



MEETING OF THE CITY COUNCIL  
CITY HALL, Fifth Floor  
6801 Delmar Blvd.  
University City, Missouri 63130  
**Monday, September 9, 2019**  
**6:30 p.m.**

**A. MEETING CALLED TO ORDER**

**B. ROLL CALL**

**C. APPROVAL OF AGENDA**

**D. PROCLAMATIONS**

1. 2019 Extra Mile Day – “Go The Extra Mile In Personal Effort, Volunteerism, And Service”

**E. APPROVAL OF MINUTES**

1. August 12, 2019 Regular Session Minutes
2. August 12, 2019 Joint Study Session Minutes – Park Commission
3. August 17, 2019 Special Session Minutes

**F. APPOINTMENTS to BOARDS & COMMISSIONS**

1. M. Jean Russell is nominated to the CALOP Commission as a fill in replacing Beth North’s vacated expired term until 9/9/2021 by Councilmember Stacy Clay.
2. Mark Harvey is nominated to the Plan Commission as a fill in replacing Rosalind Willams unexpired term until 1/1/2020 by Councilmember Tim Cusick.
3. Wendy Harris is nominated to Loop Special Business District as a fill in replacing Kathy Caton unexpired term until 1/1/2021 by Mayor Terry Crow.

**G. SWEARING IN to BOARDS & COMMISSIONS**

1. James Nowogrocki to be sworn in to the Civil Service Board.

**H. CITIZEN PARTICIPATION (Total of 15 minutes allowed)**

**I. PUBLIC HEARINGS**

**J. CONSENT AGENDA – Vote Required**

1. FY20-21 Proposed Work Plan
2. Mobil Data Purchase (Police Department)
3. Edward Byrne Memorial Justice Grant (JAG) Program – FY2019
4. Metropolitan Sewer District (MSD) Intergovernmental Agreement Extension – Federal Flooding Reduction Study
5. US Army Corps of Engineers – River Des Peres Study – Amended Agreement (2004 Design)

**K. CITY MANAGER’S REPORT**

1. Metropolitan Sewer District (MSD) – Stormwater Operation, Maintenance and Construction Improvement (OMCI) Taxing Sub-districts Update  
(PRESENTATION ONLY)

**L. UNFINISHED BUSINESS**

1. **BILL 9391** - AN ORDINANCE AMENDING CHAPTER 110 OF THE UNIVERSITY CITY MUNICIPAL CODE, RELATING TO ADMINISTRATION, BY REPEALING SECTION 110.040 THEREOF, RELATING TO DISCLOSURE OF CONFLICTS OF INTEREST, AND ENACTING IN LIEU THEREOF A NEW SECTION TO BE KNOWN AS “SECTION 110.040 DISCLOSURE OF CONFLICTS OF INTEREST.”

**M. NEW BUSINESS**

*RESOLUTIONS*

1. **RESOLUTION 2019 – 14** Budget Amendment #3 – Fiscal Year 2018-2019

*BILLS*

2. **BILL 9392** – AN ORDINANCE AUTHORIZING THE CITY OF UNIVERSITY CITY TO ENTER INTO AND EXECUTE A CONTRACT WITH ST. LOUIS COUNTY, MISSOURI, FOR VECTOR CONTROL SERVICES AND AUTHORIZING AND DIRECTING THE CITY MANAGER OF UNIVERSITY CITY TO ENTER INTO ON BEHALF OF SAID CITY A CONTRACT WITH ST. LOUIS COUNTY, MISSOURI, FOR VECTOR CONTROL SERVICES.

**N. COUNCIL REPORTS/BUSINESS**

1. Boards and Commission appointments needed
2. Council liaison reports on Boards and Commissions
3. Boards, Commissions and Task Force minutes
4. Other Discussions/Business

**O. CITIZEN PARTICIPATION (continued if needed)**

**P. COUNCIL COMMENTS**

- Q.** Motion to go into a Closed Session according to Missouri Revised Statutes 610.021 (1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives or attorneys and (3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded, and (13) Individually identifiable personnel records, performance ratings or records pertaining to employees.

**R. ADJOURNMENT**



PROCLAMATION OF THE CITY OF UNIVERSITY CITY

2019 "EXTRA MILE DAY"

WHEREAS; The City of University City, is a community which acknowledges that a special vibrancy exists within the entire community when its individual citizens collectively "go the extra mile" in personal effort, volunteerism, and service; and

WHEREAS; The City of University City, is a community which encourages its citizens to maximize their personal contribution to the community by giving of themselves wholeheartedly and with total effort, commitment, and conviction to their individual ambitions, family, friends, and community

WHEREAS; The City of University City, is a community which chooses to shine a light on and celebrate individuals and organizations within its community who "go the extra mile" in order to make a difference and lift up fellow members of their community; and

WHEREAS; The City of University City, acknowledges the mission of Extra Mile America to create 550 Extra Mile cities in America and is proud to support "Extra Mile Day" on November 1, 2019.

NOW, THEREFORE, The City Council of University City in the State of Missouri, do hereby proclaim November 1, 2019, to be Extra Mile Day. We urge each individual in the community to take time on this day to not only "go the extra mile" in his or her own life, but to also acknowledge all those who are inspirational in their efforts and commitment to make their organizations, families, community, country, or world a better place.

WHEREOF, The City Council of University City in the State of Missouri have hereunto set our hands and caused the Seal of the City of University City to be affixed this 9th day of September in the year Two Thousand and Nineteen.

SEAL

Councilmember Paulette Carr

Councilmember Steve McMahon

Councilmember Jeff Hales

Councilmember Bwayne Smotherson

Councilmember Tim Cusick

Mayor Terry Crow

Councilmember Stacy Clay

ATTEST City Clerk, LaRette Reese



MEETING OF THE CITY COUNCIL  
CITY HALL, Fifth Floor  
6801 Delmar Blvd.  
University City, Missouri 63130  
**Monday, August 12, 2019**  
**6:30 p.m.**

**A. MEETING CALLED TO ORDER**

At the Regular Session of the City Council of University City held on the fifth floor of City Hall, on Monday, August 12, 2019, Mayor Terry Crow called the meeting to order at 6:30 p.m.

**B. ROLL CALL**

In addition to the Mayor, the following members of Council were present:

Councilmember Stacy Clay  
Councilmember Paulette Carr  
Councilmember Steven McMahon  
Councilmember Jeffrey Hales  
Councilmember Tim Cusick  
Councilmember Bwayne Smotherson

Also in attendance were City Manager, Gregory Rose, and City Attorney, John F. Mulligan, Jr.

**C. APPROVAL OF AGENDA**

Councilmember Hales moved to approve the agenda as presented; it was seconded by Councilmember Cusick.

Mr. Rose made the following requests:

1. That Item I(2); liquor license for Poke Doke Restaurant, be removed from the agenda; That Item J(1); Liquor License Approval – DJ Food Inc., be moved to the City Manager's Report;
2. That J(2); liquor license for Poke Doke Restaurant, be removed from the agenda;
3. That J(8), Sidewalks and Curb Contract Approval; J(10), Electric Vehicles Purchase Approval; J(11), EMS Ambulance and Equipment Purchase, and J(12), EMS Ambulance Remount Purchase, be moved to the City Manager's Report.

Mr. Rose informed Council that there were also some numbering issues associated with the Resolutions that will be corrected prior to publication.

Councilmember Hales moved to approve the agenda as amended; it was seconded by Councilmember Cusick.

Voice vote to approve the agenda carried unanimously.

