single family residential homes, the structures will be beautiful, historic, well-built and designed homes that will last for centuries more. The life span of any retail, strip center, or 'mixed-used' new construction is on average about 15 years before it must be rehabbed or demolished.

Empty nearby retail spaces and deed restrictions: Destruction of historic residential homes in neighborhoods with deed restrictions and residential-only zoning is not necessary to build business! There are, throughout the streets named above, empty retail centers that the population of Springfield would LOVE to see renovated into more attractive, solidly constructed shops and restaurants. Very near the site where Mr Duda and Mr Tolliver hope to destroy homes to build general retail strip centers there are empty and near empty commercially zoned structures and parking lots. They would have the same access to the same customers if they were to build there instead.

It does not make sense for Springfield to allow re-zoning and destruction of historic residential areas when there is empty commercial and retail space throughout the city and near the proposed location. It's a direct hit on the character and integrity of our city. The minimally increased property tax revenue it may generate in the short term to have retail business there will be negated long-term and reversed when those new structures become the ubiquitous half-empty, poorly maintained, hideous strip centers Springfield is known for, and the historic homes that would have been welcome sights for all and quality homes for future centuries would be forever lost. The area will become blighted and property values and taxes will go down throughout the area. Please see the link below and the attached document regarding studies highlighting the very short life of retail centers such as what Mr. Duda proposes and the blight, under-utilized, and short-sightedness of such endeavors.

<http://www.urbanindy.com/2015/11/01/the-case-in-greenwood-why-america-deserves-its-retail-blight/>

Quality of life + noise/environmental impact: The University Heights neighborhood has spoken clearly and repeatedly that the re-zoning is not welcome. We have been joined by the neighborhood associations all around the city center. At each P&Z and City Council meeting, so many speakers strongly, lucidly oppose the destructive nature of Mr Duda's proposals. Only those who may financially benefit will speak on behalf of those proposals. It's very clear that through the two years of everchanging and ill-conceived rezoning requests concerning the corner of National Ave and Sunshine St., that the residents of this city do not want the neighborhood destroyed and rezoning approved. To truly hear and represent the residents of the city, particularly those who live in the beautiful urban neighborhoods most affected, you must deny these destructive requests. This is why we have zoning laws; to protect the character of the city and the residents of the city.

The footprint of our neighborhood is small and bound by busy streets. But within the bounds of Sunshine, National, Grand, and Jefferson, there are mature trees, streets with sidewalks, family homes, runners, walkers, children playing, neighbors talking, Fourth of July parades, a couple of quiet, small neighborhood restaurants neatly tucked into the architecture of the surrounding houses, a few churches, a park, an Art Museum, and two elementary schools. The traffic noise from the surrounding busy corridors is always heard. The trees do a bit to buffer the sound, but we continually hear motorcycles, sirens, loud vehicles, and we are right under the flight path of helicopters landing on the nearest corner of Mercy hospital. We hear construction projects at Mercy, football games at MSU, fireworks from Hammons' Field, and other sounds of being tucked into the middle of a busy city. Most of Springfield is not inviting to pedestrians or cyclists. We chose to live in University Heights partially because we are able to walk or cycle to work, reduce our carbon footprint, and live and enjoy a neighborhood that welcomes outdoor

activity. But the ever-increasing noise levels and traffic from the surrounding busy corridors have reduced the wildlife, birdlife, and safety is less assured when out walking the neighborhood. The limited green space we have due to road-widening and surrounding parking lots also causes flooding due to the lack of drainage areas. Removing more green spaces in favor of parking lots will cost the entire neighborhood and the city. There are simply no more ways for University Heights to compromise for business and still have a livable neighborhood. The activity, parking issues, and traffic already created by our elementary schools, churches, and Art museum results in commercial dumpsters being emptied multiple times per week between 4am and 6am and voices of crowds coming and going to school, church, and museum activities late into the evenings. This has a real impact on the surrounding neighbors, but does not compare to the extremely negative and potentially dangerous impact that retail and restaurant crowds, delivery trucks, trash collectors, increased parking, increased traffic, and increased traffic crashes at the busy intersections would cause. Inviting that into the interior of the neighborhood, via University Street and all the other streets affected by it would reduce the quality of life in all of Springfield and in University Heights. If you measure Hampton Ave at its narrowest point between Kingsbury and Portland, it is 15 feet wide, barely one lane wide and it has no sidewalks. Between University Street and Stanford, Hampton Ave is only narrows from 18 feet wide to 16 feet wide. It is an alley that cannot handle the flow of increased traffic.

Traffic: Portland St. is a thoroughfare for motorists wishing to avoid the intersection at Sunshine and National. Without stop signs or traffic calming features, motorists drive easily at speeds of 40 or 50 miles per hour with no need to stop between National and Kimbrough. If University St. is made an ingress of the proposed retail center, the entire neighborhood will have increased traffic. Entry from National or Sunshine would cause the blocks long traffic jams at rush hour to worsen. There are frequent auto crashes on National, at the intersections of all the east-west streets around the neighborhood. This will not be reduced by adding commercial structures *within* our neighborhood. A newer traffic count than what is available online (2004, 2011, etc) will show that the neighborhood and the intersection at National and Sunshine is overwhelmed with traffic. It's an area to be avoided, not an attractive retail spot. University and Hampton, and most of the nearby streets are not wide enough to handle a lot of two-way traffic plus parking. None of the neighborhood streets have that ability, and it would become quite dangerous for children and pedestrians.

Conclusion: I sincerely hope that the good of the city, the good of the neighborhood and its residents, and the quality of life in Springfield will be foremost in the decision making regarding this re-zoning proposal. The desire to live in Springfield at all is much reduced when we allow our neighborhoods and our history to be destroyed so easily. Even more than has already been the case, the destruction of beautiful neighborhoods will result in

the residents moving out of the city to join the sprawl on the edges. Forward-thinking city planning should not allow this. Destruction of history and character in favor of re-zoning for commercial would be horribly short-sighted and the kind of loss **forever** felt by this city. Please think of the future by regarding highly the **best** of our past.

Thank you for your consideration. The desirability and livability of the city is in your hands.

Gwen Walstrand
1116 East Portland
Springfield, MO 65807
417-234-0745

THE FUTURE OF STRIP MALLS

Merle Patchett and Rob Shields

In many neighbourhoods across North America, small, 5-8 store strip malls, once anchors of local retail activity, are increasingly being framed as today's suburban blight. Intended as community hubs of consumption and services, many of these places are being abandoned or becoming underutilized and dilapidated as the services move out of local neighbourhoods in favour of larger-scale malls and shopping districts serving greater catchment areas. At the CRSC, we believe it is time to rethink our relationship with the strip mall. This design competition and touring exhibit proceed from the thesis that the social vitality and community sustainability of mature suburban neighbourhoods can be improved by reviving and re-purposing under-utilized strip malls. It is our contention that small-scale strip malls can play a vital public role in the urbanization of the postwar suburbs. Strip malls can become as important to these communities as the old warehouse and market districts have been to the inner city.

The shopping mall reached its peak - in terms of its ubiquitous presence in the North American urban landscape and popular psyche, as well as the amount of scholarly attention paid to it - towards the end of the twentieth century.ⁱ Now into the second decade of the twenty first century, local malls, especially small-scale strip malls, are rarely of interest or attachment, undercut in cost by auto-orientated "big box" "power centres" and regional and super regional malls.ⁱⁱ Contemporary academic work continues to focus on spectacular, larger-scale, enclosed "mega-" and regional malls,ⁱⁱⁱ or on the "mall-ing" of formerly non-consumer spaces, such as airports, universities, office buildings, hospitals and other civic spaces.^{iv} There is very little academic literature about small-scale local malls or neighbourhood strip malls beyond urban designers' disparagement of the form.^v Similarly, policy focus has been on revitalizing heritage^{vi} and downtown shopping cores,^{vii}

or on creating "town square" versions of power centres (including "lifestyle centres") generally in newly erected suburbs^{viii} along with other novel retail spatial configurations.^{ix} By contrast, the local strip mall, with a convenience-oriented mission but often not a particularly locally-responsive retail provision, has been in decline: "many of them dying, bleak and waiting for reinvention."^x

We initiated our design competition - *Strip Appeal* - to "reinvent the strip mall," recognizing its potential to produce innovative solutions and design visions for the rejuvenation of strip mall retail. The specific focus of the competition was smaller scale, neighbourhood shopping plazas consisting of a few retail units, usually fronted by parking, and up to the scale of malls which combine indoor and outdoor sections but remain local in focus and generally do not exceed a single floor. In some cases, these malls have been redeveloped as sub-regional consumption and service destinations by enclosing their storefronts with galleria or glass arcades. However, those malls that have not succeeded in making the transition often stand partially or almost completely empty (see deadmalls.com for countless examples). This problem has been exacerbated by the fact we have overbuilt strip centres and malls in North America. This problem has been exacerbated by the fact we have overbuilt strip centres and malls in North America. The Urban Land Institute details that from 1960-2000, there was almost a tenfold increase of retail space in the United States, from 4 to 38 sq. ft/ person - a rate 5-6 times faster than the increase in sales. This glut has led to 9-10% of retail facilities being derelict, with the most overbuilt category of retail space being the large single-storey discount stores. Following the first quarter of 2011, mall vacancies rose to 9.1 percent. The second quarter was no kinder, with the vacancy rate inching up to 9.3 percent. Strip malls, with a vacancy rate of 10.8 percent, have an even tougher time keeping tenants.

The Urban Land Institute suggests one solution would be to demolish 300 million square feet of retail space. Our research suggests that larger strip malls are more likely to be uneconomic. In general, we observe that the single-storey sections of strip malls have a limited life-span due to ageing roof-top heating and ventilating systems. Two-storey sections are more likely to be repurposed for community uses while the rest of the mall is taken down and the area redeveloped for other purposes. At the CRSC, we recognized this as an opportunity for intervention: how can small-scale strip malls be reinvented and redeveloped to local advantage? As outlined in the previous essay, in order to address the problems associated with strip mall retail, the design competition presented itself as a new model for engaging practitioners and interested publics with the question of how strip malls could be re-imagined to reflect the needs of 21st century suburban communities.

We are unlikely to immediately replace 55+ years of North American car-based suburbs (roughly 1945-2009).^{xii} To become more environmentally sustainable, the provision of walkable retail services and accessible centres of social interaction and community facilities has a role to play. Retail is understood as a site that fulfils certain needs at a variety of scales - the need for creating a sense of a vibrant local place, for developing a sustainable hub for community, for the provision of goods and services as local shopping experience and for creating a community retail destination, a “place to go.”^{xiii} It was our hypothesis that the reorientation of the suburban strip mall to community use might contribute to community cohesion by enabling “face-to-face” encounters through the creation of a local “marketplace” or neighbourhood public sphere whilst also adding to a community’s economic resilience through informal networks of social interaction.

These facilities are often hampered by being intentionally located at the entrances of arterial roads to suburban housing developments. This makes them ideal automobile commuter stops as they are on the way between work

and home. However, it puts them at the edges of neighbourhoods rather than at their cores, and makes them potentially dangerous destinations for pedestrians and children unless bicycle and walking paths lead to these sites. As a result, many of the entrants include a transportation component in revitalizing the strip mall. Regardless, we see the usages and tenancies of these retail spaces changing from convenience-oriented commercial to educational, fast-food, medical, service, religious, ethnic and other niche services. The strip mall is dead - long live the strip mall!

Factors frustrating redevelopment of strip malls thus far include the accessibility of larger retail facilities, the anti-competitive practices of large retail operators who have acquired ownership of many of these malls (through, for example, increases in rent and restrictive covenants^{xiii}) and the decision of property owners to land bank, that is, to hold sites – often unoccupied – as investments to be sold for the value of the land.^{xiv} The recent economic climate has also discouraged redevelopment as developers are risk-averse, evidenced by the decrease in the number of applications to rezone these facilities for mixed-use developments. In Canada, municipalities impose re-zoning challenges or vacillate on the requirements for applications that delay and thus increase the cost of repurposing under-performing retail space to other commercial and institutional uses, for example, as office space, often making these projects uneconomic. Despite these trends, some strip malls continue to thrive by successfully servicing the needs of the neighbourhood or by catering to the specialized needs of an identifiable community. There has been little systematic study done to investigate how or why these strip malls have succeeded in their contextual communities.^{xv} For the most part, small, vibrant retail clusters such as successful strip malls are regarded as accidents, and any quantitative traffic or marker analyses done surrounding them remain corporate secrets.

A recent study by Linovski,^{xvi} although not expressly attempting to identify the reason why some strip malls

succeed and others fail, argues against a blanket push to redevelop strip malls. Recognizing the diversity of strip mall forms - from those characterized by front-loading parking along arterial strips to traditional retail strips that face directly onto the public sidewalk - she argues that design and redevelopment policies should not treat all strip malls as the same. She examines diverse strip mall types in Toronto's postwar suburban fringe facing high redevelopment pressure and identifies certain benefits in leaving some of these strips with fewer controls and barriers to access. Linovski argues that strip malls in these areas provide affordable retail space for small businesses not available elsewhere, enabling diversity in tenants and use. She advances that many of these strip malls have significant social and economic benefits in their current form that are not addressed in most design and planning policies, which tend to judge strip malls based solely on their aesthetic and visual character. She thus urges that future strip mall design policies support functional concerns and not simply respond to visual considerations.

Similarly, Shields' research shows that well-managed malls understand the importance of considering the social needs of communities rather than assuming that a standardized reliance on market projections will guarantee success.^{xvii} This means responding to local ethnic interests, holidays and demands. It also means understanding how to manage tensions that arise from different demands of clients, retailers and neighbours. This is why we asked our competition entrants to choose a strip mall local to them. By asking entrants to consider the "situated-ness" of their strip mall sites, we wanted their redesigns to consider the relationship between architectural and non-architectural elements of the site, and to respond to the needs of the surrounding community and built environment. In doing so, the responses demonstrate a wide diversity of approaches to the redesign of small-scale strip malls, from full-site overhauls to lighter-touch, intervention-based approaches only altering one aspect of the site.

This catalogue offers you a glimpse of the future. That is, not projects that are under construction now, but those that

are in the planning phase for 10 to 15 years; hence it will be in 2025, and their successors in 2040 to 2050, when new forms will replace these facilities that were built with a short life span in mind. In total, we received 122 submissions from design students and professionals, creatives and the general public. While the majority of sites were located in North America, selected sites were as far away as the Netherlands, Brazil, Hong Kong, China and Australia. The submissions proposed alternatives from community greenhouses to rooftop recreation spaces and all-weather shelters for food trucks and their patrons. They replace and reinvent what we now know as strip malls. The 20 shortlisted submissions reflect the diversity of responses, approaches and ideas our brief solicited, ranging from architectural responses to structural engineering and facade responses, from urban planning and construction responses to urban transport responses and social and architectural interventions. As argued in the previous essay, the shortlist, as presented in this catalogue and touring exhibition, provides many innovative and implementable "theories of action"^{xviii} for the reorientation of strip malls to community futures. As such, we hope the catalogue will follow the example of Tahchieva's Urban Sprawl Repair Kit^{xix} and function as a "strip mall repair kit," where the submissions offer implementable techniques for the renovation of existing strip malls to create denser, healthier, more walkable and cohesive communities.

In both the catalogue and the exhibit panels, the submissions have been grouped into five main categories: "Winners," "Green," "Park," "Up and Out" and "Connect." "And Ideas" selections from other entries closes each section. The "Winners" section outlines the Jury Winner and Runner-Up as well as the Public Vote Winner. The Jury Winner - Free Zoning by Stephanie Davidson and Georg Rafailidis - radically re-imagines a derelict strip mall in Buffalo, New York as a building quarry. Proclaiming the site free of zoning restrictions, Davidson and Rafailidis deconstruct and inventory all the building materials on site and demonstrate how these can be used to construct community housing. Using the existing foundation as a seedbed for construction, they show how the plot might develop over time with a wide variety of functions and building typologies, all primarily constructed using the

salvaged materials of the derelict strip mall.

The Jury Runner-Up - Parked Mall by Carole Levesque, Todd Ashton and Aumer Assaf - retains the commercial activity that vibrant neighbourhoods need whilst reducing dependence on passenger vehicles. To do so, it proposes replacing four static strip mall structures in an area of North Edmonton with docking stations where mobile shops can park and offer a range of services. Where previously the strip malls offered a duplication of shops, the mobile shops and service trailers can be arranged in a weekly schedule to offer a wider selection of local services. When not in use, the dock and its infrastructure will be made available to the community for impromptu or organized gatherings.

The Public Vote Winner - Unbox-Embrace-Cohere by Jasper Hilkhuijsen and Geraldine Li - presents 3 steps for turning a semi-vacant strip mall in Enschede, the Netherlands into a community youth centre: 1. Unbox the strip through the removal of non-structural walls to provide new routes through the building. This transforms the building from a single volume into an assembly of volumes. 2. Embrace the surrounding community by facilitating a participatory process from the outset where community members can communicate their ideas and hopes for the site. 3. Cohere spatially and socially. By including the community in the design process from the outset, the task is not only one of modifying a building, it is a collaborative design process whereby the community's needs are expressed in the building's new form.