Voice vote on the motion to approve the agenda as amended, carried unanimously.

Councilmember Smotherson while he appreciates the City Manager's requests to amend the agenda; which helped to resolve some of his issues, his concern is that the Consent Agenda contains thirteen items totaling over a million and a half dollars. And since Council just received their packets on Friday, there has not been enough time to thoroughly review and digest all of this information.

**D. PROCLAMATIONS**

1. 55<sup>th</sup> Graduation Anniversary - University City High School Class of 1964.

Mayor Crow reminded Council of the need to sign the Proclamation prior to leaving tonight's meeting.

**E. APPROVAL OF MINUTES**

1. July 8, 2019, Regular Session Minutes were moved by Councilmember Carr, seconded by Councilmember Hales and the motion carried unanimously.
2. July 8, 2019, Study Session Minutes – Dog Park were moved by Councilmember Carr, seconded by Councilmember Smotherson and the motion carried unanimously.

**F. APPOINTMENTS TO BOARDS & COMMISSIONS**

1. Eleanor Mullin and Karla Teeters Brown are nominated for **re-appointment** to Municipal Commission on Arts and Letters by Councilmember Bwayne Smotherson; it was seconded by Councilmember Carr and the motion carried unanimously.
2. James Nowogrocki is nominated to the Civil Service Board replacing Barbara Sydnor's expired term by Mayor Terry Crow; it was seconded by Councilmember Hales and the motion carried unanimously.

**G. SWEARING IN TO BOARDS & COMMISSIONS**

**H. CITIZEN PARTICIPATION (Total of 15 minutes allowed)**

**Douglas Killebrew, 6354 Pershing, University City, MO**

Mr. Killebrew stated he has lived at this address for forty-seven years and raised four children who all attended U City schools. So it has been his pleasure to watch the growth and development of Delmar whose success is largely due to the City's progressive policies. But, even though he understands and agrees; to a certain extent, with the tightening of restrictions related to soliciting, the City's recent policy with respect to street musicians seems to be a situation of throwing the baby out with the bathwater. Through discussions with the City's Police Department, he has since learned that technically, musicians are still allowed as long as they keep moving; which is kind of hard to do. As a result, the net effect of this policy really equates to street musicians being cut out of the picture. Mr. Killebrew stated U City has had some very talented musicians who have played regularly on Delmar, that in his opinion, have been a positive addition, adding novelty to a patron's eating and shopping experience. So in the spirit of maintaining the vibrancy of Delmar, he would like to see this policy; as it relates to musicians, reviewed and modified.

**Donna McGee, 7594 Melrose, University City, MO**

Ms. McGee commended the Police Department for being attentive to the residents of this community and thanked Mr. Dunkle for trimming the two Ash Trees at the end of her block that was obstructing the street sign. Clearing this area addressed several major safety issues.

Ms. McGhee stated while she and Mr. Rose had agreed to disagree regarding his solution to work around the tree located at the base of her driveway, her preference would have been for the solution to work around the needs of human beings. The Street Department poured some asphalt at the base of her driveway to bridge the area; which appears to address the situation in a tacky kind of way, but the roots of the tree are still there, and the two branches encroaching on her property constantly fill her gutters with debris. So while she appreciates everyone's time and the opportunity to continue addressing this issue, the bottom line is that she would like to see the tree removed. In fact, she would be more than happy to pay for a seedling to replace this improperly situated tree that she believes constitutes a serious safety hazard.

**Tom Jennings, 7055 Forsyth, University City, MO**

Mr. Jennings stated his initial thought had been that the refinishing of Forsyth should be delayed because of all the ongoing construction in the area. However, after discussing these concerns with Councilmember Hales, he learned that the refinishing involved federal funds that could vanish if the work was not completed on schedule, so the timetable makes a lot more sense. And to date, they have done a really nice job.

Thanks to Councilmember Smotherson, Mr. Jennings stated his neighbor now has a designated handicapped parking space. So when the work begins on the south side of Forsyth he would like to see the signage moved to ensure that she maintains that designated parking.

With respect to the Dog Park, Mr. Jennings stated his hope is that this development will be studied carefully with special attention given to residents that border the park. He stated based on the large turnout of supporters he can easily envision twenty-five barking dogs at someone's back door day in and day out. And the fact that there will be no one monitoring the park between 7 p.m. to 7 a.m. increases his concerns.

**Paul Schoomer, University City, MO**

Mr. Schoomer stated the question of street musicians has been a point of discussion for roughly forty years. The current plan, which addresses questions regarding misuse by street practitioners, as well as desirable musicians, was recommended by the Special Benefit Tax District. Meetings are held on Tuesday mornings and everyone is invited to openly register their complaints and/or suggestions.

**I. PUBLIC HEARINGS**

1. Liquor License - DJ Food Inc. (East Seoul Oriental Grocery Store)

Mayor Crow opened the Public Hearing at 6:49 p.m., and hearing no requests to speak the hearing was closed at 6:49 p.m.

2. Liquor License - Poke Doke Restaurant; *(Removed)*

**J. CONSENT AGENDA – Vote Required**

1. Liquor License Approval – DJ Food Inc. (East Seoul Oriental Grocery Store); *(Moved to City Manager's Report)*
2. Liquor License Approval – Poke Doke Restaurant; *(Removed)*
3. Position Reclassification – Parks Crew Leader
4. Ackert Walkway Improvements – Transportation Alternatives Program Approval
5. Fogerty Park Phase II Improvements Contract Approval
6. MS Office 365 Migration and Contract Approval
7. Leaf Collection Contract Approval

8. Sidewalks and Curb Contract Approval; (*Moved to City Manager's Report*)
9. Electric Vehicles Purchase Approval (Inspectors)
10. EMS Ambulance and Equipment Purchase; (*Moved to City Manager's Report*)
11. EMS Ambulance Remount Purchase; (*Moved to City Manager's Report*)
12. Conditional Use Permit Extension Approval – Church of Scientology; (*Moved to City Manager's Report*)
13. Solar Group Buy – Grow Solar (Authority to Support)

Councilmember Hales moved to approve Items 3, 4, 5, 6, 7, 9 and 13, of the Consent Agenda; it was seconded by Councilmember Carr and the motion carried unanimously.

## **K. CITY MANAGER'S REPORT**

1. Liquor License Approval – DJ Food, Inc. (East Seoul Oriental Grocery Store)

Mr. Rose stated staff is recommending that Council approve a liquor license for DJ Food, Inc. The application was reviewed and no issues of concern were identified.

Councilmember Clay moved to approve; it was seconded by Councilmember Cusick and the motion carried unanimously.

2. Sidewalks and Curb Contract Approval

Mr. Rose stated staff is recommending that Council approve Project 1429 for sidewalk and curb replacement. The City opened bids for this project on July 15th, wherein staff determined that the lowest and most qualified bidder was Pride Master Exteriors, Inc.; (*a company that has previously performed work for the City*). A total of \$500,000 was budgeted for this project and Pride Master's bid came in at \$386,185.73. Based on the fact that this amount is favorable to the City, staff is asking that the total award be increased to \$450,000, in order to expand the scope of this project by adding additional curb and sidewalk repairs.

Councilmember Cusick moved to approve; it was seconded by Councilmember Carr and the motion carried unanimously.