In the "Green" section, shortlisted submissions show us how we can "green" the strip mall, from community and urban gardening to the introduction of green technologies and materials. For example, Strip Weave by Teal Architects integrates landscape urbanism with high density approaches and environmental design to transform commercial strips into convivial communities powered by wind, sun and geothermal energy. Ferndale Gardens by Paul Samulak proposes to turn a semi-vacant strip mall in Woodward, Detroit into a suburban farm and

restaurant. With the renewal of this site proposed to coincide with the planned Woodward light rail project, Samulak demonstrates how locally grown produce can be distributed to a wider customer base along the planned route.

Underused and unfriendly to the pedestrian, the strip mall parking lot is ripe for transformation. In the "Park" section, submissions redefine the strip mall lot not only as a place to park your car, but as a place that can be pedestrian-friendly and accommodate a variety of other public uses. For example, Pop-Up Food Truck Station by Daniel Orlando Martinez offers a shelter and cafeteria for food trucks and their patrons in a barely used Temple City strip mall parking lot. To encourage patrons from the surrounding area, online networking is employed to notify patrons when different food trucks will be parking. In a variation on this theme, Park-Aid by Ziola Newstudio converts an existing strip mall into a high-density parking garage designed to house all of the surrounding neighbourhood's cars. The pooling of neighbourhood traffic frees up the remainder of the neighbourhood automobile infrastructure – roadways and garages – for future residential densification and green space.

The strip mall building typology is based on principles of maximum efficiency and replicability. By extending this typology, submissions in the "Up and Out" category generate new spatial arrangements, uses and social situations. For example, in Stripscape, designers Dora Baker, Pablo Batista and Natalie Badenduck offer six proposals for retrofitting strip malls around Winnipeg, Manitoba. Rather than tearing down these malls, they propose Stripscaping as a strategy for building upon and around them, specifically the roof structure. In one example, the strip mall roof is fashioned into a year round recre-ational area. By comparison, Cultural Appropriation by Fern Nafziger provides a structural formula by which a strip mall can restructure and grow without imposing on the current businesses which might already be in place.

While many strip malls are located directly adjacent to neighbourhoods, they often remain detached and unrespon-

sive to the community surrounding them. The submissions in “Connect” show how it is possible to reorientate and reconnect the strip mall with its surrounding community and built environment. For example, Span the Strip by Toby Keeton proposes bio-bridges to be used as connective pathways to promote greater walkability and reduce the ecological impact of vehicular corridors. In Combat Concrete by Natalie Ross, a “Food and Art” program is devised through consultations with the community whereby strip mall parking lots are transformed into areas for food production, recreational park space and art and community activities. Fix the Strip by Loretta Foley and Kristin Smith presents a “deciding guide” for any community to find solutions for improving their local strip mall, using its own context and circumstances to shape the process.

Taken together, these designs offer a glimpse of the future of suburban retail experience - where an entire industry is going. More importantly, they suggest a need to change our approach: we must transform strip malls into places that people want to go for services and community events. These designs help eliminate our dependence on the car and contribute to the urbanization and densification of suburbs. Furthermore, rather than depend solely on the investment of risk-averse developers, the shortlisted submissions provide intervention-based strategies that can be implemented by community associations, local entrepreneurs or committed individuals. Collectively then, the submissions provide many innovative and implementable “theories of action” for the renovation and reinvention of existing strip malls to create denser, healthier and more cohesive suburban communities.

ⁱ M.L. Clausen, “Northgate Regional Shopping Centre - Paradigm for the provinces,” *Journal of the Society of Architectural Historians* 43(2), 1984, p. 145.

ⁱⁱ See for example: T. Hernandez and J. Simmons, “Evolving retail landscapes: power retail in Canada,” *Canadian Geographer* 50(4), 2006, pp. 465-486; D. Hayden, *A Field Guide to Sprawl*, NY & London: W. W. Norton & Co., 2004.

ⁱⁱⁱ See M. Abaza, “Shopping malls, consumer culture and the reshaping of public space in Egypt,” *Theory Culture Society*, 18(5), 2001, pp. 97-122; H. Schmid, “Economy of Fascination: Dubai and Las Vegas as examples of themed urban landscapes,” *Erkunde* 60(4), 2006, pp. 346-361; Héléne Klodawsky, *Malls R Us* [documentary film]. Produced

by Ina Fichman (Instinct Films) and Luc Martin-Gousset (Point du Jour), 2009, 78 mins.

^{iv} See for example: D. C. Sloan, “Scientific paragon to hospital mall: the evolving design of the hospital, 1885-1994,” *Journal of Architectural Education* 48(2), 1994, 82-98.

^v F. K. Benfield et al., 2001; J. Terris and N. Vorsanger, *Solving Sprawl: models of smart growth in communities across America*. Washington D.C.: Island Press, 2001; E. Dunham-Jones and J. Williamson *Retrofitting Suburbia: Urban Design Solutions for Redesigning Suburbs*. Hoboken: John Wiley & Sons, 2009; S. Zukin, “Reading the urban villager as a cultural document: ethnicity, modernity and capital,” *City and Community* 6, 2007, pp. 39-48; S. Zukin, V. Trujillo, P. Frase, D. Jackson, T. Recuber and A. Walker, “New retail capital and neighbourhood change: boutiques and gentrification in New York,” *City and Community* 8(1), 2009, pp. 47-64

^{vi} J. Goss, “Disquiet on the waterfront: reflections on nostalgia and Utopia in the urban archetypes of festival market places,” *Urban Geography* 17(3), 1996, 221.

^{vii} T. A. Gibson, “The trope of the organic city: discourses of decay and rebirth in downtown Seattle,” *Space and Culture* 6(4) 2003, pp 429-448.

^{viii} See for example: M. Southworth, “Reinventing Main Street: from mall to townscape mall,” *Journal of Urban Design*, 10(2), 2005, 151-170.

^{ix} G. Beck, “Signs of life: a new lesson from Las Vegas - A souped-up shopping centre on the strip uses technology to announce itself as a retail, cultural, and civic destination,” *Architectural Record* 191(6), 2003, 199-+.

^x Southworth, “Reinventing Main Street,” p. 153.

^{xi} However, we are certainly aware of the longer history of the suburb. See: Hayden, *A Field Guide to Sprawl*.

^{xii} R. Jackson and N. Thrift, “Geographies of Consumption,” in D. Miller (ed.), *Acknowledging Consumption: A Review of New Studies*. New York: Routledge, 1995, pp. 204-37.

^{xiii} Ziff, B. *Scorched earth: An empirical study of the use of restrictive covenants to stifle competition* [Abstract]. Planning, Law and Property Rights; Fifth International Conference. 2011. retrieved from: http://www.law.ualberta.ca/plpr/2011/PLPR_Abstracts.pdf.

^{xiv} Interboro Partners, *In the meantime, life with landbanking*. Design Competition entry. 2002. Accessed: <http://www.interboropartners.net/2012/in-the-meantime-life-with-landbanking/>.

^{xv} However, see Lo (2009), which shows that supermarkets are complementary consumption sites for Toronto’s immigrant Chinese residents but independent ones for non-Chinese; the role of ethnicity/culture is thus important with respect to the embeddedness of immigrant consumers and the cultural representations of certain retail spaces as “ethnic.” L. Lo, “The role of ethnicity in the geography of consumption,” *Urban Geography* 30(4), 2009, pp. 391-414.

^{xvi} O. Linovski, “Beyond Aesthetics: assessing the value of strip mall retail in Toronto,” *Journal of Urban Design* 17(1), 2012, pp. 81-99.

^{xvii} See, for example: R. Shields, *Life Style Shopping the Subject of Consumption*, London: Routledge, 1992.

^{xviii} Bruno Latour, “A Cautious Prometheus? A Few Steps Towards a Philosophy of Design (with Special Attention to Peter Sloterdijk),” *Networks of Design: Proceedings of the 2008 Design History Society*, Falmouth, Cornwall.

^{xix} G. Tahchieva, *Urban Sprawl Repair Kit*, Washington D.C.: Island Press, 2010.

From: [Castrey, Raymond F](#)
To: Zoning@springfieldmo.gov
Subject: Rezoning application Z-22-2024 COD 258
Date: Thursday, August 8, 2024 10:24:02 AM

I am writing to express my opposition to the zoning request made by BKM for the northwest corner of Sunshine and National. I am a resident of University Heights and am concerned that rezoning of this property will adversely impact the quality of life in our neighborhood and decrease property values.

In addition to not being aligned with the city's Comprehensive Plan nor Forward SGF, the adverse environmental effects of stormwater runoff, noise, and air pollution, I am particularly concerned about the increase of traffic not only on University, but throughout University Heights. I watch daily as traffic backs up from Sunshine on National during rush hour, and increasing numbers of drivers using not just Brookside and Portland streets but also Stanford, Kingsbury, Linwood and University as shortcuts to travel west on Sunshine.

I do not believe that BKM is acting in good faith to support our neighborhood or improve our quality of life as they have stated. They continue to push for a general rezoning rather than working with the neighborhood towards a planned development for this property that might better align with the traditional residential nature of University Heights.

I respectfully ask you to deny this zoning change. Thank you for your consideration.

Raymond Castrey

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From: [Anne Griffin](#)
To: Zoning@springfieldmo.gov; [McClure, Mayor](#); [Council](#)
Subject: rezoning application Z-22-2024 COD 258
Date: Monday, August 5, 2024 2:34:42 PM

The properties in question for rezoning at the corner of Sunshine and National streets, within the University Heights neighborhood, are not only zoned residential, but also deeded residential, historically contested to remain residential, and identified as residential in both the city's previous and current 20 year plans. It defies reason to believe BK&M made significant investments and initiated development without the blessing of certain city leaders. This misadventure has proven divisive and harmful to the community, delayed economic development in other more appropriate areas, and destroyed trust between all parties for the near future. It is time for the city and members of the community to hold accountable those city leaders who so recklessly greenlit BK&M's initiatives.

It is counterintuitive to encourage more traffic at this intersection which is already highly congested. Even though there is high visibility for businesses due to the traffic numbers, access and safety issues nullify any benefit. It is counterintuitive to encourage any kind of pedestrian traffic near the second busiest intersection in the city. Pedestrian traffic, especially across the intersection, should be avoided for obvious reasons. It is counterintuitive to suggest adding apartments when the site's unsuitability for residents is used as an excuse for rezoning. It is counterintuitive to hold the integrity of an entire neighborhood at risk for some random, non-essential, unproven development.

The public trusts city management with the responsibility to balance the complex set of equities involved in development across all stages, including conception. This project prioritized the abstract corridor development concept, promoted by outside consultants. City leaders are tasked not just with providing opportunities for developers and adding tax base revenues for the city. Equal consideration for the citizenry, their safety, security for their investment, preservation of culture and heritage, and appreciation for historical sites are also requirements of good government and a proven path for comprehensive and sustainable enrichment of a city.

Commercial development at this corner would be *wrong* on so many more levels than would be right. One only has to look at the many unnatural traffic mitigations put forth by the developer and the city as proof that increased congestion and traffic in and around the neighborhood will be the result. Access islands, restrictive medians, speed bumps, and even a proposed street closing, would all completely disrupt the character and flow of the neighborhood and have a huge impact on all people driving those roads. These are permanent inconveniences to all who live in the neighborhoods, and just the first example of negative consequences that will spin off this flawed project.

Cities, developers, and yes even neighbors make mistakes. And right now all are dug-in and bearing ever growing costs. In the city of Springfield, there are many redevelopment options, many intersections, but there is only one University Heights. The choice is clear. In the end, not only does the city bear some responsibility for this conflict, but the buck still stops at City Hall. It's time for the city to hold its personnel accountable and ante up. The only way out is out.

Anne Griffin

From: sbrooks31@gmail.com
To: Zoning@springfieldmo.gov
Subject: Proposed zoning change at the corner of National and Sunshine
Date: Monday, August 19, 2024 8:56:45 PM

Below is an email I sent in October of 2022, and most of the points are still valid today, as you hear the latest proposal this Thursday from BK&M. I would hope you could keep our residential neighborhood completely intact, and vote NO on their latest development proposal. Thanks.

Planning and zoning commissioners, I live in the University Heights neighborhood just a bit west of the proposed development. Our 2 children went to Sunshine Elementary, Jarrett Middle School, and Parkview High School throughout that era of their educational time, as we have lived here 39 years.

I will have more to say about this issue later, as we get closer to the hearing, but I had a few thoughts after the neighborhood meeting that was held yesterday evening, organized by the developers. We had heard that the meeting needed to be at the site, even though most who read the rules thought it could have been at a nearby church, such as at the National Avenue Church, just a few blocks to the north. Instead, the attendees dealt with a pouring downpour, a poor sound system that failed, windy conditions, no rest rooms, and little parking. There was no ADA accessibility. I decided not to attend, as at the time I could go, the rain was forceful, and the tent was overflowing with people, as I saw from a live feed on Facebook. Why did the developers pay for two armed guards? That seems ridiculous.

And, what was the purpose of the meeting? They had no new plans, to share. They have bought 3 more properties, and did not offer a plan when they had the prior meeting when they owned 5 properties. The purpose seemed to get area neighbors more upset, as the meeting was being held at the site of the house they have torn down.

Many of us wonder about the vacant retail property, zoned commercial, 1 block to the east, at Fremont and National. A strip center sits vacant, the prior pool company building is overgrown with weeds, and a former restaurant sits vacant. Why would this company want to fight the battle at National and Sunshine (with so much traffic), when so much property is available a block away. If they succeed in the rezoning, will we soon have more vacant retail on this corner of National and Sunshine?

Perhaps it is time to consider a moratorium on these proposed developments, near historical neighborhoods, until we can create appropriate plans with the neighborhoods, in keeping with the proposals in the Forward SGF plan.

Steve Brooks
417 840-4446

From: [Kathy Hutchison](#)
To: Zoning@springfieldmo.gov
Subject: S W Corner of Sunshine and National Ref Z-22-2024 COD 258.
Date: Tuesday, August 20, 2024 2:54:28 PM

I oppose the proposal by BK&M to Rezone the proposed section of property in University Heights.

The proposed zoning change was initiated in the summer of 2022 by BK&M. Both the City and home owners in University Heights have either opposed or not granted the proposed change.

Now BK&M seem to be wanting to rezone the are in order to get out from their investment.
The proposal of rezoning with a Conditional over lay is NOT ACCEPTABLE!

Without a firm designation of what the property will be used for is a Black Hole.
The property is logistically too close to National Ave and Sunshine to allow ingress to the property.
Leaving only the use of University and west Sunshine for ingress and egress.

Closure or limited access to University is also NOT ACCEPTABLE.

The estimated additional traffic in the University Heights Neighborhood, which BK&M claims is nothing more than fantasy. The traffic already is at times, so backed up many drivers use our area as a cut through.

Any additional traffic will increase a safety hazard which already exists.

Again I oppose Rezoning WITHOUT A PLANNED DEVELOPMENT Z-22-2024-COD 258.

Thank you
David Hutchison
1101 E Kingsbury
Springfield MO
417-830-5268

From: [Jan Peterson](#)
To: Zoning@springfieldmo.gov
Subject: Z-22-2024 with Conditional Overlay District No. 258
Date: Wednesday, August 21, 2024 1:56:27 PM

BK&M is once again asking for a blank check, and yet again it's left to the folks who call University Heights home to put up a fuss to show the folly of such a move.

Over the years, Ralph Duda III and Co. have suggested building a five-story multi-use structure, a food court with pickleball courts and, out of apparent desperation, a planned development. But after BK&M pulled out of the planned development idea, I finally came to realize BK&M never wanted to build any of those things. His intention was never to contribute to this city's growth or development. The only thing Duda appears to be interested in developing is his personal net worth. It seems he speculated on being able to easily flip a few residential lots at a high-traffic location to commercial zoning and cash out.

Galling as that is, it's not nearly as galling as the thought of this city essentially giving carte blanche to any developer who wants to build there. Based on the city's report, there is absolutely no way to determine whether what would be built at Sunshine and National would "weigh scale and impact" on our neighborhood, as Forward SGF emphasizes, nor could we be assured quality of place would be upheld. Absolutely no one in this city can argue the quality of the University Heights neighborhood. Even some homes lining its busy borders command prices well above the \$500,000 mark. The home directly north of the proposed rezoning recently sold for \$700,000.

If BK&D wins rezoning, it can sell the properties to whomever it chooses. The buyer might need to develop within the parameters of the COD, but the COD leaves an uncomfortable amount of wiggle room and is, in my opinion, intentionally hazy. And how on earth is General Retail "transitional zoning" from a traditional, single-family residential neighborhood? Where's the two or three blocks of transition between GR and R-SF?

What's really baffling for me is why city staff chose to recommend approving the rezoning when so little is known about its potential benefit to the city. If a massive sales-tax generator were going in, I might see it. But the range of suggested uses tells me this bit is unknown to the city. Even the city report says "a reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. The multiple properties are zoned R-SF and could be developed as such."

For these and so many other reasons, I urge our honorable Planning and Zoning Commissioners to recommend against the proposed change.

Sincerely,

Jan Peterson
1024 E. Stanford St.
417.838.6216

From: [John Walstrand](#)
To: Zoning@springfieldmo.gov
Subject: Z-22-2024 COD 258
Date: Wednesday, August 21, 2024 3:48:51 PM

This is the first time you received an email from this sender (walstrands@yahoo.com). Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

Secured by Check Point

Dear Zoning Commission and City Council,

I am writing in opposition of the rezoning **proposal Z-27-2022 COD #220** for 1739, 1745, 1755 S National, 1141, 1131, 1119, 1111 E Sunshine, and 1138 University St.

I specifically wish to draw your attention to the traffic issue. Contrary to the would be developers contention that traffic impact would be negligible, my experience shows otherwise. Attached is a document supporting my argument.

Sincerely,

John Walstrand

1116 E Portland

Sent from my iPad

An Informal Traffic Survey of the 1100 Block of East Portland

By
John Walstrand, ORG

Overview

Portland is the sole east/west through-street between Sunshine Street on the south and Grand Street on the north. On it one can travel from Glenstone Avenue on the east to Fort Avenue on the west. As National Avenue runs north/south through the area, many drivers use Portland to avoid the busy Sunshine/National intersection. The 1100 block of East Portland is the first block west of National. It also includes the grounds of National Avenue Christian Church (NACC), which as we shall see contributes to the traffic in the area.

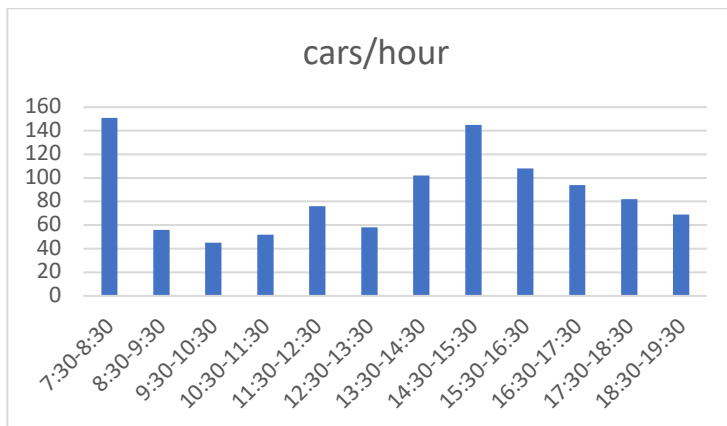
Methodology

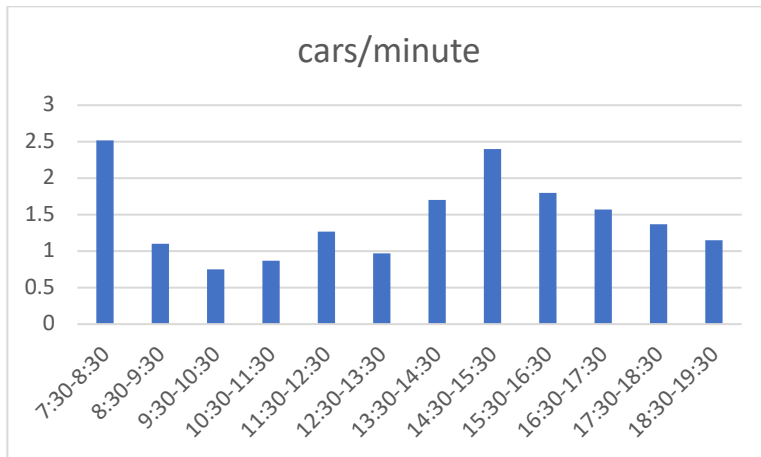
Traffic was counted the week of Monday, October 10 through Friday, October 14, between the hours of 7:30 a.m. and 7:30 p.m. Counts were taken in one-hour blocks of time from the vantage point of my home at 1116 E Portland. The intent was to create a “snapshot” of an average weekday’s traffic.

Data points include westbound versus eastbound traffic, total traffic flow for the block in question, along with hourly and minute averages. Traffic in and out of NACC parking lot was also tallied and its percentage of the total flow calculated.

Overall Traffic Flow

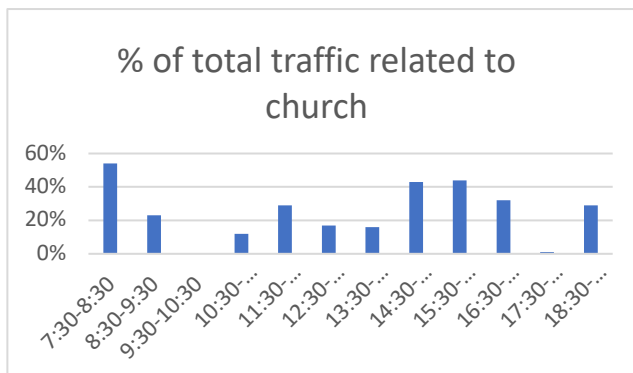
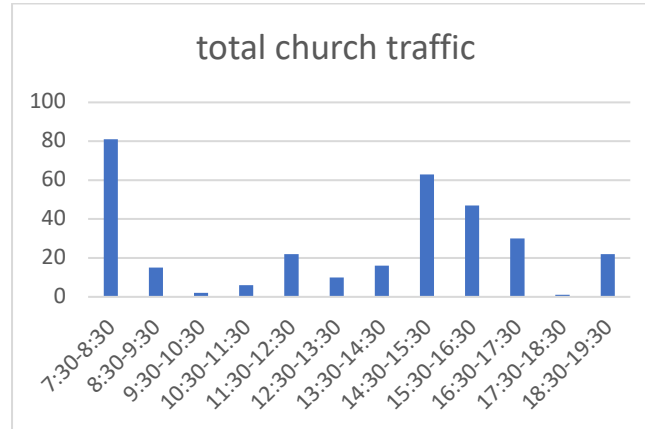
The total vehicle count for the period mentioned was 1,038. 530 were westbound and 508 eastbound. This equates to an average of 86.5 cars/hour, or 1.45 cars/minute. The early morning and mid-to-late afternoon peaks shown in the chart below are due largely to NACC traffic and will be discussed in a later section.





Impact of NACC on Traffic Load

If we compare the graphs below with the previous graphs the impact of NACC on neighborhood traffic is clear. The early morning peak is due to students being dropped at the Montessori school housed on church premises. The mid-to-late afternoon peaks are also partly due to the students being picked up. In addition to the Montessori school there appear to be various other activities at NACC, which seem to account for the sustained late afternoon numbers and the peak between 6:30 and 7:30. Overall, NACC creates 25% of the traffic along the 1100 block of East Portland.



Conclusion

Below is a chart with data from city-conducted traffic counts in the neighborhood. The first count is the exact stretch of Portland covered in my study.

Traffic Count Locations	Date	Count
Portland Street between Hampton and National avenues	4/13/2011	688
Hampton Avenue between Portland and Kingsbury streets	4/13/2011	42
University Street between Hampton and National avenues	1/08/2002	184
Hampton Avenue between Sunshine and University streets	1/08/2002	181

Let's assume the city's study covers a twenty-four hour period as opposed to the twelve hours reflected in my count. But for the sake of argument and comparison, let's call it twelve hours.

The city counted 688 cars versus my count of 1,038. This amounts to an increase of more than 50%. As the city's study pre-dates the establishment of the Montessori school, one can assume it is responsible for a large share of this increase. If a social institution has this large an effect on neighborhood traffic, imagine how much greater an impact a commercial development will have on traffic flow through the neighborhood, especially along streets closest to the proposed site.



EXPLANATION TO COUNCIL BILL 2024-201 (CARROLL)

FILED: 09/06/2024

ORIGINATING DEPARTMENT: Finance

TITLE: A general ordinance amending Ordinance 6863 to allocate the remaining \$83,662.43 from the City's Coronavirus State and Local Fiscal Recovery Funds, established by the American Rescue Plan Act of 2021 ("ARPA"), for the purpose of entering into an agreement with the Springfield-Greene County Library District for the Midtown Carnegie Branch Library Renovation Project; authorizing the City Manager, or designee, to execute the same; and amending the budget for Fiscal Year 2024-2025 in the amount of \$83,662.43.

PURPOSE: Amending Special Ordinance 6863, amending the budget for Fiscal Year 2024-2025, from the City's Coronavirus State and Local Fiscal Recovery Funds, established by the American Rescue Plan Act of 2021, for a project in the amount of \$83,662.43, as recommended by the City Council ARPA Review Committee.

BACKGROUND INFORMATION: The American Rescue Plan Act ("ARPA") of 2021 was passed by Congress on March 10, 2021, and signed into law on March 11, 2021. The Act provides \$1.9 trillion in aid for families, governments, businesses, schools, non-profits, and others impacted by COVID-19. The Act includes, among other things \$656 billion for direct financial assistance to individuals, businesses and non-profits; \$56 billion in assistance to individuals and families; \$211 billion for education and childcare programs, \$86 billion for health programs; \$40 billion for transportation, including airports and rail; \$61 billion for a variety of other programs and \$350 billion for state and local governments in a Fiscal Recovery Fund.

Of the \$350 billion in the state and local ARPA Fiscal Recovery Fund administered by the U.S. Department of the Treasury, the City of Springfield directly received an allocation of \$40,276,290. The City award of \$40,276,290 in ARPA Funds was accepted by City Council through Special Ordinance 27538 passed on July 26, 2021.

Special Ordinance 6863 was adopted by City Council on July 22, 2024 and reallocated remaining unspent ARPA funds except \$83,662.43.

The City ARPA committee met on August 16, 2024, and recommended the remaining ARPA funding, totaling \$83,662.43, be allocated to the Springfield-Greene County Library District for the Midtown Carnegie Branch Library Renovation Project.

With approval of this Ordinance, the remaining City ARPA funds will be allocated, and a budget adjustment will be approved for Fiscal Year 2024-2025 for the above-listed project.



Submitted By: David Holtmann, Director of Finance

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

Collin Quigley, Deputy City Manager 9/13/2024

Attachments:

1. ARPA Allocation to Springfield Greene County Library_Ord
2. Arpa Reallocation BA _ Exh A

One-rdg. _____
P. Hrngs. _____
Pgs. 5
Filed: 09-17-24

Sponsored by: Carroll

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-201

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING Ordinance 6863 to allocate the remaining \$83,662.43 from the City's
2 Coronavirus State and Local Fiscal Recovery Funds, established by
3 the American Rescue Plan Act of 2021 ("ARPA"), for the purpose of
4 entering into an agreement with the Springfield-Greene County
5 Library District for the Midtown Carnegie Branch Library Renovation
6 Project; authorizing the City Manager, or designee, to execute the
7 same; and amending the budget for Fiscal Year 2024-2025 in the
8 amount of \$83,662.43.
9 _____

10
11 WHEREAS, the City of Springfield received an award of \$40,276,290.00 in
12 American Rescue Plan Act ("ARPA") Funds in July 2021; and
13

14 WHEREAS, the City Council, through Ordinance 6863, reallocated unspent
15 ARPA funds except \$83,662.43; and
16

17 WHEREAS, the City Council ARPA Review Committee met on August 16, 2024,
18 and recommended the remaining ARPA funds, totaling \$83,662.43, be allocated to the
19 Springfield-Greene County Library District for the Midtown Carnegie Branch Library
20 Renovation Project; and
21

22 WHEREAS, with approval of this Ordinance, the remaining City ARPA funds will
23 be allocated, and a budget adjustment will be approved for Fiscal Year 2024-2025 for
24 the above-listed project.
25

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

29 Section 1 – The ARPA funds remaining unallocated in Ordinance 6863, in the
30 amount of \$83,662.43, are hereby allocated to the Springfield-Greene County Library
31 District for the Midtown Carnegie Branch Library Renovation Project.
32

33 Section 2 – The City Manager, or designee, is hereby authorized and directed to
34 execute an agreement, approved as to form by the City Attorney, for the Midtown
35 Carnegie Branch Library Renovation Project, by and on behalf of the City of Springfield.
36

37 Section 3 – The Fiscal Year 2024-2025 budget is hereby amended in the
38 accounts and in the amounts as shown on Budget Adjustment No. 024, a copy of which
39 is attached hereto and incorporated herein by reference as “Exhibit A.”
40

41 Section 4 – City Council finds that the budget adjustment made above has been
42 recommended by the City Manager.
43

44 Section 5 – The City Manager, or designee, is directed to cause the appropriate
45 accounting entries to be made in the books and records of the City.
46

47 Section 6 – This Ordinance shall be in full force and effect from and after
48 passage.
49

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: Laura Vales, Assistant City Attorney
62

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

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit A

Budget Adjustment
024

Revenues:

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

Expenditures:

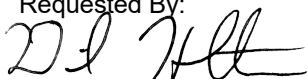
Fund	Dept	Org	Account	P&G	Location	Amount	Description
22520	09	18060	502490	000000	00000	\$ 83,662.43	Springfield-Greene County Library District (Midtown Carnegie Branch Renovation Project)
Net Expenditure Adjustment						\$ 83,662.43	

Fund Balance Appropriation:

Fund	Title	Amount
22520	US Dept of the Treasury Fund	\$ (83,662.43)

Explanation: To amend the FY2024-25 budget by reappropriating American Rescue Plan Act funds allocation from the Springfield-Greene County Health Department to Springfield-Greene County Library District (Midtown Carnegie Branch Renovation Project).

Requested By:

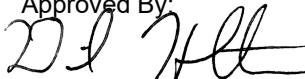


Department Head

9-17-2024

Date

Approved By:



Director of Finance

9-17-2024

Date

City Manager

Date

Authorization:

Council Bill No. 2024-201

Ordinance No. _____

1st Reading _____

2nd Reading _____

Journal Imp No. _____



EXPLANATION TO COUNCIL BILL 2024-202 (HORTON)

FILED: 09/04/2024

ORIGINATING DEPARTMENT: City Manager

TITLE: A special ordinance authorizing the City of Springfield, Missouri, to enter into an agreement with Tyrone L. Conklin for the purpose of purchasing the real estate located at 817 North Boonville Avenue for the not to exceed price of One Hundred Ten Thousand Dollars (\$110,000); authorizing the City Manager, or designee, to execute the same by and on behalf of the City of Springfield; and amending the Fiscal Year 2024-2025 budget in the amount of \$130,000, to include additional costs.

PURPOSE: To authorize the City Manager, or designee, to enter into a contract to purchase the property generally described as 817 North Boonville Avenue and to execute all necessary documents in support thereof; and amending the Fiscal Year 2024-2025 budget in the amount of \$130,000.

BACKGROUND INFORMATION: The City has previously targeted the properties on the west side of the 800 block of North Boonville Avenue for future expansion of the Government Plaza. The City has been given an opportunity to acquire one of those properties, a one-story building generally located at 817 North Boonville Avenue and currently occupied by Conklin Bail Bonds. The immediate purpose of this acquisition will serve as either storage or office space for those in need of relocation during ongoing renovation projects of other City properties.

The property was recently appraised at a value of \$110,000, and the owner of the property is willing to sell the building at the appraised value. Additional costs to be budgeted include closing costs, environmental assessment, and appraisal services. The source of funds for this acquisition is the Risk Management Department's unrestricted reserve fund. The purchase of this property will in no way affect the cash balances of the General Fund or any of the City's sales tax funds. If approved, the property will be held as an asset in Risk Management. The closing date is currently scheduled for a date on or before October 18, 2024.

The Planning and Zoning Commission recommended approval of this acquisition at its meeting on September 12, 2024. The City Manager's Office recommends passage of this Council bill and budget adjustment, see Staff Report, attached hereto and incorporated herein as "Exhibit 4."

Submitted By: Collin Quigley, Deputy City Manager

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



Maurice S. Jones, Deputy City Manager 9/13/2024

- Attachments:**
1. 817 N Boonville Ave Building Acquisition
 2. Exhibit 1 - ROP Planning and Zoning Commission
 3. Exhibit 2- Purchase Agreement 817 N Boonville Ave
 4. Exhibit 3 - Budget Adjustment
 5. Exhibit 4- Staff Report

One-rdg. _____
P. Hrngs. _____
Pgs. 23
Filed 09-17-24

Sponsored by: Horton

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-202

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AUTHORIZING the City of Springfield, Missouri, to enter into an Agreement with
2 Tyrone L. Conklin for the purpose of purchasing the real estate located
3 at 817 North Boonville Avenue for the not to exceed price of One
4 Hundred Ten Thousand Dollars (\$110,000); authorizing the City
5 Manager, or designee, to execute the same by and on behalf of the
6 City of Springfield; and amending the Fiscal Year 2024-2025 budget in
7 the amount of \$130,000, to include additional costs.
8 _____
9

10 WHEREAS, the City has previously targeted the properties on the west side of
11 the 800 block of North Boonville Avenue for future expansion of the Government Plaza;
12 and
13

14 WHEREAS, the City has been given the opportunity to acquire one of those
15 properties, a one-story building generally located at 817 North Boonville Avenue; and
16

17 WHEREAS, the property's recently appraised value is \$110,000.00, and the
18 owner of the property is willing to sell the building at the appraised value; and
19

20 WHEREAS, additional costs, including closing costs, environmental
21 assessments, and appraisal services, have been budgeted at approximately
22 \$20,000.00; and
23

24 WHEREAS, the purchase of this property will in no way affect the cash balances
25 of the General Fund or any of the City's sales tax funds; and
26

27 WHEREAS, the Planning and Zoning Commission unanimously recommended
28 approval of this acquisition at its September 12, 2024, meeting as shown in "Exhibit 1,"
29 attached hereto and incorporated herein; and
30

31 WHEREAS, the City Manager's Office recommends passage of this Ordinance
32 and budget adjustment.
33

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

36
37 Section 1 – The Agreement by and between the City of Springfield, Missouri, and
38 Tyrone L. Conklin, for the purpose of purchasing the real estate located at 817 North
39 Boonville Avenue for the not to exceed price of One Hundred Ten Thousand Dollars
40 (\$110,000), a true and accurate copy of said Agreement being attached hereto and
41 incorporated fully herein as “Exhibit 2,” is hereby approved.