3. EMS Ambulance and Equipment Purchase

Mr. Rose stated staff is recommending approval of EMS Ambulance and Equipment Purchases made through the HGAC; (*Houston/Galveston Area Council Cooperative*), a government procurement service. The purchases are as follows:

- a. \$166,314 for two Freightliner M2 chassis
- b. \$5,511.03 for remount upgrades
- c. \$78,385.32 to the Zoll Medical Corp., for two new cardiac monitors and equipment

Councilmember Carr moved to approve; it was seconded by Councilmember McMahon and the motion carried unanimously.

4. EMS Ambulance Remount Purchase

Mr. Rose stated staff is recommending approval of an EMS Ambulance Remount Purchase. This procurement was included in the FY 2020 budget as part of the CIP Program. The cost is \$55,388.97.



Councilmember McMahon moved to approve; it was seconded by Councilmember Carr and the motion carried unanimously.

#### **5. Conditional Use Permit Extension Approval - Church of Scientology**

Mr. Rose stated staff is recommending that Council consider a Conditional Use Permit (CUP) Extension requested by the Church of Scientology for the construction of a new building at 6901 Delmar with an increased building height and office within a Public Activity District (PAD). A formal request was submitted by the Church per letter dated August 3, 2019. The specific details of that CUP will be presented by Mr. Cross.

Clifford Cross, the Director of Planning & Development, stated the original CUP was issued pursuant to the Church's request to expand, which staff deemed to be a nonconforming use within the PAD. However, after discovering that some of the proposals contained in the original design would take much longer to address than anticipated, the Church revised their original design and is asking for an extension to allow them enough time to complete construction.

Councilmember Carr moved to approve; it was seconded by Councilmember Cusick.

Councilmember Carr questioned whether there were any additional changes to the CUP other than the extension of time? Mr. Cross stated there are absolutely no changes to the CUP. In fact, it will still follow the same process of going through an administrative review and staff approval.

Voice vote on the motion to approve carried unanimously.

#### **6. Economic Development Retail Sales Tax (EDRST) Funding Request**

Mr. Rose stated staff is recommending approval of the funding request presented by the EDRST Board. The EDRST Board met on July 9, 2019, to consider all of the applications submitted for funding and voted to recommend the following applications:

- a.** \$28,500 for U City Farmer's Market
- b.** \$11,100 for St. Louis Artworks
- c.** \$68,300 for U City School District's EMT Training
- d.** \$50,573 for U City in Bloom
- e.** \$150,000 for U City's Facade Improvement Program

Mr. Rose informed Council that one modification had been made to the Board's recommendation; St. Louis Artworks has agreed to relocate their mural project from Barbara C. Jordan Elementary to one of the interior walls of the City's Parking Garage.

Councilmember Carr moved to approve; it was seconded by Councilmember Cusick.

Councilmember Smotherson stated based on the City's impending plans for the redevelopment of Olive Boulevard, he would like to suggest that applicants located in the areas west of Groby Road and Mt. Olive Avenue be prohibited from applying for funds in the Facade Improvement Program.

Mr. Rose stated while the guidelines of this program do not prohibit anyone from applying for these funds, staff will certainly be sensitive to the fact that specific areas have been targeted for redevelopment. However, ultimately, it will be up to the Mayor and Council to make the final decisions.

Mayor Crow asked Councilmember Smotherson if he was suggesting that folks within this area; which in reality is a pretty large segment, not be allowed to apply for funding? Councilmember Smotherson stated in his opinion, this Improvement Program has never made a significant impact on Olive. However, based on Mr. Rose's explanation he would rescind his suggestion.

Councilmember Smotherson stated one of the problems he discussed with Chief Henson was the lack of minority recruits. So he would like to thank the Chief for initiating this EMT Training Program for high school students within the district.

Councilmember Carr asked Mr. Rose if he could provide her with a little background about St. Louis Artworks; specifically with respect to who would be performing the artwork? Mr. Rose stated the intent is to use EDRST funds to enhance the City's marketing efforts in The Loop. As a result, staff approached St. Louis Artworks, whose work is performed by student artists, to ask if they would be willing to relocate their proposed project, and they agreed to do so.

Voice vote on the motion to approve carried unanimously.

#### 7. Update - Olive / 170 Redevelopment Project

Mr. Rose stated the approved Redevelopment Agreement for this project went into effect on June 13, 2019, and as a result, his goal is to provide Council and the public with quarterly updates.

- a. NOVUS is currently working to acquire property, which is estimated to take six to eighteen months to complete.
- b. NOVUS is seeking to obtain financing and attract businesses interested in leasing spaces within the development.
- c. Once the financing and leasing objectives are completed, NOVUS will be required to go through the City's development process, i.e., the zoning process for various parcels.
- d. The City will begin their work with businesses and residents to determine if they have an interest in participating in the relocation process.
- e. The construction process begins by preparing the land for development.

Mr. Rose stated the anticipated time period for when the City will start to receive revenue from this project that can be used for either the 3rd Ward or Olive Boulevard Corridor is twenty-four months.

#### Citizen's Comments

##### **Jerold Tiers, 7345 Chamberlain, University City, MO**

Mr. Tiers stated he is in complete agreement with the City on the desirability of this development, which is intended to generate funds that will be utilized to reverse new threats and historical neglect of the 3rd Ward. And even though the City Manager briefly addressed this, he is still a little concerned because his assumption was that actions to acquire properties currently under a provisional contract would have already been in progress.

However, as of last Friday, County records revealed only four residences and three business parcels as being owned by the developer. These new issues facing the 3rd Ward will not go away nor will they remain within that Ward, so work in this area should not be solely dependent on this development. U City cannot succeed unless the 3rd Ward is thriving.

The new threats include dumping, rental landlords owning numerous properties; some of whom are absentee landlords asking top dollar and caring nothing about maintenance. Property values in some areas are now too low for bank loans leaving low-ball investors as the only interested buyers. There is also a risk of some of these areas becoming slums; a problem that many cities are now facing.

Mr. Tiers stated after researching what other cities are doing to reverse these trends, he discovered that these problems have a lot of interlinking parts; which was a real eye-opener. Every action that might be taken by a city to correct an issue, on its own, has the risk of unforeseen consequences that can undo or create more harm, than all of the good that was intended. A common thread among the cities that have succeeded is strong planning performed by qualified city personnel who understand the local conditions and have the full support of their city government. Successful plans require time to study the conditions and develop a plan that coordinates all of their corrective actions so that the real problems can be effectively addressed without any counterproductive surprises.

Fortunately, U City has qualified people on its staff. And while he thinks everyone would agree on the results they would like to see achieved in the 3rd Ward, when he heard that no consideration for planning has even been contemplated at this stage of the game, his research clearly indicated that this is a recipe for failure. Mr. Tiers stated something his background in engineering has taught him is that in-depth identification and analysis of a problem takes all factors into account because quite often, the obvious solution is completely wrong. Therefore, he would suggest that planning by this City's administration needs to start now, with the full support of Council, as well as the involvement of residents and other stakeholders.

### **Council's Comments**

Councilmember Clay asked Mr. Rose if the future practice of providing quarterly updates would be modified if and when significant developments emerged? Mr. Rose stated as issues worthy of notification emerge they will be presented to both Council and the general public on a timely basis.

Councilmember Clay stated it has been his experience when communicating with folks in the 3rd Ward, and especially those in RPA-1, that outreach; even if the details are incomplete, is welcomed. Because if nothing else, it reminds constituents that we are thinking about them, even though much of the work at this point, is now in the hands of NOVUS. So in terms of communication, he would urge this administration and Council that they should not be fearful of allowing the perfect to be the enemy of the good.