42
43 Section 2 – The City Manager, or designee, of the City of Springfield, Missouri, is
44 hereby authorized and directed to execute said Agreement by and on behalf of the City
45 of Springfield.

46
47 Section 3 – The Fiscal Year 2024-2025 budget is hereby amended in the account
48 and in the amount as shown on Budget Adjustment No. 023, attached hereto and
49 incorporated fully herein as “Exhibit 3.”

50
51 Section 4 – City Council finds that the budget adjustment made above has been
52 recommended by the City Manager.

53
54 Section 5 – The City Manager, or designee, is directed to cause the appropriate
55 accounting entries to be made in the books and records of the City.

56
57 Section 6 – The City Manager, or designee, is hereby authorized to take such
58 action and execute such other documents as may be necessary or desirable to carry
59 out and comply with the intent of this Ordinance, provided that any such documents are
60 approved as to form by the City Attorney.

61
62 Section 7 – This Ordinance shall be in full force and effect from and after its
63 passage.

64
65 Passed at meeting: _____

66
67
68 _____
69 Mayor

70 Attest: _____, City Clerk

71
72 Filed as Ordinance: _____

73
74
75 Approved as to form: Laura Vales, Assistant City Attorney

76
77
78 Approved for Council action: Jason C. Hays, City Manager

EXHIBIT 1
RECORD OF PROCEEDINGS
Planning and Zoning Commission – September 12, 2024

Request to Acquire 548
817 North Boonville Avenue
Applicant: City of Springfield

Consent item.

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to approve Request to Acquire 548, Commissioner Pauly seconded the motion. They **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Colony, Commissioner Knuckles, Commissioner Doennig and Commissioner Scott. Nays: None. Absent: Commissioner Lebeck. Abstain: None.

A handwritten signature in black ink, appearing to read 'Bob Hosmer', written over a horizontal line.

Bob Hosmer, AICP
Planning Manager

CONTRACT FOR SALE OF REAL ESTATE

This contract ("Agreement") is made by and between Tyrone L. Conklin, ("Seller"); and the City of Springfield, Missouri, a municipal corporation, ("Buyer"), effective as of the date of the last party to sign the Agreement, hereinafter referred to as "Effective Date."

1. PURCHASE AND PRICE. The price for the sale of the property is the amount of One Hundred Ten Thousand and No/100 Dollars (\$110,000.00) as set forth in this Agreement.

2. PROPERTY. Buyer has offered to buy and the Seller is willing to sell, on the terms and conditions set forth herein, the real estate, improvements, fixtures, and parking generally located at 817 N. Boonville Ave., in Springfield, Greene County, Missouri, more particularly identified on Exhibit A (hereinafter collectively described as the "Property") by general warranty deed, free and clear from any liens and encumbrances, subject to recorded setback lines and easements, and subject to the terms and conditions set forth herein.

3. CONTINGENCIES. This Agreement and obligation to purchase the Property is subject to the following contingencies, and Buyer may elect to declare this Agreement null and void prior to the closing without any obligation or liability to Seller in the event that:

- a. the Planning and Zoning Commission of the City of Springfield, Missouri, does not recommend approval of the Buyer's purchase of the Property pursuant to requirements of Section 11.7 of the City of Springfield City Charter;
- b. a commercial appraisal of the Property ordered by the Buyer does not establish a fair market value of at least \$110,000.00;
- c. a survey or inspection of the Property by Buyer discloses property conditions, encroachments, violations of subdivision rules or covenants, or other restrictions, boundary line disputes, or rights or claims of third parties in possession, on any portion of the premises, which are unacceptable to Buyer;
- d. the title insurance commitment referred to in paragraph 8 of this Agreement shall fail to show merchantable title in Seller, or shall contain exceptions unacceptable to Buyer;
- e. the purchase of the Property is not approved by the Springfield City Council, in their sole discretion, if determined by the Springfield City Attorney that additional legislative authorization is required for acquisition of the Property;
- f. any additional environmental assessments are conducted on the Property and such assessments are not acceptable to Buyer; or

- g. any other change in circumstance resulting in the purchase no longer being in the Buyer's best interest.

4. DEFINITION OF HAZARDOUS SUBSTANCE. As used herein, "Hazardous Substance" shall mean any substance: (1) the presence of which requires investigation or remediation under any federal, state, or local statute, regulation, ordinance, order, action, policy, or common law; (2) which is hereafter defined as a "hazardous waste," "hazardous substance," "hazardous material," "pollutant," or "contaminant" (whether harmful or not) under any federal, state, or local statute, regulation, rule or ordinance, including, without limitation, the Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. Sections 9601 et seq.) and/or the Resource Conservation and Recovery Act (42 U.S.C. Sections 6901 et seq.); (3) which is toxic, explosive, corrosive, flammable, radioactive, carcinogenic, mutagenic, or otherwise hazardous and is or becomes regulated by any governmental authority, agency, department or instrumentality of the United States, the State of Missouri, or any political subdivision thereof; and (4) without limitation, which consists of or contains petroleum, natural gas, and/or their components and distillates. For the purposes of this definition, asbestos is not included as it is treated separately hereunder.

5. SELLER'S REPRESENTATIONS. Seller represents to Buyer, as follows:

- a. Seller is possessed and vested with full power and authority to enter into and consummate this Agreement, and to perform Seller's obligations hereunder.
- b. This Agreement is a valid and binding contract, enforceable in accordance with its terms and conditions.
- c. If the Property is subject to any real estate listing agreement or other agreement providing for a real estate commission, Seller is solely responsible for the cost and payment of all such commissions in connection with this Agreement; Buyer shall not be responsible for any such costs.
- d. There are no leases, tenancies, or other rental arrangements pertaining to any portion of the Property, and Seller owns fee simple title to the Property.
- e. There are no rights or claims of parties in possession not shown by public records.
- f. There are no easements, or claims of easements, not shown by public records.
- g. There are no encroachments, overlaps, boundary line disputes, or other matters that would be disclosed by an accurate survey or inspection of the Property.
- h. There is no lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by public records.
- i. There are no taxes or special assessments not shown as existing liens by public records.

- j. There are no legal proceedings pending which involve the Property to the knowledge of Seller.
- k. Seller has not placed any underground tanks, hazardous substances, or dumpsites on the Property during their ownership of the Property. Seller shall make available to Buyer all environmental assessments and reports concerning the Property in their possession.
- l. These representations are continuing and will be true at closing unless Seller has given the Buyer notice of the contrary in writing prior to the closing; however, any such disclosure(s) shall not relieve Seller of any obligations herein.

6. ADDITIONAL TERMS AND CONDITIONS.

- a. Seller and Buyer acknowledge and agree that Buyer's acquisition of the Property is being made in a voluntary, arms' length manner and that the consideration paid by Buyer to Seller set forth in Paragraph 1 represents the fair market value for the Property, pending the results of an appraisal.
- b. The Phase I Environmental Assessment conducted on the Property will be at Buyer's expense. In the event that said Assessment reveals the need for a Phase II Assessment, the parties agree that they will enter into a supplemental agreement that allocates the costs of the Phase II Assessment between the parties.
- c. The Buyer will arrange for and pay for an appraisal of the Property to be completed before closing.
- d. The Buyer will arrange for and pay for a survey of the Property to be completed before closing.

7. CLOSING AND POSSESSION.

- a. The "Closing" is the recording of the Seller's general warranty deed and the payment of the purchase price by the Buyer, which shall occur on or before October 18, 2024, provided all contingencies have been resolved to Buyer's satisfaction, at a time mutually agreeable to both parties, at the location specified below, provided that all contingencies and conditions herein have been satisfied or waived in writing and there is a title insurance commitment showing merchantable title in the Seller, unless otherwise mutually agreed to by the Seller and Buyer. The Seller acknowledges that proceeds will not be disbursed until the deed has been recorded.
- b. Buyer shall take possession of the Property at the closing unless otherwise determined in writing and signed by both parties.

- c. Closing shall take place at Meridian Title Company, once Buyer has satisfied itself that all contingencies or conditions contained in this Agreement have been satisfied or waived by Buyer in writing.
- d. Buyer shall pay all closing costs, other than those identified in this Agreement to be paid by the Seller.

8. CLOSING PROCEDURES. Necessary title information will be ordered by the Buyer within ten (10) days of the Effective Date. The Buyer, at its cost, shall obtain a commitment to insure title in the amount of the purchase price through a title insurance company acceptable to the Buyer, which is authorized to insure titles in the State of Missouri.

The commitment shall show merchantable title in the Seller in accordance with the Title Examination Standards of the Missouri Bar, subject only to any deed of trust, lien, or other encumbrances which can be satisfied from the proceeds of the sale; setback lines; standard utility easements of record as of the Effective Date; and the lien of current year's taxes. The Buyer may obtain a survey of the Property, the cost of which shall be paid by the Buyer.

The Buyer may, at Buyer's expense, have the title commitment examined; if applicable, the Buyer shall provide to the Seller in writing any valid objections to title and survey prior to the Closing Date, and the Seller, at its sole option, shall make reasonable efforts to correct the valid objections within thirty (30) days of receipt of request to cure, unless otherwise agreed to in writing, and, if not corrected, the Buyer may waive any objections and close, or elect to terminate the Agreement. At the Closing, the Seller shall deliver the general warranty deed, along with all other documents reasonably necessary to complete the close and which the title company requires in order to issue the title insurance policy, and the Buyer shall deliver its check sufficient to satisfy the Buyer's payment obligations and all other documents necessary to complete the Closing. All closing costs will be paid by the Buyer. The Sellers will warrant at Closing there are no unpaid bills for improvements within twelve (12) months prior to Closing and that the Seller has no knowledge of proposed improvements to be paid for by special assessment or fee.

9. TAXES AND UTILITIES. Seller shall be responsible for all taxes prior to 2024. All utilities to the Property shall be read at the Closing Date and transferred to Buyer. Buyer shall not be responsible for any utility costs incurred prior to closing.

10. VERIFICATION OF CONDITION. The Buyer shall have the right to make a final inspection of the Property prior to Closing, as a contingency of the sale, to confirm that:

- a. the Seller has complied with Seller's obligations; and
- b. any contingency or defect of title has been resolved.

11. REMEDIES UPON DEFAULT.

- a. The Sellers or the Buyer shall be in default under this contract if either party fails to comply with any material provision within the time limits required by the contract. If either party defaults, the party claiming a default shall notify the other party in writing of the nature of the default and may, as set forth in said notice, either terminate this contract or extend the time for performance by providing the defaulting party a deadline for curing the default.
- b. In addition to all other remedies available to Seller or Buyer, the parties specifically acknowledge that the remedy of Specific Performance is a remedy that can be pursued by the Buyer in the Circuit Court of Greene County, Missouri.

12. PROVISIONS NOT MERGED WITH DEED. No provision of this contract is intended to or shall be merged by reason of any deed transferring title to the Property from the Seller to the Buyer, or any successor in interest; any such deed shall not be deemed to affect or impair the warranties, obligations, and covenants of this contract, which shall survive the closing.

13. NOTICE. All notices required or permitted hereunder and required to be in writing may be given by facsimile or by first class mail addressed to the Buyer and the Seller by one of three different means: Facsimile Transmission ("FAX") if both parties have a FAX number; United States Postal Service Mails; hand-delivering a copy of the same to the receiving party; or notice may be given by any combination of the above methods.

- a. The date of notice shall be whichever of the following first occurs:

- (1) The date upon which notice is hand-delivered to the receiving party;

- (2) The date of delivery of notice by FAX transmission, which shall be deemed to be the date transmission occurs, except where the transmission is not completed by 5:00 p.m. on a regular business day at the terminal of the receiving party, in which case, the date of delivery shall be deemed to fall on the next regular business day for the receiving party;

- (3) The third day following mailing of the notice.

- b. Notices to the Seller shall be addressed to:

Tyrone L. Conklin
2177 N. Farm Road 89
Springfield, MO 65802

- c. It shall be sufficient if notices sent to the Buyer are addressed to:

City Manager
City of Springfield, Missouri
840 Boonville

P.O. Box 8368
Springfield, MO 65801

With a copy to:

City Attorney
City of Springfield, Missouri
840 Boonville
P.O. Box 8368
Springfield, MO 65801

14. HEADINGS. The headings or captions of this Agreement are for convenience and reference only and in no way define, limit, or describe the scope or intent of this Agreement or any provision hereof.

15. VENUE AND JURISDICTION. This Agreement and every question arising hereunder shall be construed or determined according to the laws of the State of Missouri. Should any part of this Agreement be adjudicated, venue shall be proper only in the Circuit Court of Greene County, Missouri.

16. TIME. Time is of the essence in the performance of the obligations of the parties under this Agreement.

17. ENTIRE CONTRACT. This Agreement contains the entire contract of the parties. No modification, amendment, or waiver of any of the provisions of this Agreement shall be effective unless in writing specifically referring hereto and signed by both parties.

(THIS PORTION OF PAGE INTENTIONALLY LEFT BLANK)

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the day and year herein stated.

BUYER:

CITY OF SPRINGFIELD, MISSOURI

By: _____
Jason Gage, City Manager

Date: _____

ATTEST:

APPROVED AS TO FORM:

Anita J. Cotter, City Clerk

City Attorney or Designee

Director of Finance

SELLER:

Tyrone L. Conklin

By: Tyrone L. Conklin
Date: 9-6-24

Exhibit A
Property Description

ALL OF LOT THREE (3), IN POST OFFICE ADDITION, EXCEPT THE WEST 140 FEET THEREOF, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF.

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit 3

Budget Adjustment
023

Revenues:

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

Expenditures:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
60430	22	13100	508230			\$ 130,000	Building Acquisitions
Net Expenditure Adjustment						\$ 130,000	

Fund Balance Appropriation:

Fund		Title	Amount
60430	22	Liability Insurance	\$ (130,000)

Explanation: To amend the FY2024-25 budget by appropriating fund balance from the Liability Insurance Fund for the purchase and other related costs in the acquisition of 817 N Boonville.

Requested By:

Approved By:

Authorization:

Department Head _____ Date _____

Director of Finance _____ Date _____

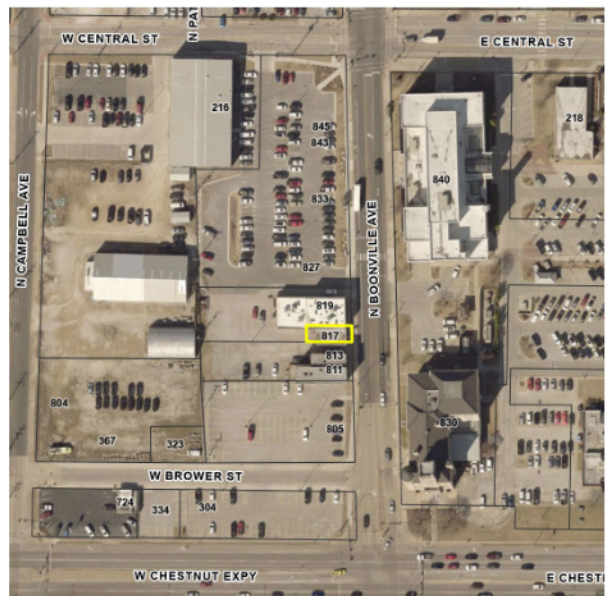
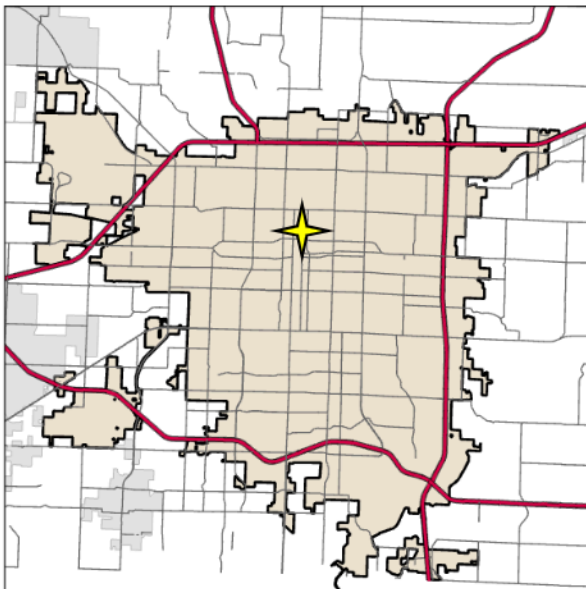
City Manager _____ Date _____

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

PROJECT INFORMATION:

PROJECT SUMMARY:

LOCATION MAP:



AERIAL OF SUBJECT PROPERTY:



©EagleView

2/21/2024



GOOGLE STREETVIEW OF SUBJECT PROPERTY:



817 N Boonville Ave

PROPERTY HISTORY:

The structure was built in 1945 and is currently used as a bail bonds service. The subject property is zoned CC, Center City district.

PLANNING AND ZONING COMMISSION AUTHORITY:**Springfield City Charter****Sec. 11.7. - Legal status of master plan.**

- (1) Master plan to provide general guidelines. The master plan shall be prepared and maintained as a general guide for the orderly and efficient development and redevelopment of the City of Springfield. The master plan shall be kept current through review not less than every five years. When required by this Charter or otherwise deemed necessary, such review shall include proposed revisions or alterations in the master plan and public hearings thereon.
- (2) Regulations to generally conform to master plan. All rezoning of land, subdivision plats, development proposals, and the zoning ordinance, subdivision ordinance and the zoning map should generally conform with the guidelines set forth in the master plan and should be reviewed for consistency with the master plan; provided, however, inconsistencies with the master plan shall not constitute cause to invalidate any such matter. The master plan shall not have the effect of a regulatory ordinance.
- (3) Master plan to guide public improvements. The master plan shall provide guidelines for the location of public streets, parks and other public ways, grounds and spaces, public buildings and structures, facilities of public or private utilities, and the acquisition of real property by the city for public use. To that end the planning and zoning commission shall review the following:
 - (a) All proposals to construct or extend public streets.
 - (b) All proposals to improve land as a park.
 - (c) All proposals to lay out or improve other public ways, grounds or spaces.
 - (d) All proposals to construct public buildings and structures.
 - (e) All proposals to lay out and construct facilities of public utilities, whether publicly or privately owned.
 - (f) All proposals to acquire real property for public purposes.

In reviewing and approving all such proposals, the function of the planning and zoning commission shall be to determine whether they are generally consistent with the master plan of the city. No such proposals shall be constructed or authorized until the location, extent and character thereof has been submitted and approved by the planning and zoning commission.

In case of disapproval, the commission shall communicate its reasons to the city council, and the city council, by vote of not less than two-thirds of its entire membership, may overrule the disapproval and, upon the overruling, the city council or the appropriate board or officer may proceed, except that if the proposal is by an agency other than an agency of the city and the authorization or financing does not fall within the province of the city council, then the submission to the planning commission shall be by the agency having jurisdiction, and the planning commission's disapproval may be overruled by that agency by a vote of not less than two-thirds of its entire membership. The acceptance, widening, removal, extension, relocation, narrowing, vacation, abandonment, change of use, acquisition of land, sale or lease of any street or other public facility is subject to similar submission and approval, and the failure to approve may be similarly overruled.

In the event the commission shall fail to act within thirty days after the date of official submission of a proposal (which date shall be the date that the matter is placed upon the agenda of the commission) to the commission, then the proposal shall be deemed to have been approved by the commission, unless a longer period for review by the commission shall have been authorized by the council or by the public officials submitting the proposal. In any case in which the commission finds that it is not reasonably able to complete its review of a proposal within thirty days, it may extend the time for such review for not more than thirty days.

COMPATIBILITY WITH THE COMPREHENSIVE PLAN:

The request to acquire the subject property is consistent with the *Forward SGF Comprehensive Plan*.

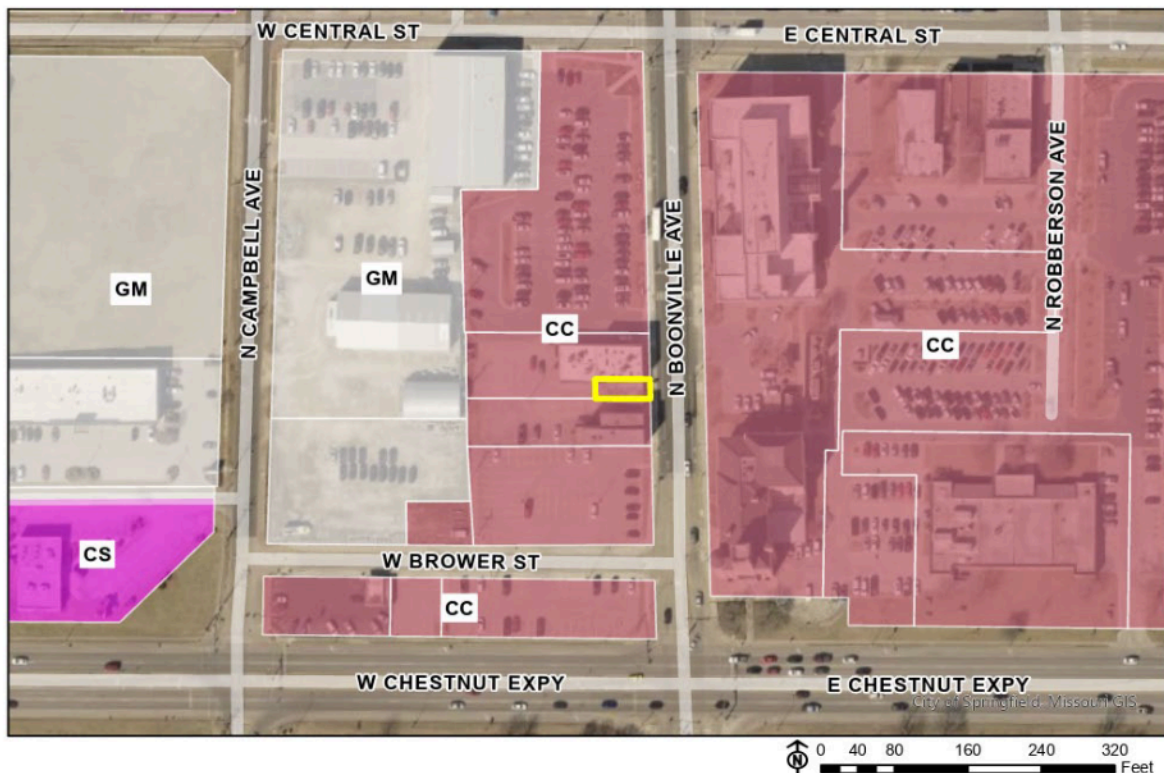
Chapter 5, Land Use & Development, designates the subject property as being within the Institutional & Employment Center placetype. The Institutional and Employment Center placetype contains a variety of major medical and office parks, and a collection of institutional and employer campuses. Large campuses are supported by small commercial sales and service business, and a mix of community-orientated amenities. Areas within this placetype act as centers of culture, education, and business development, while providing numerous employment opportunities for residents of Springfield and others from the region. As Institutional and Employment Centers provide vital jobs and services to the entire metro area, multimodal accessibility and public transit connectivity are key components of this placetype. Underutilized parcels are assembled and redeveloped into more intense supporting uses or higher density housing developments where appropriate, to increase activity within the center.

The subject property is also included in the Boonville Avenue Subarea Plan (Chapter 12), which is situated along Boonville Avenue between Chestnut Expressway and Commercial Street. The Plan provides a framework for bridging the gap between Downtown and Commercial Street by transforming Boonville Avenue into an inviting, tree-lined, amenity-rich, multi-modal boulevard that provides a mix of employment, housing, and a variety of services and community resources. The south half of the Subarea, located between Chestnut Expressway and Calhoun Street can be characterized as the Government/Civic corridor. This district is the civic heart of the City with major governmental and civic campuses occupying this section of Boonville, where most of buildings house government offices and essential public services to the City of Springfield and surrounding region. The Plan proposes the adoption of an Intergovernmental Campus Master Plan that expands the existing (Springfield) Government Plaza area to include surrounding institutions (Greene County and City Utilities) to create a large institutional campus. It identifies the block along the west side of Boonville Avenue between Central Street and Brower Street as a redevelopment opportunity site for a new municipal court facility. The subject property is one of the last remaining non-City-owned properties on this block, the acquisition of which will facilitate property assemblage necessary for future redevelopment.

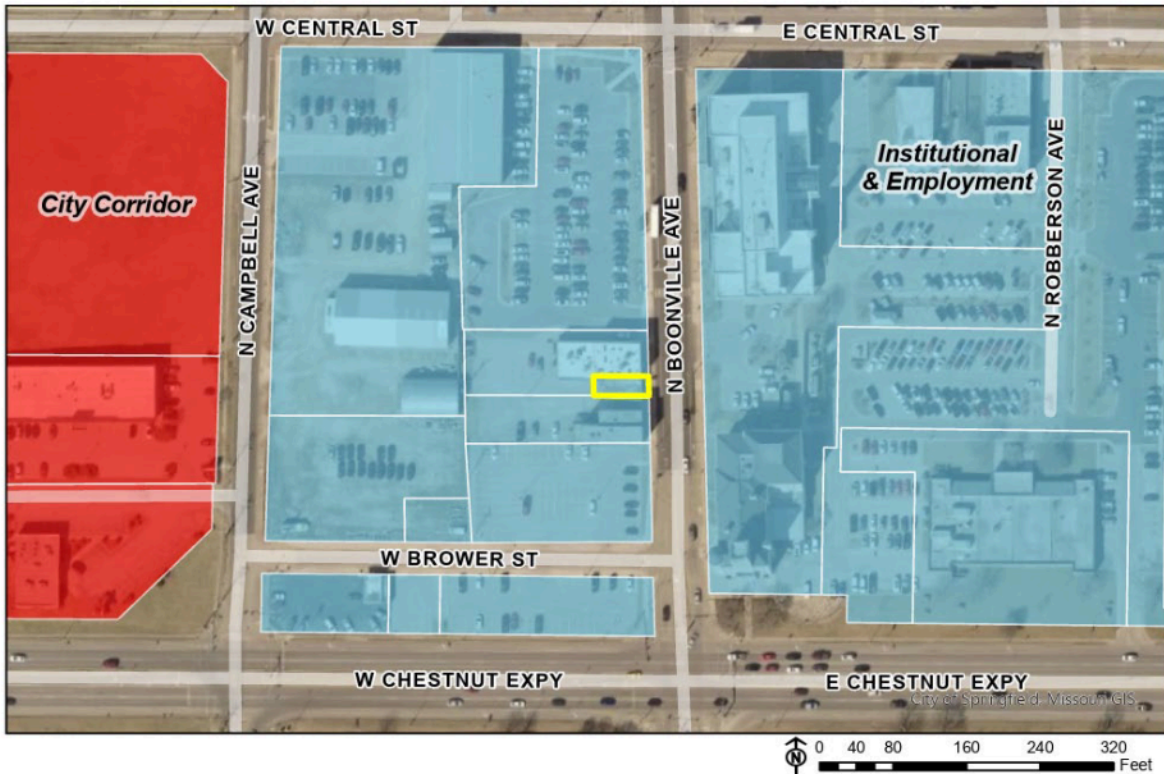
SURROUNDING ZONING, LAND USES, AND FUTURE PLACETYPES:

	ZONING	LAND USE	PLACETYPE
NORTH	CC, Center City	Mental Health Services (NAMI of SW MO)	Institutional & Employment
SOUTH	CC, Center City	Government Offices (City)	Institutional & Employment
EAST	CC, Center City	Government Offices (Busch Municipal Building & Historic City Hall)	Institutional & Employment
WEST	CC, Center City	Private off-street parking (NAMI of SW MO)	Institutional & Employment

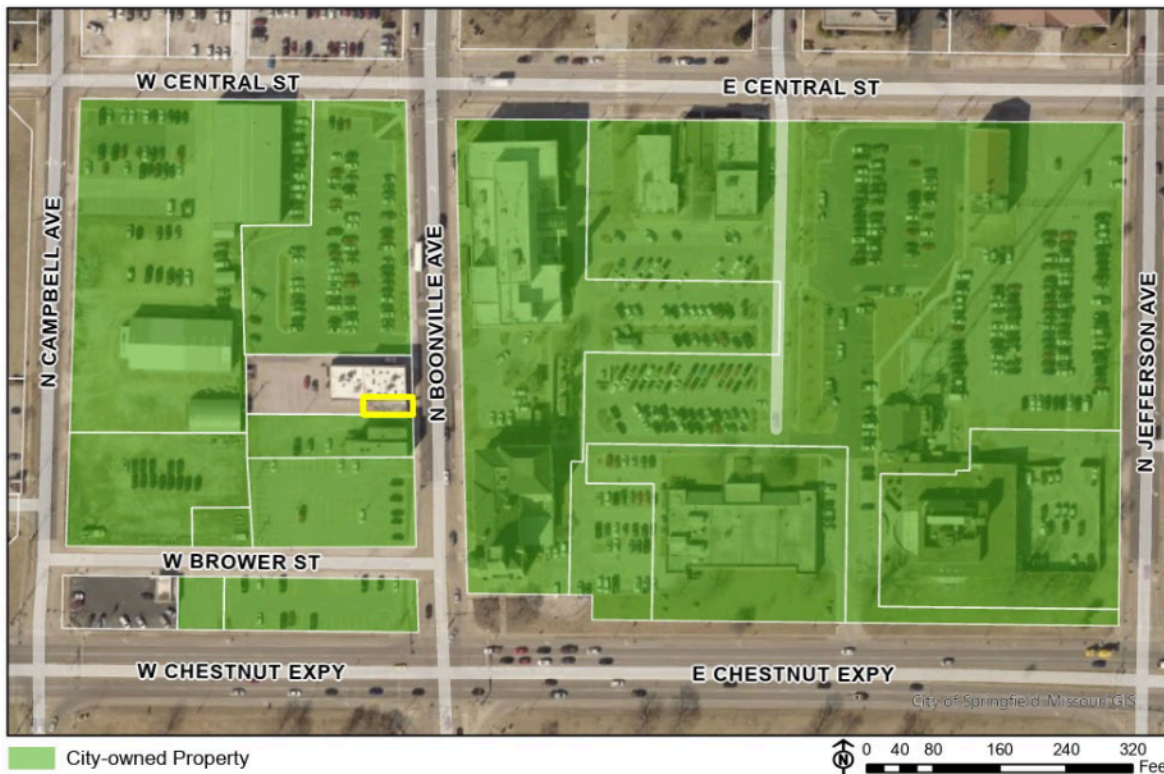
Zoning



Forward SGF Future Placetypes



City-owned Properties, Government Plaza



LAND ACQUISITION POLICY:

Planning and Zoning Commission adopted the following policy statement for land acquisition by public bodies:	Applicant's Response:
1. All land acquisitions shall be consistent with the adopted Plans and Policies of the City of Springfield.	The proposed acquisition is consistent with the adopted Plans and Policies of the City of Springfield.
2. Proposals for land acquisition and public uses shall consider the effect of the proposed use on the surrounding land uses and shall include measures to mitigate any adverse effects of the proposed use on the surrounding uses.	The proposed use by the City will have no effect on the surrounding land uses.
3. If no immediate use is intended for the land proposed for acquisition and the negotiated contract does not include the previous owner removing the structure, existing sound structures should be retained unless such retention is not economically feasible. The current use should be continued, the structure should be used in a manner consistent with adopted Plans until such time as the land will be cleared for the use for which it was acquired, or the structure should be moved to a suitable location.	The City proposes the acquisition of the existing land and improvements located within the Government Plaza and adjacent other City owned property. The improvements will provide additional space for City operations.
4. At a minimum, the acquiring agency should either attempt to preserve architecturally or historically significant structures in place or make the structures available to the previous owner or public for moving or solicit bids from individuals and firms interested in salvaging those items which have architectural significance. Disposition of property when conducted by a City agency shall be made pursuant to City ordinances including the City Purchasing Manual.	Improvements consist of an office structure that represents highest and best use, is in good condition and will be maintained.
5. To the extent possible, the acquiring agency shall make all structures to be removed, regardless of historical or architectural significance, available to the previous owner or public for moving and reuse at another location. Disposition of property when conducted by a City agency shall be made pursuant to City ordinances including the City Purchasing Manual.	The City proposes to use the property as additional space and there are no plans to alter or remove the structure.

STAFF ANALYSIS AND RECOMMENDATION:

1. The City of Springfield is requesting to acquire property generally located at 817 North Boonville Avenue.
2. The subject property is zoned CC, Central City district. The properties will be used for City offices. The general office use group is permitted in the Center City district.
3. The proposed acquisition and use of the subject property is consistent with *Forward SGF Comprehensive Plan*, specifically as it pertains to future placetypes and the Boonville Corridor Subarea Plan.
4. This application is consistent with the City's adopted plans and policies, including the Planning and Zoning Commission's policy for land acquisition for public bodies.
5. The proposed acquisition facilitates land assemblage necessary to facilitate future redevelopment and expansion of municipal operations.

EXHIBIT A
Legal Description
Request to Acquire 548

ALL OF LOT THREE (3), IN POST OFFICE ADDITION, EXCEPT THE WEST
140 FEET THEREOF, IN THE CITY OF SPRINGFIELD, GREENE COUNTY,
MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF.