### **8. Update - Area Flooding Issues**

Mr. Rose stated last week he had the opportunity to tour the channel of River Des Peres within U City and identify several reasons why flooding continues to exist in this community. There appear to be two main issues.

The first revolves around maintenance of the channel, which he believes contributes to the flooding because it is in such an unfortunate state of disrepair. Mr. Rose stated during one of MSD's presentations to Council, staff sought to determine exactly whose responsibility it was to maintain the channel, and MSD's response was that the responsibility fell to the residents.

However, he is not thoroughly convinced that their response was accurate. And as a result, will be asking the Mayor and Council for authorization to commence lobbying efforts as a part of the legislative platform, to gain a clear understanding about who is truly responsible for maintaining this portion of the channel.

The second issue is related to the design of the channel where the width is simply not wide enough to accommodate all of the water and creates several choke points. Here again, he will be asking the Mayor and Council for authorization to work with the Army Corps of Engineers and MSD on the development of a comprehensive study that can help determine the best options for correcting the current situations. Mr. Rose stated he has taken the initiative to ask the Director of Public Works to schedule a meeting with these two parties that hopefully results in finding real solutions to these problems.

Mr. Rose stated he will also be asking the Mayor and Council to revisit the City's buy-out policy. Simply put, our climate is changing, and unless the City continues to extend the areas impacted by this policy, he is not sure how effective staff will be with its execution. Recently the City attempted to purchase the Hafner Court Apartments, but unfortunately, the acquisition price exceeded the allowable amount of the grant.

Mr. Rose stated he would like to take this opportunity to commend the City's Fire Department for their outreach to residents in areas impacted by these floods. They do an excellent job of notifying residents before any flooding occurs. And as Councilmember Carr can attest, the Stormwater Task Force is taking a very close look at the need to establish an early warning flood notification system.

Councilmember Carr stated the Task Force is on the verge of publishing their report that will indeed recommend the creation of an early warning flood system. But something that falls in line with Mr. Rose's comments is that several weeks ago they noticed that one of the choke points in the channel severely restricting the flow of water was associated with a bridge; specifically, the bridge over Pennsylvania south of Heman Park. So she would like to commend the work performed by the members of this Task Force, who in her opinion, have done a phenomenal job. And her hope is that their report will aid in the City's negotiations.

Councilmember Smotherson stated he would like to go back to the situation involving the Hafner Court Apartments so that he can gain a better understanding of why the City lost the 3.3 million dollar grant from SEMA.

In 2015 Hafner Court Apartments sustained such severe flooding that the police had to swim into the complex and pull people out of their apartments. That's part of the reason why the City solicited the grant from SEMA. Now, the relevance of all of this, is based on the recent incidents with flooding at Hafner and Westover Apartments which resulted in him receiving calls the next day questioning why people were still residing in these apartments if they had been bought out by the City? So to put this all into proper perspective, and hopefully provide a clear understanding of exactly what happened with this deal, he would ask that the City Clerk be allowed to read the letter from SEMA into the record.

*"RE: Acquisition project for commercial structures located at 8-33-856, 8011 - 8024, and 8061 - 8082 Hafner Court, University City, FMA-PJ-07-MO-2016-008.*

*Dear Mr. Alpaslan:*

*The purpose of this letter is to inform you that the buy-out grant referenced above is being terminated due to noncompliance with the terms of the grant agreement.*

*The State Emergency Management Agency (SEMA) has worked with the City to the greatest extent possible to allow a revised work schedule to ensure the work could be achieved within the grant's period of performance. It has been determined that this is now not feasible since the City is not on track with the revised work schedule.*

*If there are any eligible expenses incurred by the City please forward a request for funds so these expenses can be reimbursed. The RFF must be received by SEMA no later than September 21, 2018, in order to be considered for reimbursement.*

*It is with great disappointment that this action must be taken. We look forward to working with U City, however, on future projects."*

Councilmember Smotherson stated this letter; which was provided to Council today, raises a question in his mind about what actually caused the City to be in noncompliance with the terms of the agreement? Because the tone of this communication would not lead anyone to reach the conclusion that the termination had anything to do with the City's inability to arrive at an agreement on the purchase price. Mr. Rose informed Councilmember Smotherson that the City was unable to comply with the terms of the grant because the owners would not reduce their price, thereby putting the City in a position to be unable to accept the grant.

Sinan Alpaslan, Director of Public Works, stated the first appraisal for the three properties was for 3.5 million dollars. The second appraisal for the three properties was for 2.9 million dollars. However, with the total amount of the grant being only 3.3 million dollars, it did not cover the 1.1 million dollars needed to cover the additional costs associated with tenant relocation, agent's assistance, management fees, and the cost of demolition.

Mr. Rose stated once the City realized that they had reached a stalemate, staff attempted to negotiate with the two entities by asking SEMA to increase the amount of the award to cover the additional costs and the owner to reduce his price so that it would fall within the range of the grant. Both of these options were unsuccessful.

Councilmember Smotherson asked if it was the City's intent to reapplying for a grant to purchase this property? Mr. Rose stated it is his intent to reapply. Although this time, he has instructed staff to ask for an amount that would cover the purchase price, as well as all of the additional expenses.

Councilmember Clay stated in July, twenty residents living on the first floor of Hafner and Westover Apartments were forced to flee their homes and find temporary shelter due to flooding. And while the City Manager worked to engage the Red Cross and other agencies to assist folks, what they determined is that some of the residents who thought they were covered by flood insurance had purchased policies that did not cover the external intrusion of water into their homes. So while he certainly appreciates the efforts of Councilmembers Smotherson and Carr from a policy perspective, what everyone needs to keep in mind is that this situation impacts real people who may not have a lot of resources or options.

Councilmember Carr posed the following questions:

**Q. Do all of the people living in these apartments have some type of lease?**

**A. Mr. Rose stated that they did.**

**Q. Knowing the propensity for the first floor of these buildings to flood, why is the City still issuing Occupancy Permits to residents who reside in those units?**

A. Mr. Rose stated restricting occupants from residing in those units is something that staff can look into. However, any decision would have to be consistent with the City's Property Maintenance Code.

Mr. Cross stated per the Code, those apartments cannot be condemned based on the possibility of flooding. Although staff has suggested that property owners be required to secure renter's insurance that covers internal, as well as external floods.

Councilmember Carr stated while it may not be the law, here is her assessment. We know the problem exists; we know that we have been unable to reach an agreement with the owners to purchase the property, and yet, we continue to say it's okay to lease these apartments and allow the owners to repeatedly put people in harm's way.

Mr. Cross stated this goes back to Mr. Rose's initial comment about reapplying for a pre-mitigation buy-out grant that covers all of the additional costs. He stated that he will be working on the application with Sinan, and believes that this time everything will be accounted for. However, the one thing he would like to caution Council about is that if they are successful, the City will not only be making an acquisition, it will be responsible for the demolition, land clearance, and reassurance that no rebuilds will ever be constructed on that parcel of land. Councilmember Carr stated since the people living in those apartments probably don't have the economic means to obtain the right kind of insurance, she really hopes that the City will be successful in obtaining this grant. It's a given, flooding is going to happen again, and since our past efforts have been unsuccessful, we must try a different approach.