EXPLANATION TO COUNCIL BILL 2024-203 (HOSMER)

FILED: 09/04/2024

ORIGINATING DEPARTMENT: Public Works

TITLE: A special ordinance authorizing the City Manager, or designee, to accept a Section 402 State and Community Highway Safety Grant in the amount of \$27,600 from the Missouri Department of Transportation to continue supporting the City's current pedestrian safety education program, known as 'SGF Yields,' and its shareable version, 'SafeAcross'; amending the budget of the Department of Public Works for Fiscal Year 2024-2025 in the amount of \$27,600 upon award of the grant; and declaring that this Ordinance qualifies as a one-reading bill pursuant to Section 2.16(25) of the City Charter.

PURPOSE: A special ordinance authorizing the City Manager, or designee, to accept a federal Section 402 State and Community Highway Safety Grant in the amount of \$27,600 from the Missouri Department of Transportation, to continue supporting the pedestrian safety campaign SGF Yields and its shareable version, SafeAcross, and amending the budget of the Department of Public Works for Fiscal Year 2024-25 in the amount of \$27,600 upon award of the grant, and declaring that this bill qualifies as a one-reading bill.

BACKGROUND INFORMATION: SGF Yields has achieved high rates of driver compliance at crosswalks in Springfield and has received attention from other communities and states. In 2021, the Missouri Department of Transportation awarded \$46,000 to the City to create a shareable version of SGF Yields called SafeAcross, which other communities may use to increase crosswalk safety.

The federal grant would allow Public Works to continue SGF Yields and the SafeAcross regional program by funding staff salaries or consulting services and needed purchases for one year. Public Works may continue to apply for additional future grants, if necessary.

Supports the following City Council Priorities:

- Public Safety
- Quality of Place

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 9/16/2024

- Attachments:**
1. SGF Yields SafeAcross Grant Accept_ord
 2. Safe Across GrantAgree_ExhA
 3. Safe Across GrantBA_ExhB

One-rdg. X
P. Hrngs.
Pgs. 29
Filed: 09-20-24

Sponsored by: Hosmer

First Reading:

Second Reading:

COUNCIL BILL 2024-203

SPECIAL ORDINANCE

AN ORDINANCE

1 AUTHORIZING the City Manager, or designee, to accept a Section 402 State and
2 Community Highway Safety Grant in the amount of \$27,600 from the
3 Missouri Department of Transportation to continue supporting the
4 City's current pedestrian safety education program, known as 'SGF
5 Yields,' and its shareable version, 'SafeAcross'; amending the budget
6 of the Department of Public Works for Fiscal Year 2024-2025 in the
7 amount of \$27,600 upon award of the grant; and declaring that this
8 Ordinance qualifies as a one-reading bill pursuant to Section 2.16(25)
9 of the City Charter.

10
11
12 WHEREAS, the City's pedestrian safety campaign, SGF Yields, has achieved
13 high rates of driver compliance at crosswalks in Springfield and has drawn the attention
14 of other communities and states; and

15
16 WHEREAS, in 2021 and 2022, the Missouri Department of Transportation
17 ("MoDOT") funded production of a sharable version of SGF Yields, named SafeAcross,
18 to make it available to other communities to increase pedestrian safety and awareness;
19 and

20
21 WHEREAS, this Grant requires no local matching funds if awarded and would
22 allow the City to continue the SGF Yields and SafeAcross programs by funding staff
23 salaries or consulting services for one year, including necessary purchases.

24
25 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
26 SPRINGFIELD, MISSOURI, as follows, that:

27
28 Section 1 – The City Manager, or designee, is authorized to accept a grant from
29 the Missouri Department of Transportation in the amount of \$27,600 to fund the SGF
30 Yields program, and to do all things necessary to receive and disburse such funds,
31 including entering into a contract, said contract to be in substantial conformity with
32 "Exhibit A," which is attached hereto and incorporated herein by this reference.
33

34 Section 2 – City Council hereby authorizes the amendment of the budget of the
35 Department of Public Works for Fiscal Year 2024-2025 in the accounts and in the
36 amounts shown on Budget Adjustment No. 022, upon the awarding of grant funds, said
37 Budget Adjustment to be in the form of “Exhibit B,” which is attached hereto and
38 incorporated herein by this reference.

39
40 Section 3 – City Council hereby finds and declares this Ordinance relates to the
41 acceptance of a grant from a state or federal agency and pursuant to Section 2.16(25)
42 of the City Charter, this Ordinance may be passed in one reading. Therefore, this
43 Ordinance shall be in full force and effect from and after passage.

44
45 Passed at meeting: _____

46
47 _____
48 Mayor

49
50 Attest: _____, City Clerk

51
52 Filed as Ordinance: _____

53
54
55 Approved as to form: Kyle Tull, Assistant City Attorney

56
57
58 Approved for Council action: Juan C. Hays, City Manager

EXHIBIT A

CONTRACT

Form HS-1

Revision Reason: Other

Version: 2

07/30/2024

Missouri Department of Transportation
Highway Safety and Traffic Division
P.O. Box 270
830 MoDOT Drive
Jefferson City, MO 65102
Phone: 573-751-4161
Fax: 573-634-5977

Project Title: SafeAcross Continuation
Project Number: 25-BGSP-16-001
Project Category: 405g Nonmotorized Safety Program
Program Area: Nonmotorized Safety

Funding Source: 405g / 20.616

Type of Project: Initial

Started: 10/01/2024

Federal Funds Benefiting

State:

Local: _____ \$27,600.00

Total: _____ \$27,600.00

Source of Funds

Federal: _____ \$27,600.00

State:

Local: _____ \$0.00

Total: _____ \$27,600.00

Contract Period

Effective: 10/01/2024

Through: 09/30/2025

Prepared By

Hinkson, Lillian

Subrecipient Authorizing Official

Date

Subrecipient Project Director

Date

MHTC Authorizing Official

Date

It is mutually agreed by the parties executing this contract to the following: the reimbursable costs shall not exceed the **total obligated amount of \$27,600.00**; the recipient of funds shall proceed with the implementation of the program as detailed in attached forms (which become part of this agreement) and shall adhere to conditions specified in attachments (which become part of this agreement); all Federal and State of Missouri laws and regulations are applicable and any addendums or conditions thereto shall be binding; any facilities and/or equipment acquired in the connection with this agreement shall be used and maintained for highway safety purposes; the recipient of funds must comply with the Title VI of the Civil Rights Act of 1964, and the Federal Funds from other sources, excluding Federal Revenue Sharing Funds, will not be used to match the Federal funds obligated to this project.

IN ORDER TO RECEIVE FEDERAL FUNDING, THE SUBRECIPIENT AGREES TO COMPLY WITH THE FOLLOWING CONDITIONS IN ADDITION TO THOSE OUTLINED IN THE NARRATIVE OF THE CONTRACT.

I. RELATIONSHIP

The relationship of the Subrecipient to the Missouri Highways and Transportation Commission (MHTC) shall be that of an independent contractor, not that of a joint enterpriser. The Subrecipient shall have no authority to bind the MHTC for any obligation or expense without the express prior written approval of the MHTC. This agreement is made for the sole benefit of the parties hereto and nothing in the Agreement shall be construed to give any rights or benefits to anyone other than the MHTC and the Subrecipient.

II. GENERAL REQUIREMENTS

The State and each subrecipient will comply with applicable statutes and regulations, including but not limited to:

- 23 U.S.C. Chapter 4 - Highway Safety Act of 1966, as amended
- Sec. 1906, Pub. L. 109-59, as amended by Sec. 25024, Pub. L. 117-58
- 23 CFR part 1300 - Uniform Procedures for State Highway Safety Grant Programs
- 2 CFR part 200 - Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
- 2 CFR part 1201 - Department of Transportation, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards

III. INTERGOVERNMENTAL REVIEW OF FEDERAL PROGRAMS

The State has submitted appropriate documentation for review to the single point of contact designated by the Governor to review Federal programs, as required by Executive Order 12372 (Intergovernmental Review of Federal Programs).

IV. EQUIPMENT AND SOFTWARE

A. PROCUREMENT: Subrecipient's may adhere to its own procurement regulations and procedures which reflect applicable state/local laws, rules, and regulations provided such regulations and procedures adhere to the following State's procurement regulations and procedures:

1. Have a process in place to ensure that contracts are not awarded to contractors or individuals on a federal and/or state debarment list.
2. All procurement transactions whether negotiated or competitively bid and without regard to dollar value shall be conducted in a manner so as to provide maximum open and free competition.
3. All quotations and the rationale behind the selection of a source of supply must be retained, attached to the purchase order copy (as applicable), and placed in the accounting files.
4. Purchases to a single vendor estimated to total less than \$10,000 may be purchased with prudence on the open market.
5. Purchases to a single vendor estimated to total \$10,000 or more but less than \$100,000 must be competitively bid, or purchased through use of a state cooperative procurement, but need not be solicited by mail or advertisement.
6. Purchases to a single vendor estimated to total \$100,000 or more must:
 1. be advertised for bid in at least two daily newspapers of general circulation in such places as are most likely to reach prospective bidders (and may advertise in at least two weekly minority newspapers and may provide such information through an electronic medium available to the general public) at least five days before bids for such purchases are to be opened;
 2. post a notice of the proposed purchase in a public area of the Subrecipient's office ; and
 3. solicit bids by mail or other reasonable methods generally available to the public from prospective suppliers.
7. Subrecipients will make a good faith effort to utilize minority and women owned businesses within resource capabilities when procuring goods and services, and that all necessary affirmative steps are taken to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible (2 CFR PART 200.322)
8. Subrecipients will make every effort to purchase equipment as early in the fiscal year as possible . Equipment purchased late in the fiscal year risks not being reimbursed unless extenuating circumstances are encountered (i.e. supply chain shortages).

B. DISPOSITION: The Subrecipient shall make written request to the MHTC for instructions on the proper disposition of all items of equipment provided under the terms of this contract with a cost of \$5,000 or more. The MHTC will notify the subrecipient when an item of original cost of \$5,000 or more (and tracked by the MHTC as inventory) is no longer being

tracked and may be disposed of. Subrecipient must keep and maintain equipment with a cost of under \$5,000 until it is no longer useful for its originally intended purpose.

C. REPLACEMENT: No equipment may be funded on a replacement basis. Participation in equipment and manpower projects must be in addition to the Subrecipient's previous twelve months authorized strength.

V. FISCAL RESPONSIBILITY

- A. MAINTENANCE OF RECORDS:** The Subrecipient agrees that the Commission and/or its designees or representatives shall have access to all records related to the grant. The Subrecipient further agrees that the Missouri Department of Transportation (MoDOT) Highway Safety and Traffic (HS) Division, the National Highway Traffic Safety Administration (NHTSA), the Federal Highway Administration (FHWA) and/or any Federal audit agency with jurisdiction over this program and the Auditor of the State of Missouri or any of their duly authorized representatives may have access, for purpose of audit and examinations, to any books, documents, papers or records maintained by the Subrecipient pertaining to this contract and further agrees to maintain such books and records for a period of three (3) years following date of final payments.
- B. REIMBURSEMENT VOUCHER, SUPPORTING DOCUMENTATION AND PAYMENT SCHEDULE:** The MHTC agrees to reimburse the Subrecipient for accomplishment of all authorized activities performed under this contract. Reimbursement proceedings will be initiated upon the receipt of a claim voucher and supporting documentation from the Subrecipient, as required by the MHTC. The voucher must reflect actual costs and work accomplished during the project period, to be submitted on the appropriate MHTC certified payroll form or in a format approved by the MHTC, and shall include project number, project period, hours worked, rate of pay, any other allowable expenditures, and must be signed by the person preparing the voucher and the project director or authorizing official. Vouchers should be received by the MHTC within ten (10) working days from the date of the authorizing official/project director's signature. Subrecipient should report monthly, or at least quarterly, to MHTC using the online Grant Management System. For projects where salaried positions are awarded, claim voucher and activity reports must be submitted *monthly*. Subrecipient must ensure complete, accurate and final voucher and supporting documentation is received by the MHTC no later than November 15, which is after the end of the Federal fiscal year for which the final voucher pertains. Final payment is contingent upon receipt of the complete, accurate and final voucher.
- C. ACCOUNTING:** The Subrecipient shall maintain all documentation in file for audit review; failure to provide supporting documentation at the time of audit could result in questioned costs. The Subrecipient must document the following: (1) Receipt of federal funds, (2) date and amount paid to employees, (3) employee's timesheet (regular hours and overtime hours). Documentation shall be kept available for inspection for representatives of the MHTC for a period of three years following date of final payments. Copies of such records shall be made available upon request.
- D. OMB AUDIT:** A subrecipient that expends \$750,000 or more during the subrecipient's fiscal year in Federal awards must have a single audit conducted in accordance with §200.514 Scope of audit except when it elects to have a program-specific audit conducted in accordance with paragraph (c) of 2 CFR §200.501. A copy of the Audit report shall be submitted to MoDOT within the earlier of thirty (30) days after receipt of the auditor's report(s), or nine (9) months after the end of the audit period. A subrecipient that expends less than \$750,000 during the subrecipient's fiscal year in Federal awards is exempt from Federal audit requirements for that year, except as noted in 2 CFR §200.503 Relation to other audit requirements, but records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and Government Accountability Office (GAO). Failure to furnish an acceptable audit may be basis for refunding federal funds to the MHTC. Cost records and accounts pertaining to the work covered by this contract shall be kept available for inspection for representatives of the MHTC for a period of three (3) years following date of final payments. Copies of such records shall be made available upon request.

VI. FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT (FFATA)

The State will comply with FFATA guidance, OMB Guidance on FFATA Subaward and Executive Compensation Reporting, August 27, 2010,

(https://www.fsrs.gov/documents/OMB_Guidance_on_FFATA_Subaward_and_Executive_Compensation_Reporting_08272010.pdf) by reporting to FSRS.gov for each sub-grant awarded:

- A.** Name of the entity receiving the award;
- B.** Amount of the award;
- C.** Information on the award including transaction type, funding agency, the North American Industry Classification System code or Catalog of Federal Domestic Assistance (or "Assistance Listings") number (where applicable), program source;

- D. Location of the entity receiving the award and the primary location of performance under the award, including the city, State, congressional district, and country; and an award title descriptive of the purpose of each funding action;
- E. Unique entity identifier (generated by *SAM.gov*);
- F. The names and total compensation of the five most highly compensated officers of the entity if :
 - A. the entity in the preceding fiscal year received-
 - a. 80 percent or more of its annual gross revenues in Federal awards;
 - b. \$25,000,000 or more in annual gross revenues from Federal awards; and
 - B. the public does not have access to information about the compensation of the senior executives of the entity through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986;
- G. Other relevant information specified by OMB guidance.

VII. TERMINATION

If, through any cause, the Subrecipient shall fail to fulfill in timely and proper manner its obligation under this contract, or if the Subrecipient shall violate any of the covenants, agreements or stipulations of this contract, the MHTC shall thereupon have the right to terminate this contract and withhold further payment of any kind by giving written notice to the Subrecipient of such termination and specifying the effective date thereof, at least thirty (30) days before such date. The MHTC shall be the sole arbitrator of whether the Subrecipient or its subcontractor is performing its work in a proper manner with reference to the quality of work performed by the Subrecipient -or its subcontractor under the provisions of this contract, if an award no longer effectuates the program goals or MHTC priorities. The Subrecipient and the MHTC further agree that this contract may be terminated by either party by giving written notice of such termination and specifying the effective date thereof, at least thirty (30) days before such date, and in the case of partial termination the portion of the award to be terminated.

VIII. NONDISCRIMINATION

(Applies to subrecipients as well as States)

The State highway safety agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination ("Federal Nondiscrimination Authorities"). These include but are not limited to:

- **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);
- **49 CFR part 21** (entitled Non-discrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964); **28 CFR 50.3** (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);
- **The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970**, (42 U.S.C. 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- **Federal-Aid Highway Act of 1973**, (23 U.S.C. 324 *et seq.*), and **Title IX of the Education Amendments of 1972**, as amended (20 U.S.C. 1681-1683 and 1685-1686) (prohibit discrimination on the basis of sex);
- **Section 504 of the Rehabilitation Act of 1973**, (29 U.S.C. 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability) and 49 CFR part 27;
- **The Age Discrimination Act of 1975**, as amended, (42 U.S.C. 6101 *et seq.*), (prohibits discrimination on the basis of age);
- **The Civil Rights Restoration Act of 1987**, (Pub. L. 100-209), (broadens scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal aid recipients, sub-recipients and contractors, whether such programs or activities are Federally-funded or not);
- **Titles II and III of the Americans with Disabilities Act** (42 U.S.C. 12131-12189) (prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing) and 49 CFR parts 37 and 38;
- **Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations** (prevents discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations);

- **Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency** (guards against Title VI national origin discrimination/discrimination because of limited English proficiency (LEP) by ensuring that funding recipients take reasonable steps to ensure that LEP persons have meaningful access to programs (70 FR at 74087 to 74100);
- **Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities through the Federal Government** (advancing equity across the Federal Government); and
- **Executive Order 13988, Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation** (clarifying that sex discrimination includes discrimination on the grounds of gender identity or sexual orientation).

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, for which the Recipient receives Federal financial assistance from DOT, including NHTSA."

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI of the Civil Rights Act of 1964 and other non-discrimination requirements (the Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these nondiscrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted Highway Safety Grant Program:

- A. The Recipient agrees that each "activity," "facility," or "program," as defined in § 21.23(b) and (e) of 49 CFR part 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
- B. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all Highway Safety Grant Programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:
"The [name of Recipient], 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 that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."
- C. The Recipient will insert the clauses of appendix A and E of DOT Order 1050.2A in every contract or agreement subject to the Acts and the Regulations.
- D. The Recipient will insert the clauses of appendix B of DOT Order 1050.2A, 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 Recipient.
- E. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
- F. That where the Recipient receives 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.

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- G. That the Recipient will include the clauses set forth in appendix C and appendix D of DOT Order 1050.2A, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
1. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 2. 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.
- H. That this Assurance obligates the Recipient 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 Recipient, or any transferee for the longer of the following periods:
1. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 2. the period during which the Recipient retains ownership or possession of the property.
- I. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority 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.
- J. The Recipient 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.

IX. **STATUTORY AND REGULATORY REQUIREMENTS**

A. **COMPLIANCE:** The Subrecipient must comply with the following Statutes or Rules:

1. Peace Officer Standards and Training (P.O.S.T.) Chapter 590 RSMo Department of Public Safety (DPS) certification of peace officers
2. Crash Reporting Chapter 43.250 RSMo - Law enforcement officers to file all crash reports with Missouri State Highway Patrol (MSHP).
3. Uniform Crime Reporting Chapter 43.505 RSMo - Crime incident reports shall be submitted to DPS on forms or in format prescribed by DPS.
4. Racial Profiling Chapter 590.650 RSMo - Law enforcement agency to file a report to the Attorney General each calendar year.
5. US DOT AND OMB REGULATIONS: The Subrecipient shall comply with all requirements of 2 CFR Parts 200 and 1201.

- X. **PRODUCTION & DEVELOPMENT COSTS** Items produced with federal funds are within the public domain and are not bound by copyright restrictions. All items produced with federal funds, in whole or in part, must acknowledge this by clearly indicating that MoDOT Highway Safety and Traffic funding supported this effort. Examples may include, but are not limited to, print materials; audio/video productions; and training aides such as curricula or workbooks. Any materials developed under this contract must be submitted to the MHTC for approval prior to final print and distribution. Copies of all final products are to be provided to the MHTC. The MHTC has the right to reproduce and distribute materials as the MHTC deems appropriate.

- XI. **INDEMNIFICATION** Option 1 below only applies to State agencies, Cities, Counties and other political subdivisions or political corporations of the State of Missouri. Option 2 applies to all other entities (e.g. non-profit, private institutions).

OPTION 1:

- A. To the extent allowed or imposed by law, the Subrecipient shall defend, indemnify and hold harmless the MHTC, including its members and MoDOT 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 Subrecipient's wrongful or negligent performance of its obligations under this Agreement. The Subrecipient may satisfy this requirement utilizing a self-funded program.
- B. The Subrecipient will require any contractor procured by the Subrecipient to work under this Agreement :
1. To obtain a no cost permit from the MHTC's district engineer prior to working on the MHTC's right-of-way, which shall be signed by an authorized contractor representative (a permit from the MHTC's district engineer will not be required for work outside of the MHTC's right-of-way); and

2. To carry commercial general liability insurance and commercial automobile liability insurance from a company authorized to issue insurance in Missouri, and to name the MHTC, and the MoDOT and its employees, as additional named insured's in amounts sufficient to cover the sovereign immunity limits for Missouri public entities as calculated by the Missouri Department of Insurance, Financial Institutions and Professional Registration, and published annually in the Missouri Register pursuant to Section 537.610, RSMo.
- C. In no event shall the language of this Agreement constitute or be construed as a waiver or limitation for either party's rights or defenses with regard to each party's applicable sovereign, governmental, or official immunities and protections as provided by federal and state constitution or law.

OPTION 2:

The Subrecipient shall defend, indemnify and hold harmless the MHTC, including its members and the MoDOT 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 Subrecipient's performance of its obligations under this Agreement.

- XII. **AMENDMENTS** The Budget Proposal within this Agreement may be revised by the Subrecipient and the MHTC subject to the MHTC's approval without a signed amendment as long as the total contract amount is not altered and /or the intended scope of the project does not change. Prior to any revision being made to the Budget Proposal, Subrecipient shall submit a written or email request to the MHTC requesting the change. Any other change in this Agreement, whether by modification or supplementation, must be accomplished by a formal contract amendment signed and approved by the duly authorized representative of the Subrecipient and the MHTC. All final modification requests must be submitted no later than September 30 of the project fiscal year.
- XIII. **MHTC REPRESENTATIVE** The MoDOT Highway Safety and Traffic Division Director is designated as the MHTC's representative for the purpose of administering the provisions of this Agreement. The MHTC's representative may designate by written notice other persons having the authority to act on behalf of the MHTC in furtherance of the performance of this Agreement.
- XIV. **ASSIGNMENT** The Subrecipient shall not assign, transfer, or delegate any interest in this Agreement without the prior written consent of the MHTC.
- XV. **LAWS OF MISSOURI TO GOVERN** This Agreement shall be construed according to the laws of the State of Missouri. The Subrecipient shall comply with all local, state and federal laws and regulations relating to the performance of this Agreement.
- XVI. **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.
- XVII. **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.
- XVIII. **NONSEGREGATED FACILITIES** (Applicable to contracts over \$10,000) Subrecipient and its subcontractors, suppliers and vendors, should meet Federal requirements regarding nonsegregated facilities.

XIX. FUNDING ORIGATION AND AUDIT INFORMATION

The MHTC funds the following NHTSA program areas:

<u>Section</u>	<u>Assistance Listing #</u>	<u>Program Title</u>
402	20.600	State and Community Highway Safety Programs
154	20.607	Alcohol Open Container Requirements
405b	20.616	National Priority Safety Programs
405c	20.616	National Priority Safety Programs
405d	20.616	National Priority Safety Programs
405e	20.616	National Priority Safety Programs
405f	20.616	National Priority Safety Programs
405g	20.616	National Priority Safety Programs
405h	20.616	National Priority Safety Programs
405i	20.616	National Priority Safety Programs

XX. THE DRUG-FREE WORKPLACE ACT OF 1988 (41 U.S.C. 8103)

(Applies to subrecipients as well as States)

The State will provide a drug-free workplace by:

- A.** Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the Subrecipient's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- B.** Establishing a drug-free awareness program to inform employees about:
 1. The dangers of drug abuse in the workplace.
 2. The Subrecipient's policy of maintaining a drug-free workplace.
 3. Any available drug counseling, rehabilitation, and employee assistance programs.
 4. The penalties that may be imposed upon employees for drug violations occurring in the workplace.
 5. Making it a requirement that each employee engaged in the performance of the grant be given a copy of the statement required by paragraph (A).
- C.** Notifying the employee in the statement required by paragraph (A) that, as a condition of employment under the grant, the employee will:
 - a. Abide by the terms of the statement.
 - b. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.
- D.** Notifying the agency within ten days after receiving notice under subparagraph (C)(b) from an employee or otherwise receiving actual notice of such conviction.
- E.** Taking one of the following actions, within 30 days of receiving notice under subparagraph (C)(b), with respect to any employee who is so convicted:
 - a. Taking appropriate personnel action against such an employee, up to and including termination.
 - b. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.
- F.** Making a good faith effort to continue to maintain a drug-free workplace through implementation of all of the paragraphs above.

XXI. POLITICAL ACTIVITY (HATCH ACT)

(Applies to subrecipients as well as States)

The State will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

XXII. CERTIFICATION REGARDING FEDERAL LOBBYING

(Applies to subrecipients as well as States)

Certification for Contracts, Grants, Loans, and Cooperative Agreements

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

- A. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, 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 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.
- B. 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 undersigned shall complete and submit standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- C. The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, subgrants, and contracts under grant, 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.

XXIII. RESTRICTION ON STATE LOBBYING

(Applies to subrecipients as well as States)

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

XXIV. CERTIFICATION REGARDING DEBARMENT AND SUSPENSION

(Applies to subrecipients as well as States)

Instructions for Primary Tier Participant Certification (States)

- A. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR Parts 180 and 1200.
- B. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
- C. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.

- D. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- E. The terms *covered transaction*, *debarment*, *suspension*, *ineligible*, *lower tier*, *participant*, *person*, *primary tier*, *principal*, and *voluntarily excluded*, as used in this clause, have the meaning set out in the Definitions and Coverage sections of 2 CFR Part 180 and 1200. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
- F. The prospective primary tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by NHTSA.
- G. The prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR Parts 180 and 1200.
- H. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).
- I. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- J. Except for transactions authorized under paragraph F of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate the transaction for cause or default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters-Primary Tier Covered Transactions:

- 1. The prospective primary tier participant certifies to the best of its knowledge and belief, that its principals:
 - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;
 - b. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining , attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of record, making false statements, or receiving stolen property;
 - c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - d. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.
- 2. Where the prospective primary participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Participant Certification

- A. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR Parts 180 and 1200.

- B. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
- C. The prospective lower tier participant shall provide immediate written notice to the person to whom this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- D. The terms *covered transaction*, *civil judgment*, *debarment*, *suspension*, *ineligible*, *participant*, *person*, *principal*, and *voluntarily excluded*, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
- E. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
- F. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR Parts 180 and 1200.
- G. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov>).
- H. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- I. Except for transactions authorized under paragraph E of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transactions:

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

XXV. BUY AMERICA ACT

(Applies to subrecipients as well as States)

The State and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase only steel, iron and manufactured products produced in the United States with Federal funds, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the

cost of the overall project contract by more than 25 percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification to and approved by the Secretary of Transportation.

All items purchased must be compliant with the National Highway Traffic Safety Administration (NHTSA) interpretation of the Buy America Act including, but not limited to:

1. Items valued over \$5,000 per unit must be manufactured or assembled in the United States of America, or as allowed by a current Buy America Act waiver issued by the NHTSA;
2. All vehicles, motorcycles, trailers, and other similar conveyances must be manufactured or assembled in the United States of America regardless of cost.

<https://www.nhtsa.gov/sites/nhtsa.gov/files/buy-america-act-revised-11202015.pdf>

Furthermore, the State and each subrecipient will follow the guidelines of 2 C.F.R. § 200.322, Domestic Preferences for Procurements. As appropriate and to the extent consistent with law, the non-Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States.

XXVI. PROHIBITION ON USING GRANT FUNDS TO CHECK FOR HELMET USAGE
(Applies to subrecipients as well as States)

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

XXVII. POLICY ON SEAT BELT USE

In accordance with Executive Order 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, the Subrecipient is encouraged to adopt and enforce on-the-job seat belt use policies and programs for its employees when operating company-owned, rented, or personally-owned vehicles. The National Highway Traffic Safety Administration (NHTSA) is responsible for providing leadership and guidance in support of this Presidential initiative. For information and resources on traffic safety programs and policies for employers, please contact the Network of Employers for Traffic Safety (NETS), a public-private partnership dedicated to improving the traffic safety practices of employers and employees. You can download information on seat belt programs, costs of motor vehicle crashes to employers, and other traffic safety initiatives at www.trafficsafety.org. The NHTSA website (www.nhtsa.gov) also provides information on statistics, campaigns, and program evaluations and references.

XXVIII. POLICY ON BANNING TEXT MESSAGING WHILE DRIVING

In accordance with Executive Order 13513, Federal Leadership On Reducing Text Messaging While Driving, and DOT Order 3902.10, Text Messaging While Driving, States are encouraged to adopt and enforce workplace safety policies to decrease crashes caused by distracted driving, including policies to ban text messaging while driving company-owned or -rented vehicles, Government-owned, leased or rented vehicles, or privately-owned when on official Government business or when performing any work on or behalf of the Government. States are also encouraged to conduct workplace safety initiatives in a manner commensurate with the size of the business, such as establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving, and education, awareness, and other outreach to employees about the safety risks associated with texting while driving.

XXIX. PARTICIPATION IN HIGHWAY SAFETY PARTNERSHIPS

All subrecipients are strongly encouraged to participate in Highway Safety sponsored functions including, but not limited to, Missouri Coalition for Roadway Safety regional meetings, applicable subcommittees and conferences; working groups; dedicated enforcement workshops; and grant application and contract award workshops. Subrecipient agencies with positions that are funded via Highway Safety grants are expected to participate (or send a representative) in the above functions as much as possible.

XXX. PROHIBITION ON TELECOMMUNICATIONS AND VIDEO SURVEILLANCE

The National Defense Authorization Act of Fiscal Year 2019 (Pub. L. 115-232) prohibits Federal grant funds from being obligated or expended to procure or obtain (or to enter into, extend, or renew a contract to procure or obtain) certain covered telecommunications equipment, services, or systems. States and subrecipients should refer to the Super Circular for more information on what equipment and companies this prohibition covers.

Equipment regularly purchased under NHTSA grants that may be subject to this provision could include : mobile phones, landlines, and the internet. Note that this provision prohibits purchasing these (and other) items produced by certain companies; items produced by non-prohibited companies are still potentially allowable.

**XXXI. CERTIFICATION ON CONFLICT OF INTEREST
(Applies to subrecipients as well as States)**

General Requirements

No employee, officer or agent of a State or its subrecipient who is authorized in an official capacity to negotiate , make, accept or approve, or to take part in negotiating, making, accepting or approving any subaward, including contracts or subcontracts, in connection with this grant shall have, directly or indirectly, any financial or personal interest in any such subaward. Such a financial or personal interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or personal interest in or a tangible personal benefit from an entity considered for a subaward. Based on this policy:

- A.** The recipient shall maintain a written code or standards of conduct that provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents.
 - 1.** The code or standards shall provide that the recipient's officers, employees, or agents may neither solicit nor accept gratuities, favors, or anything of monetary value from present or potential subawardees, including contractors or parties to subcontracts.
 - 2.** The code or standards shall establish penalties, sanctions or other disciplinary actions for violations, as permitted by State or local law or regulations.
- B.** The recipient shall maintain responsibility to enforce the requirements of the written code or standards of conduct.

Disclosure Requirements

No State or its subrecipient, including its officers, employees or agents, shall perform or continue to perform under a grant or cooperative agreement, whose objectivity may be impaired because of any related past, present, or currently planned interest, financial or otherwise, in organizations regulated by NHTSA or in organizations whose interests may be substantially affected by NHTSA activities. Based on this policy:

- A.** The recipient shall disclose any conflict of interest identified as soon as reasonably possible, making an immediate and full disclosure in writing to NHTSA. The disclosure shall include a description of the action which the recipient has taken or proposes to take to avoid or mitigate such conflict.
- B.** NHTSA will review the disclosure and may require additional relevant information from the recipient . If a conflict of interest is found to exist, NHTSA may (a) terminate the award, or (b) determine that it is otherwise in the best interest of NHTSA to continue the award and include appropriate provisions to mitigate or avoid such conflict .
- C.** Conflicts of interest that require disclosure include all past, present or currently planned organizational, financial, contractual or other interest(s) with an organization regulated by NHTSA or with an organization whose interests may be substantially affected by NHTSA activities, and which are related to this award. The interest(s) that require disclosure include those of any recipient, affiliate, proposed consultant, proposed subcontractor and key personnel of any of the above. Past interest shall be limited to within one year of the date of award. Key personnel shall include any person owning more than a 20 percent interest in a recipient, and the officers, employees or agents of a recipient who are responsible for making a decision or taking an action under an award where the decision or action can have an economic or other impact on the interests of a regulated or affected organization .

CONTRACT REQUIREMENTS

THE FOLLOWING REQUIREMENTS ONLY APPLY TO CONTRACTS THAT INCLUDE TRAINING

Subrecipients offering the MHTC-funded courses must adhere to the following standard elements required for training contracts:

- A. A course schedule must be presented to the MHTC program coordinator prior to the proposed training. The schedule should include: title of course; date(s); time; exact location; and agenda. Any changes to the course schedule must have prior approval from the MHTC.
- B. Each student must complete a survey form at the completion of the workshop/training. The survey will ask a series of questions concerning adequacy of: training received; instructor's presentation; training facility/location; and worth of the training.
- C. The Subrecipient must provide a sign-up sheet for every class when submitting a reimbursement request for the course (a typed list of everyone who registered is not acceptable). The sign-up sheet must capture the following information:
 - 1. Title of the class
 - 2. Date(s) and location of class
 - 3. Printed Name and signature of attendees (unless otherwise prohibited)
 - 4. Name of agency/organization of each attendee
- D. To ensure cost effectiveness, every effort should be made to enroll a minimum of fifteen (15) students per class. If the minimum number of students cannot be ensured, the subrecipient should contact the MHTC Highway Safety Office to seek approval to proceed with the class.
- E. Copies of the student evaluations, number of students enrolled/number of students attending, agenda/syllabus/curriculum, and participant sign-up sheets must be retained in Subrecipient's files after the training has been conducted and available for MHTC review upon request.