Councilmember Carr stated she wanted to remind Council about her fight to retain a \$750,000 set aside in the City's Reserve Fund to be used as another source of revenue to assist with buy-outs. Those funds were in the coffers as of 2015, and her hope is that it is still there. Mr. Cross stated since this is a 75/25 grant, that \$750,000 would be helpful. He stated another suggestion is to apply for a Federal FEMA grant along with a SEMA match to ensure the project is completely funded. When there is a natural disaster FEMA requires that a certain percentage of the monies received from their grant be set aside for pre-mitigation activities, so a lot of states have what's called a "Global match".

Councilmember Carr stated at this point, all she can say is thank God no one was injured; but that was not the case in 2008. So in her mind, the priority should be on this specific complex. And if there is no way to make sure that the units on the first floor are not leased then the City needs to move forward to make sure it is not faced with the potential for serious injuries during the next unprecedented flooding season. Mr. Cross informed Councilmember Carr that staff will also be looking at additional grants to assist with making physical improvements to the site.

Councilmember Cusick asked Mr. Alpaslan if the purchase price submitted by the owners of Hafner Court was 3.5 million dollars? Mr. Alpaslan stated per the grant, the City must pay the appraised value determined by FEMA. But when there are two appraisals; as there was in this case, FEMA takes those two numbers and uses them to calculate its own appraisals, which typically, is somewhere in the middle. So if everything had proceeded as planned, the cost of purchasing the properties would have been roughly 3 million dollars. Councilmember Cusick asked if that figure included the cost for relocation, fees, and demolition? Mr. Alpaslan stated if you were to include those costs the total price would have been roughly 4.1 million dollars.

Councilmember Hales stated while there are certainly warning signs in the area that obviously does not seem to be enough. So from a policy standpoint, could the City require disclosure so that individuals seeking to lease these apartments are independently made aware of the potential for flooding? Mr. Rose stated he would have to defer that question to the City Attorney to determine exactly how much authority the City has regarding that type of disclosure.

Mayor Crow stated since this is a known hazard, he was even wondering if the City could make the landlord aware that going forward, the cost of providing public safety during these events will have to be reimbursed?

Councilmember Clay stated given the interest in this topic, would it be possible to get an update on some of the questions and concerns expressed tonight at the next Council meeting? Mr. Rose stated that providing an update on their findings would not be a problem.

**L. UNFINISHED BUSINESS**

**M. NEW BUSINESS  
RESOLUTIONS**

**1. Resolution 2019- 11 Municipal Park Grant -Mooney/Kaufman Park.**

Councilmember Carr moved to approve; it was seconded by Councilmember McMahon and the motion carried unanimously.

**2. Resolution 2019-12 Municipal Park Grant - Greensfelder Park.**

Councilmember McMahon moved to approve; it was seconded by Councilmember Smotherson.

Councilmember Smotherson stated the only park large enough to accommodate many of the activities at Heman Park is Greensfelder Park. So he was wondering if staff had received an update from MSD regarding their proposal to put their underground tanks in Heman Park, and if that narrative would be taken into consideration as the City moves forward with this Resolution? Mr. Rose stated his understanding is that MSD is continuing to explore the best design for these tanks, which must incorporate the mutual agreement entered into by the City and MSD that at a minimum, the tanks must be placed underground. So while the City has asked MSD to take a close look at Heman Park, they still have a lot of leeway with respect to their final destination. Nevertheless, that mutual agreement also dictates that the City receive money for restorations and improvements no matter where the tanks are located. Mr. Rose asked Mr. Dunkle if he was aware of any new information?

Darren Dunkle, Director of Parks, Recreation & Forestry stated MSD has completed the project to perform borings at the Heman Park site to determine if the soil is suitable for these tanks and it will probably take between six and nine months before they have the results.

Voice vote on the motion to approve carried unanimously.

**3. Resolution 2019- 13 Municipal Park Grant – Ackert Park.**

Councilmember Carr moved to approve; it was seconded by Councilmember Smotherson and the motion carried unanimously.

*BILLS*

**N. COUNCIL REPORTS/BUSINESS**

1. Boards and Commission appointments needed
2. Council liaison reports on Boards and Commissions

Councilmember Smotherson informed the City Clerk that there were two openings on the Arts & Letters Commission that need to be assigned to a member of Council to fill. He stated that Arts & Letters is unique, in that it is a working commission that quite often, is the impetus behind many of the City's projects and events.

Councilmember Hales stated there will be a special Traffic Commission meeting to discuss the proposed Dog Park on Bland Drive at 6:30 p.m. on Thursday, August 22nd. So hopefully, they will address the concerns expressed by Mr. Jennings and his friends in the Northmoor Park neighborhood.

3. Boards, Commissions, and Task Force minutes
4. Other Discussions/Business

**O. CITIZEN PARTICIPATION (continued if needed)**

**Aren Ginsberg, 430 West Point Court, University City, MO**

Ms. Ginsberg stated over the past two weeks TNR volunteers trapped, neutered, vaccinated, and returned three adult cats in the 2nd Ward, and the Police and Fire Departments saved a kitten trapped in a car's engine, which is now being prepped for adoption at a local rescue center that partners with TNR.

The Annual Dog and Cat Days of Summer Picnic and Bake Sale were held last Sunday, where TNR partnered with the Pound, Pals Cat Aid Fund and St. Louis County Save, to help educate neighbors about the benefits of TNR.

Ms. Ginsberg stated U City's TNR volunteers are laying the groundwork to host the OpSpot Veterinary Van on a regular basis to provide low-cost neutering and vaccinations for U City pet owners and community cats. The Heman Park Community Center would be ideal, and Mr. Cross and his staff are working with TNR; in addition to partnering with St. Louis County Animal Control, to help secure this location. TNR looks forward to the day when low-cost veterinary care is regularly accessible to everyone in the community.

Mayor Crow stated as Mr. Hu comes forward, he would like to apologize for the fact that he was not notified in advance that Poke Doke's applications were being removed from tonight's agenda.

**Robert Hu, 162 Saddleford Drive, Chesterfield, MO**

Mr. Hu stated the Poke Doke Restaurant opened in May of this year at the old Chipotle location, and their application for a liquor license was submitted to accommodate customers who expressed an interest in drinking sake with their meals. Mr. Hu stated his application was submitted a month ago, yet, this problem was not brought to his attention until two o'clock this afternoon.



So wanting to put a face behind the paperwork, he rearranged his schedule to be in attendance at tonight's meeting and hopefully get a better understanding of exactly what it is he needs to do.

The problem identified by U City staff was that he had supplied the signatures of real estate owners in U City instead of residents. However, after reading Section 600.080, which states, "*A petition must be submitted in favor of a license. In the absence of a valid petition the City Council must have a 5/7th vote to approve the license,*" his interpretation was that the application would merely be treated as a recommendation and that the license could be approved without submitting a formal application as long as the appropriate number of votes were cast. Perhaps, that was a misunderstanding on his part, but since he had applied this section of the Code to previous applications for liquor licenses in U City, he was confused by the response he received. However, if he had received this information sooner, he probably would have been able to obtain the correct information before tonight's meeting instead of now being forced to wait until the September meeting. So at this point, any help would be much appreciated.

Mr. Mulligan stated his understanding of the issue is that the Section of the Code relevant in this instance is 600.060(a.2). And that section states, "*An application must be accompanied by the recommendation of five resident citizens of the City vouching for the character and reputation of the applicant*". Poke Doke's application, which contains the names of two residents and three LLC's, does not meet the definition of "*resident or citizen,*" which in this case means an individual as opposed to a business entity. Mr. Mulligan stated this issue has come up in the past and Council has been consistent in adhering to the language in the Code. So the application simply needs to be resubmitted with the names of five residents.