THE FOLLOWING REQUIREMENTS APPLY TO LAW ENFORCEMENT AGENCIES ONLY

A. PROBLEM IDENTIFICATION

Subrecipient must develop a selected traffic enforcement plan by evaluating crash data involving fatal, disabling and moderate injuries. This will be done on an annual basis to determine the highest crash locations, to include: month of year, day of week, time of day, and causation factors. This plan must be used to determine locations utilized in site selection for conducting enforcement efforts. Any changes to the enforcement plan must be made in writing to the MHTC project coordinator in advance of enforcement efforts.

B. PROJECT ACTIVITIES

- 1. Enforcement activities by the Subrecipient must remain at the current level. Enforcement efforts provided by this contract must be in addition to current enforcement activities.
- 2. Officers will be permitted to issue multiple citations and/or written warnings to drivers who have committed several violations.
- 3. High visibility enforcement is a key strategy to reducing traffic crashes; therefore, law enforcement officers working overtime projects are strongly encouraged to make at least three (3) contacts per hour when conducting an enforcement project.
- 4. Subrecipient is expected to participate in associated national or state mobilization efforts in conjunction with, or at the direction of, the Highway Safety and Traffic Division. These mobilizations include, but are not limited to: Click It or Ticket campaign, Drive Sober or Get Pulled Over campaign, Youth Seat Belt enforcement campaign, Holiday Impaired Driving campaign, and quarterly enforcement efforts. Mobilization reporting efforts shall be completed using the online mobilization reporting form located at: <https://mobilization.rejis.org>.
- 5. Only law enforcement work performed by a duly licensed, Peace Officer Standards and Training (POST) certified law enforcement officer will be reimbursed.
- 6. The Subrecipient will not be eligible for reimbursement for any individual law enforcement officer working under this grant in excess of 40 hours for any two week pay period. The Subrecipient will not be eligible for reimbursement for any individual law enforcement officer working under this grant where said officer is claiming to have worked as a law enforcement officer for more than 16 hours in any 24 hour period.

C. PARTNERSHIPS

Law Enforcement agencies are strongly encouraged to participate in the Law Enforcement Traffic Safety Advisory Council (LETSAC) and attend the annual conference. Agencies located within the metropolitan areas of St. Louis or Kansas City should participate in Operation Impact or Operation Gateway (traffic safety task forces).

D. ALLOWABLE COSTS

Full-time, part-time and reserve officers are eligible to participate in overtime enforcement projects. Part-time and reserve officers must have the same authority as a full-time permanent officer. MHTC will reimburse Subrecipient at officer's standard rate of pay in accordance with Subrecipient policies and procedures regarding standard rate of pay and overtime rate of pay. The Subrecipient will not be reimbursed at the overtime rate for work that according to Subrecipient's own policies and procedures does not constitute overtime. Non-POST certified personnel may be allowed, at the sole discretion of MHTC, in a support/administrative role.

Exceptions to allowable costs may be made with prior written permission of the MHTC.

E. DRUNK DRIVING ENFORCEMENT PROJECTS

1. Those officers conducting standardized field sobriety testing must have 24 hours of Standardized Field Sobriety Test training to participate in grant funded enforcement efforts.
2. Agency should participate in quarterly enforcement efforts and the national impaired driving crackdowns held annually.

F. SOBRIETY CHECKPOINTS

Unless otherwise prohibited by state statute or appropriation,

1. The MHTC will fund enforcement agencies to conduct sobriety checkpoints in accordance with standards outlined in the Sobriety Checkpoint Reference Manual and the Sobriety Checkpoint Supervisor Training program.
2. Sobriety checkpoint enforcement efforts must be coupled with appropriate public information efforts to increase the perceived risk of arrest and to enhance the actual risk of arrest.
3. Enforcement statistics and the agency's sobriety checkpoint operations plan must be submitted with reimbursement vouchers.

G. PURSUIT POLICIES

Law enforcement agencies are encouraged to follow the guidelines established for vehicular pursuits issued by the International Association of Chiefs of Police that are currently in effect. (23 U.S.C. 402(j))

PROBLEM IDENTIFICATION

Pedestrian fatalities across the nation have been on dramatic rise since 2009. Other types of traffic fatalities, in comparison, have not seen such dramatic increase. In 2022, more than 7,500 Americans lost their lives when out and about on foot - which equates to more than 20 people per day losing their lives. So what has caused this increase? Between our automobile-centric infrastructure, the vehicle market shifting from sedans to SUVs and cell phone usage, injury preventionists have had a huge problem on their hands. And more recently, speeding has also become more and more of a problem and pedestrian mortality exponentially increases with impact speed of a vehicle. Another significant issue that is often overlooked is behavior and culture. In many parts of the county drivers do not yield to pedestrians in or near crosswalks. In Springfield, MO, crosswalk compliance studies showed that less than 1 in 4 drivers would stop for a pedestrian who had one foot in the crosswalk (so in the roadway). Further, many pedestrian crashes occur in crosswalks, when the walker had the right-of-way. Hence, it is no surprise that many people do not go out of their way to utilize crosswalks, and unfortunately, that is where we see most serious crashes, when pedestrians cross major roadways at random locations. If we want to save lives, we need to not only provide more crossing opportunities, but must make sure those crosswalks are noticed and respected by drivers. Engineering on its own cannot create a pro-pedestrian culture, nor can enforcement as stand-alone measure. This shift requires encouragement, education, evaluation and social norming as part of the solution.

Our data also shows that most of our pedestrian fatalities involve unhoused or low-income residents, often crossing mid-block during the nighttime. This group is not engaged easily by a conventional media outreach.

GOALS/OBJECTIVES

The City of Springfield will need financial assistance to sustain SafeAcross:

1. Promote the program at conferences, meetings and other means.
2. To pay for staff time to improve, expand on and maintain existing resources.
3. Give guidance and provide some oversight for agencies that wish to join the effort .
4. Start a group for involved agencies that meets quarterly to discuss their efforts , share ideas and concerns.
5. Monitor for "copy cats" and work to bring them onboard for the full program or at least provide guidance to avoid negative outcomes (there are a number of "spin offs" out there already).
6. Maintain the website and social media sites, potentially pay for targeted Safe Across ads .
7. The City would need to continue to contract out certain local SGF Yields efforts to consultants as needed . This would free up time for our staff to work on SafeAcross . That offset staff time would not be charged, but the consultant's time would.

The City of Springfield would need help to sustain the "Use Your WITS" outreach. We feel that this specific public engagement is needed, but goes well beyond what city transportation professionals can do as part of their normal duties:

1. Foster a relationship with local non-profits to bring traffic safety education to our low-income and unsheltered population.
2. Develop and provide education print pieces or other media, designed for the at-risk group.
3. We would like to be able to contract out WITS work if we find that the nonprofit partners are too busy or otherwise not able to run the workshops.

PROJECT DESCRIPTION

The City of Springfield has developed a program that measurably increases driver compliance at crosswalks and has increased pedestrian safety through education, engineering, enforcement and policy changes. Through funding in the 2022 fiscal year, our city team has developed a sharable version of the "SGF Yields" program, named SafeAcross (www.safeacross.com). It offers other communities a detailed guide on how to set up the program, how to conduct compliance studies and communicate safety messages to the public. The SafeAcross toolkit also includes many optional endeavors, ranging from elementary school lesson plans, to special events for the Pedestrian Safety Month (October), crosswalk enforcement and much more. We have received a follow up grant through September 2024 to help the City of Springfield expand, promote and manage SafeAcross. Any interested communities require guidance and some minimum prerequisites need to be met to assure the program remains effective and popular. Springfield, as a local government, does currently not have the resources for staff member focus on the local SGF Yields program full time, much less take on the cost of administration of SafeAcross.

Since the program is very comprehensive, it requires a good amount of management. Initially, most communities will need step by step assistance in order to not be overwhelmed. For example, placement of Mr. Walker Statues should be reviewed to assure they don't create a sight obstruction that could lead to a pedestrian crash or block an accessible path. Enforcement should not be scheduled till the public has embraced the program and become supportive of the effort. Promotion the program and follow up with interested parties takes up a lot of time as well. In 2023 we worked to bringing the City of Cape Girardeau on board, but despite our efforts, they decided to hold off. However, we do now have the administrative go-ahead to enter inter-agency contracts for SafeAcross. This year, we plan to renew a push to engage adjacent communities and the City of Columbia continues to voice their interest. We are also considering changing our focus from speaking at engineering conference to events that engage city managers, mayors and other officials. This application intends to secure funding for the continued support and growth of the program.

The SGF Yields Coalition Group has also developed the "Use your WITS" program to bring safety education to the where the people are. Your grants have helped us develop an educational video that we bring to people via our non-profit partners and ad space at bus stops has been purchased to display the WITS infographics. We are now working to make the WITS materials made available as part of the SafeAcross toolkit. But even after the outreach materials have been completed, the local outreach needs some funding support to help sustain the effort, such as staff time and advertisement costs, etc. We have currently reached over 100 people with our outreach.

While we desire to share our program to increase crosswalk safety nationwide, the City of Springfield is taxpayer funded and therefore we cannot spend time and money on efforts that do not directly benefit our citizens.

With outside funding, Springfield Public Works and the Public Information Office would be able to spend time on promoting and managing SafeAcross, as well as actively engage with the population that is at highest risk for being fatally struck by a car.

Our staff would continue to develop partnerships with local non-profits, we would like to get where they themselves can provide the educational program to their customers.

In partnering with MoDOT or a consultant, the city has a chance to transfer knowledge, gain knowledge and new ideas as well as find backup if the program gets to expansive for our staff.

By contracting out existing SGF Yields efforts, it would free up time to work on the expansion with other communities. Ideally, the contracted services would also allow us to provide training and education at local non-profits service providers through a consultant.

Funding would help us buy safety related print pieces, advertisement etc. to help engage our risk group. There is no completion date for this program, as SafeAcross is an ongoing effort.

SUPPLEMENTAL INFORMATION

<u>Question</u>	<u>Answer</u>
1 Does your agency have and enforce a safety belt use policy?	Yes
2 If NO, please explain.	
3 Does your agency have and enforce a policy restricting cell phone use while driving?	Yes
4 If NO, please explain.	
5 What type of agency do you represent (e.g. state government, local government, not for profit, for profit)? Local government	
6 Will this project have an impact statewide, regionally, or locally? Locally, regionally, & statewide	
7 What target group will this project impact (e.g. young, older, impaired)? Drivers, Pedestrians	
8 What age group does your project focus on? all ages	
9 Does your agency have adequate manpower to fully expend the funds requested in this application?	Yes
10 If NO, please explain.	
11 Have any significant changes occurred with your agency within the last year that would affect performance, including personnel or system changes?	No
12 If YES, please explain.	
13 Are you aware of any fraud, waste or abuse on grant projects in your office/agency within the last 5 years?	No
14 If YES, please explain.	
15 If your agency received Highway Safety grant funding in the last three (3) fiscal years and there were unexpended balances, please explain why. We spent it all last year	
16 Did your political entity receive more than 80% of its annual gross revenues in Federal Awards in your preceding fiscal year?	No
17 Did your political entity receive \$25,000,000 or more in Federal Awards in your preceding fiscal year?	No

18 If you answered NO to either question 16 and 17, DO NOT answer this question. If you answered YES to both question 16 and 17, and the public does not have access to this information, list the names and compensation amounts of the five most highly compensated employees in your business or organization (the legal entity to which the UEI number it provided belongs).

19 Does this project employ proven best practices or would it be considered a pilot project?

Best practices

20 Is training going to be provided as part of this contract?

Yes

21 If Yes, enter types of training courses that will be provided and the estimated number of each course.

The Use Your WITS outreach aimed at our disadvantaged population is technically a class , numbers fluctuate between 10 to 2,000 per session. Also, we periodically conduct training with our consultant to be able to support us.

22 Will this project generate program income (such as through registration fees, donations, fees charged for services, etc?)

No

23 If YES, what system do you have in place to track the program income to ensure it remains within the project.

No

PROJECT EVALUATION

The MHTC will administratively evaluate this project. Evaluation will be based, at a minimum, upon the following:

1. Timely submission of monthly reimbursement vouchers and appropriate documentation to support reimbursement for expenditures (i.e., personal services, equipment, materials)
2. Timely submission of periodic reports (i.e., monthly, quarterly) as required
3. Timely submission of the Year End Report of activity (due within 30 days after contract completion date)
4. Attaining the Goals set forth in this contract
5. Accomplishing the Objectives* established to meet the project Goals, such as:
 - Programs (number and success of programs held compared to planned programs, evaluations if available)
 - Training (actual vs. anticipated enrollment, student evaluations of the class, student test scores on course examinations, location of classes, class cancellation information)
 - Equipment purchases (timely purchase of equipment utilized to support and enhance the traffic safety effort ; documentation of equipment use and frequency of use)
 - Public awareness activities (media releases, promotion events, or education materials produced or purchased)
 - Other (any other information or material that supports the Objectives)
6. The project will be evaluated by the Highway Safety and Traffic Division through annual crash analysis .

Evaluation results will be used to determine:

- The success of this type of activity in general and this particular project specifically ;
- Whether similar activities should be supported in the future; and
- Whether grantee will receive funding for future projects

The expansion project would be deemed successful if other communities decide to join the SafeAcross program. While they may not see an increase of compliance in the first year, eventually we would want them to show an increase crosswalk safety through education, engineering, policy and potentially enforcement.

The pedestrian education piece for the at-risk residents would be considered successful if members of this group were exposed to safety talks where they learn about the risk and potential consequences of dangerous mid-block crossings. Ideally, such talks would lead to small modifications in behavior, but at least, we would expect increased alertness while crossing, with the ultimate goal to reduce pedestrian fatalities!

ADDITIONAL FUNDING SOURCES

The local SGF Yields program has historically been supported by the Show-Me-Zero grants.

BUDGET

Category	Item	Description	Quantity	Cost	Total	Local	Total Requested
Educational Materials							
	Resource Materials	Prints, media production ads, etc for Use Your WITS or SA outreach	1.00	\$4,000.00	\$4,000.00	\$0.00	\$4,000.00
					\$4,000.00	\$0.00	\$4,000.00
Operational Expenses and Supplies							
	Fees	Website related fees, etc	1.00	\$1,000.00	\$1,000.00	\$0.00	\$1,000.00
					\$1,000.00	\$0.00	\$1,000.00
Personnel							
	Salary and/or Fringe	In-house and consultant work	1.00	\$12,600.00	\$12,600.00	\$0.00	\$12,600.00
					\$12,600.00	\$0.00	\$12,600.00
Travel							
	Miscellaneous Travel Expenses	Transport, board, registration fees etc.	1.00	\$10,000.00	\$10,000.00	\$0.00	\$10,000.00
					\$10,000.00	\$0.00	\$10,000.00
Total Contract					\$27,600.00	\$0.00	\$27,600.00

ATTACHMENTS

<u>Document Type</u>	<u>Description</u>	<u>Original File Name</u>	<u>Date Added</u>
WORD	Word	Supporting Documentatic	02/27/2024

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit B

Budget Adjustment
022

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
46040	20	73020	416010	000000	00000	\$ 27,600	Federal funds through Section 402 State & Community Highway Safety Grant from the Missouri Department of Transportation
Net Revenue Adjustment						\$ 27,600	

Expenditures:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
46040	20	73020	504580	000000	00000	\$ 27,600	Continuation of SGF Yields, the City's Pedestrian Safety Program
Net Expenditure Adjustment						\$ 27,600	

Fund Balance Appropriation:

Fund	Title	Amount

Explanation: To amend the FY2024-25 budget by appropriating federal funds of \$27,600 through the Missouri Department of Transportation, Section 402 State & Community Highway Safety Grant, for the continuation of the City's pedestrian safety program SGF Yields.

Requested By:

Dan Smith
Department Head 9-27-2024
Date

Approved By:

DL Hill
Director of Finance 9-17-2024
Date

City Manager Date

Authorization:

Council Bill No. 2024-203
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____



EXPLANATION TO COUNCIL BILL 2024-191 (CARROLL)

FILED: 09/10/2024

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:

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:

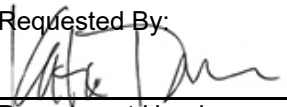
Fund	Dept	Org	Account	P&G	Location	Amount	Description
27020	11	53590	500110	103246		\$ 36,500	Family Connects funding from Mercy Hospital/Bobby Allison Fund
Net Expenditure Adjustment						\$ 36,500	

Fund Balance Appropriation:

Fund	Title	Amount

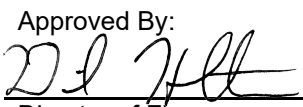
Explanation: To amend the FY24-25 budget by appropriating \$36,500 from Mercy Hospital/Bobby Allison Fund to be used for the Family Connects Program.

Requested By:



Department Head Date 9-03-2024

Approved By:



Director of Finance Date 9-03-2024

City Manager Date

Authorization:

Council Bill No. 2024-191
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____