Mr. Hu asked Mr. Mulligan if it would be correct to assume that an individual citizen can represent themselves as an LLC? Mr. Mulligan stated it would be correct to assume that an individual could have an ownership interest in an LLC. Mr. Hu stated in spite of the fact that they may be registered as an LLC, from his perspective; these are three individuals that own property in U City.

Councilmember McMahon stated he would have never raised the issue if the folks who owned these businesses also lived in U City because then they would be residents. This is an issue that has been raised in the past, but that's what the law requires; an individual resident or citizen of U City.

Mr. Hu asked if it would help to expedite this matter if he provided Council with the owners' names? Councilmember McMahon stated it could, as long as they are also residents of U City.

Mayor Crow advised Mr. Hu that while no action would be taken tonight, once the new information is submitted, Council, along with the City Manager will make a determination as to whether the application can be addressed sooner rather than later.

#### **P. COUNCIL COMMENTS**

Councilmember Clay stated many of the items in the Consent Agenda pertained to capital improvement projects, and the Ackert project which uses MoDOT funds to pay for the improvements talks about a 12 percent minimum requirement for minority or disadvantaged businesses.

U City is spending hundreds of thousands of dollars on these improvement projects and given the composition of the City, he wants to make sure that the City is doing more than the minimum in terms of minority and women participation; irrespective of where the funds come from. Councilmember Clay stated while he understands the challenges of implementing hard mandates in terms of percentages, there is a lot of opportunities. And after discussing this issue, as well as the employment of a Purchase Officer, with Mr. Rose, his understanding is that the goal is to establish a program that will assist in addressing this issue. So he is eagerly awaiting more updates.

Councilmember Smotherson stated as we speak, the management of Hefner Court Apartments is repairing all of those flooded units with the intent of moving people back into the same situation. And with their history of flooding, this makes absolutely no sense. So he would like to thank each and every one of his colleagues for the interest shown with respect to this issue.

He stated he also appreciates Councilmember Clay and the City Manager's attention to the long-standing maintenance issues at 1456 Laughlin. This is not a problem he would like to see passed on to the next members of Council representing this Ward, so his hope is that they can continue to work together to resolve this issue as well.

Councilmember Smotherson thanked Mr. Tiers for his comments this evening, as well as the previous comments made by Ms. Rosalind Williams, which referenced the housing situation in the 3rd Ward. This is an issue he would like this entire Council to have a better understanding about, so he will be working with the City Manager to arrange a Study Session with the WITH Group sometime in October, with the hope of having a more in-depth discussion.

Councilmember Cusick stated he vividly remembers the flood of 2008 flood where his house and his neighbor's house had a foot and a half of water in it and two people died. And even though he did not experience any flooding on July 22nd of this year, the entire neighborhood was flooded. This is the sixth or seventh major flood U City has experienced and while these disasters continue to take place year after year, the only answer FEMA or the Army Corps of Engineers will supply is *"Make sure you have good flood insurance"*. But that's not a realistic solution because renter's insurance does not cover flooding and flood insurance; that in reality, may only be accessible to property owners, is very expensive. So he is appreciative of the Fire Department for their conscientious endeavors to respond as quickly as possible, and even more excited to hear about the City Manager's efforts to move forward with these joint meetings.

Councilmember Hales stated while he has no idea where or how this notion was conceived, he certainly has not heard anyone say that no planning is necessary at this stage of the Olive/I 1-70 Development. In fact, it's been quite the opposite. So he hopes that his remarks will nullify any misunderstandings about Council or this administration's tardiness or lack of preparation as it relates to this project. He stated at the ceremony for the return of EMS, Councilmember McMahon thanked everyone for their patience during the months of planning it took to get everything back in place. And patience is going to be an essential element as this community moves through each phase of the development. Tonight, Council approved expenditures to purchase vehicles for inspectors, and Mr. Cross has been compiling data to identify property owners and absentee landlords. Councilmember Hales stated this is no small task, yet, he has confidence in the direction Mr. Rose and his staff are taking the City.

Mayor Crow stated mutual aid has been extremely active over the past week. So he is glad to see the City moving forward on the restoration of in-house EMS and would like to thank Mr. Rose, his staff, and especially Chief Hinson, for its successful implementation. But more importantly, he would like to thank the residents in the audience and those watching at home, for their diligence in making sure that a wrong was righted.

- Q.** Motion to go into a Closed Session according to Missouri Revised Statutes 610.021 (1): legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives or attorneys.

Councilmember Carr moved to go into a Closed Session; it was seconded by Councilmember McMahon.

Roll Call Vote Was:

Ayes: Councilmember Hales, Councilmember Cusick, Councilmember Smotherson, Councilmember Clay, Councilmember Carr, Councilmember McMahon, and Mayor Crow.

Nays: None.

**R. ADJOURNMENT**

Mayor Crow closed the regular City Council meeting at 8:05 p.m. to go into a Closed Session on the second floor. The Closed Session reconvened in an open session at 9:38 p.m.

LaRette Reese  
City Clerk

DRAFT

Jerrold Tiers

7345 Chamberlain

As you are aware, I am completely in agreement with you on the desirability of the Olive-170 development. It is intended to generate funds for work to reverse the new threats to, and historical neglect of, Ward 3, a fact that all of you have pointed out, and which I entirely agree with and support. I am a bit concerned, however. I assumed action would start relatively soon after the Council passed the enabling ordinances. However, as of a couple days ago, County records showed that only 4 residences and 3 business parcels were actually owned by the developer.

The records may simply not be up to date, of course. But this points out an important fact: Work in Ward 3 should not be dependent on this development. The new issues facing Ward 3 will not go away, and, they also will not stay inside Ward 3, they will be coming to your Ward if not taken seriously now. This is not an isolated problem, it affects all of our city, not just Ward 3. It would have to be addressed even if there were no development. University City cannot succeed unless Ward 3 is thriving.

The new factors in Ward 3 include bulk rental landlords owning many properties. Some are absentee landlords asking top dollar and caring nothing for maintenance. There is new crime of various sorts, and trash dumping, property neglect, etc. Property values in some areas are now too low for bank loans, leaving lowball rental investors as the only buyers when residents need to sell. There is a risk of some areas becoming true slums. These are the same problems that many other cities are facing.

I have been studying what other cities have done to reverse these trends, and that has been a real eye-opener. I recommend you look into it. These problems have many interlinking parts. Every action that may be taken by the city to correct some issue, no matter how good it seems to be by itself, has the risk of unforeseen consequences that undo all the good that was intended, and may even do more harm.

The common thread among cities that have succeeded is strong planning by the city, done by qualified city personnel who understand the local conditions, with the full support of the entire City government. The successful plans co-ordinate all the corrective actions, so that the real local problems are effectively addressed without surprises that are counterproductive. "One size" definitely does not fit all.

This requires qualified people with experience and understanding of the issues and solutions. Fortunately, qualified people are on U City staff now. It also requires time to study the true local conditions and develop the plans. It cannot be done "on the fly". My engineering background shows me that in-depth identification and analysis of the problem is needed, taking all the factors into account, before an effective plan can be developed. The "obvious solution" is very often completely wrong.

We are, I think, all agreed on the results that are wanted. But I am hearing that planning is considered to be "not needed yet". I am very concerned that leaving planning "until later" is a recipe for failure. I suggest that for the Ward 3 work to give the results the entire city needs, planning by the city needs to start now. It needs the full support of the City Council and administration, as well as the involvement of residents and other stakeholders. I urge you to have city staff start the planning process now.

Michael L. Parson  
Governor

Sandra K. Karsten  
Acting Director of Public Safety



STATE OF MISSOURI

Ernie Rhodes  
Director

STATE EMERGENCY MANAGEMENT AGENCY

DEPARTMENT OF PUBLIC SAFETY  
PO Box 116, Jefferson City, Missouri 65102  
Phone: (573) 526-9100 Fax: (573) 634-7966  
E-mail: [moseana@sema.dps.mo.gov](mailto:moseana@sema.dps.mo.gov)



September 7, 2018

Sinan Alpaslan  
Director of Public Works and Parks  
City of University City  
6801 Delmar Blvd.  
University City, MO 63130

RE: Acquisition project for commercial structures located at 8-33-8056, 8011-8024, and 8061-8082 Hafner Court, University City FMA-PJ-07-MO-2016-008

Dear Mr. Alpaslan:

The purpose of this letter is to inform you that the buyout grant referenced above is being terminated due to non-compliance with the terms of the grant agreement. The State Emergency Management Agency (SEMA) has worked with the City to the greatest extent possible to allow a revised work schedule to ensure the work could be achieved within the grant's period of performance. It has been determined this is now not feasible since the City is not on track with the revised work schedule.

If there are any eligible expenses incurred by the City, please forward a Request for Funds (RFF) so these expenses can be reimbursed. The RFF must be received by SEMA no later than September 21, 2018 in order to be considered for reimbursement.

It is with great disappointment that this action must be taken. We look forward to working with University City, however, on future projects.

Sincerely,

A handwritten signature in black ink, appearing to read "Elizabeth Weyrauch".

Elizabeth Weyrauch, CFM  
State Hazard Mitigation Officer



A Nationally  
Accredited  
Agency

**JOINT STUDY SESSION  
OF THE UNIVERSITY CITY COUNCIL  
AND THE PARKS COMMISSION**  
5th Floor of City Hall  
6801 Delmar  
**August 12, 2019**

**AGENDA**

Requested by the City Manager

**1. MEETING CALLED TO ORDER**

The Joint City Council Study Session was held in Council Chambers on the fifth floor of City Hall, on Monday, August 12, 2019. Mayor Terry Crow called the Study Session to order at 5:30 p.m.

In addition to the Mayor, the following members of Council and the Parks Commission were present:

Councilmember Steven McMahon  
Councilmember Paulette Carr  
Councilmember Jeffrey Hales  
Councilmember Tim Cusick  
Councilmember Stacy Clay  
Councilmember Bwayne Smotherson

Commissioner Carl Hoagland  
Commissioner Lisa Hummel  
Commissioner Kevin Taylor  
Commissioner Susan Schmalz

Also, in attendance was City Manager, Gregory Rose; City Attorney, John F. Mulligan Jr., and Director of Parks, Recreation, and Forestry, Darren Dunkle.

**2. Park Commission Review**

Mr. Rose stated as the Mayor and Council are aware, a review of all of the City's Boards, Commissions, and Committees, is a part of the 2019/2020 Work Plan. This Joint Study Session with the Parks Commission provides both parties with an opportunity to review the codes as it relates to this operation. And if anyone has questions during this presentation please do not hesitate to ask them.

**Background:**

- The Board consists of seven (7) members
- Three Year Terms
- President of Board Elected by Members
- The Board shall make and adopt rules for its own guidance as may be expedient, as long as they are not inconsistent with the City's Charter or Ordinances.

**Powers:**

- Survey and make plans for the maintenance of an adequate system of parks and recreational facilities and activities, and for the enlargement, improvement or acquisition of parks or recreational areas and activities and make recommendations, therefore; *(The Board has oversight of the Park Master Plan)*
- Approve rules and regulations for the administration of parks and recreation activities of the Department of Public Works and Parks and Community Development which will become effective upon council approval.

Mr. Rose stated the rules and regulations for the administration of activities has changed in that the City now has a Director of Parks & Recreation, and Community Development has been renamed Planning and Development. Both Council and the Commission will be notified once the Code has been updated to reflect these changes.

- Advise Council and the Director of Public Works and Parks on administration problems with parks;
- Make any investigation which it may consider desirable with reference to the administration of the parks and report to the Council at least once a year on its findings, conclusions, and recommendations.

Mr. Rose stated going forward; he anticipates that each Board, Commission, and Committee will be required to submit an annual report to the Mayor and Council that identifies current or projected activities to ensure that they are consistent with the Code and desires of Council.

- Review that portion of the annual budget of the City pertaining to parks and recreation in the Public Works, Parks and Community Development and make any recommendation directly to the City Manager and Council. *(Recommendations may also be made to the new Director of Parks & Recreation)*

Comment from Commissioner: Previous Council liaisons to the Park Commission advised members to go directly to the City Manager and bypass the Director. So are they now to understand that that has changed and the Commission should go through the Director of Parks & Recreation? Mr. Rose stated while the Code actually states that the Commission should go directly to the City Manager or Council, as a courtesy, he would ask that the Commission include the Director in this process because that is the individual he is most likely to consult whenever issues or concerns are raised.

**Consideration of Ordinances:**

- Ordinances pertaining to parks or the recreational facilities must be considered by the Commission before advancing to Council. The Commission has 30 days to consider and make a recommendation to council. *(Once this 30 day period has expired staff has the authority to move an item forward to the Mayor and Council for consideration.)*

Comment from Commissioner: Can you give us an example of where this would be applicable? Mr. Rose stated if the Mayor and Council decided that they would like to institute an Ordinance regarding specific rules for Parks & Recreation the Parks Commission would have 30 days to consider and make recommendations to that proposal before it is advanced to Council for their final consideration.



Comment from Commissioner: Is that pursuant to the Charter? Mr. Rose stated his belief is that all of these powers are contained in the Code. But keep in mind, that even though Council has approved the City's new organizational structure, staff has not completed their review and realignment of the Codes to make sure they are consistent with current operations.

Comment from Commissioner: Since Boards and Commissions are advisory in nature, I am having trouble understanding how the 30-day recommendation would apply to an Ordinance that Council has already approved? Mr. Rose stated the Commission has the ability to consider portions of the budget related to Parks and make their own separate recommendation. They may agree or disagree with the recommendation in total or only portions of it, but it is up to Council to make the final determination. Another example could be if Council decided they wanted to raise the fees for the Golf Course.

Mayor Crow stated in that example, staff would make the recommendation, submit it to the Parks Commission and then bring the Commission's recommendation to Council for consideration. Although, based on his experience, he would be the first to admit that this process has not always been followed.

Comment from Commissioner: I've been involved with Parks for 30 years, so that's exactly why I'm confused about this process. This particular consideration seems to imply that the recommendation would go from the City Manager to Council and fails to mention anything about the staff's role in this procedure.

Mr. Rose stated the assumption is that staff brought the Commission's recommendation to Council. But using that same example; fees for the Golf Course, staff has tentatively indicated to the Mayor and Council that there is a need to increase fees because they have not been modified for a significant period of time. So the Director of Parks & Recreation is currently evaluating how the City's fees compare to fees throughout the rest of the region. Once his evaluation is complete, the information will be submitted to the Parks Commission who will have 30 days to review it and make their recommendation to Council. Mr. Rose stated the objective is to ensure that each board or commission is involved in the decision-making process applicable to their area of expertise, and prevent the system from getting bogged down by allowing unlimited periods of time to make recommendations, which could ultimately hinder Council's ability to act in a timely fashion.

Comment from Commissioner: Perhaps my misunderstanding is premised on the wording, which states, "*Ordinances pertaining to parks or the recreational facilities must be considered by Commission before advancing to Council*" In my mind, the word "*Ordinance*" means that something has already been approved and adopted by Council.

Councilmember McMahan stated in this instance, the language is referring to a proposed or amended Ordinance, not one that has already been voted on. So, while it's inherent, it may not be clear that the process is meant to tie Council's hands until it is reviewed by the commission and there is always a free-flow of conversation and discussion.

Comment from Commissioner: In adhering to this 30-day schedule, will any consideration been given to the two months out of the year with the Parks Commission does not meet?

Mr. Rose stated staff tries to be sensitive to those time periods when boards and commissions go dark because their goal is to provide the optimum amount of time needed to consider any policy before it goes to Council.

Councilmember Hales stated there is never a scheduled meeting in August for the Traffic Commission. However, they have scheduled a special meeting to deal with some issues that came up this month that needed their immediate attention. So scheduling a special meeting is always an option.

Comment from Commissioner: Councilmember Hales' comment gets into standardization, but perhaps, that's one of the goals of these reviews; to achieve standardization across boards and commissions wherever possible so that policies and best practices like this one are universal.

Mr. Rose stated while both Council and staff understand that those nuances exist among its boards and commissions, the purpose for this initial review is simply to make sure everyone understands the meaning of the Codes and the expectations related to how each board, commission, and committee should operate. And if there are any questions or concerns related to those key take-a-ways all of the parties are at the table to address them.

Councilmember Clay stated to Councilmember McMahon's point related to Mr. Taylor's concern about the use of the word "*Ordinance*," is there an opportunity to perhaps, modify the language to clear it up a little bit?

Mr. Mulligan stated you have to read the word in context with the entire sentence, which talks about the intent; that the Commission should consider an item before it advances to Council; an Ordinance. Now, if you took that literally, that the Ordinance had already gone to Council, then there would be nothing to advance. So what the Code is describing is the legislative action that Council would take, which is an Ordinance. But before voting on that Ordinance it should go to the respective commission who is granted 30 days to conduct a review.

Mr. Mulligan stated while it could be reworded and referred to as a Bill, in all of his years of practice he does not think anyone has ever misinterpreted this policy. And a recent example of the interpretation and process to be followed occurred with the Dog Park. This was an Ordinance that impacted the activities of the City that was presented to the Parks Commission in May for a recommendation, and that recommendation was reviewed by Council prior to taking a vote.

Mr. Rose stated hopefully, everyone is aware that staff is currently working on drafting rules for the Dog Park with the goal of moving that item forward, but if there are any questions, he could ask Mr. Dunkle; who can provide a more in-depth update, to address them.

Councilmember Smotherson stated for as long as he can remember, at the beginning of each spring, dirt is dumped on to each baseball field and eventually leveled out. So he is interested in hearing about why grass has been on all of the City's baseball fields for the entire summer.

Mr. Dunkle stated one of the problems is that the City has experienced one of the wettest springs than it has in a number of years.

So, while the practice has not changed, staff spent the dry days trying to mow, but the infields were too wet to complete without tearing them up. He stated although they are certainly not in the condition he would like them to be in, staff has started spraying the infields to kill the grass, done some dragging, and is moving forward to take care of as many issues as possible. More work will be performed later this summer and fall because the best time to pour all of the dirt is in the fall.

Mr. Rose stated one discussion he and Mr. Dunkle plan to have with Council and the Parks Commission, is the level of service both entities would like to see performed on the City's parks; i.e., pro standards or something less? Because gaining an understanding of your expectations impacts the type of maintenance staff will be required to perform and the type of equipment that may be needed to perform those tasks. Mr. Rose stated one concept he would like to explore is installing the type of equipment in the parks most visited by families that allow children to learn while they play. His belief is that the City should increase its level of service at various parks. And while he is working with Mr. Dunkle to identify the best approach for doing that, he also thinks this is an important discussion to have with everyone.

Comment from Commissioner: This is just one Commissioner's perspective. Fair U City has always been supported at a higher level, i.e., Council and the City Manager. And even though the Commission has a special event's policy, that policy has never been utilized by the Fair and has never had any say in the matter. So when a group, led by Linda Shaw, came to the Commission seeking guidance, there was nothing they could do. Yet, the Commission was bad-mouthed about its lack of cooperation, which Fair U City attributed to all of the delays. I think the way this event was handled was horrible because the Parks Commission got dumped on, and that resulted in a negative experience for its members.

Secondly, as representatives of the City, sometimes the Commission may need a longer period of time to digest an issue before making a recommendation. The Commission and this administration knew about People for Dog's desire to transition the park for months before it was finally submitted to the Commission for review. And the fact that the Commission was asked to make a snap decision in two weeks, without the opportunity to review policies or debrief the current users, created some internal disagreements about how the issue was handled. As someone who believes in transparency and openness, some agreements were made that in his opinion, did not receive a full discussion by the Commission; especially with regards to building a pavilion with naming rights.

The City's parks have a special meaning for me because after moving here in '68 these were the parks I played in that provided me with a scholarship to go to college. We address ourselves as leaders, yet, we have athletic facilities that are simply not up to par. So when we talk about the City's parks, that's the type of investments we need to make in this community. Considerations given to anything other than premier; in his opinion, is not what U City does. Therefore, he thinks these are some of the things that should be taken to heart.

Mr. Rose stated while some of the issues identified are certainly worth taking a closer look at, his belief is that they require a broader discussion among the Commission as a whole, to determine their perspective.

Comment from Commissioner: Well, the Commission certainly has its own internal disagreements. But I'm an outspoken person and prior to Darren's arrival; I submitted several items to be placed on the agenda, one of which was a 30/60/90 day plan for park maintenance. Just like we know Christmas comes every year on the 25th, we knew that baseball season comes every year. So what are our plans? The City added dirt to the field at Metcalfe Park, which is never used, and now it has become a grass field.

Mr. Rose stated tonight's discussion was designed to talk about how the Commission operates as it relates to the Code and the Mayor and Council's expectations. So while he certainly believes that all of the issues being raised are important, staff is not prepared to discuss them at this point in time.

Comment from Commissioner: Can you discuss the financials and the budget? Mr. Rose stated there will be an opportunity to talk about the budgeting process, but his hope is that the Commission will present any items they would like to discuss to Mr. Dunkle so that the two of them will have ample time to prepare and provide a meaningful discussion.

Comment from Commissioner: I think everyone should know that the Commission was scheduled to have three meetings with Fair U City. The first meeting they did not show up and at the second meeting, the Commission affirmed its belief that Fair U City was a good thing for the community, but as his colleague pointed out, the proper forms needed to make a decision were never submitted. Which, based on his understanding, was something Fair U City had never been required to do.

The Commission is currently working with Mr. Dunkle to examine the fee structure at the Golf Course and anticipates making a recommendation sometime in the near future.

Lastly, I would like to say that I was very pleased with the staff and Council's response to the recommendations put forward by the Commission last year. More things were passed than I ever believed would be, and I am pleased to see them moving forward. The Commission will be back with more recommendations with the modus operandi of taking guidance from Mr. Dunkle. The Commission has been without a director for a long time, so it feels good to have someone that can make sure we're going in the right direction.

Comment from Commissioner: Something that is constantly discussed in our meetings is the need for clarification about how the Enterprise Fund for the Golf Course has been set-up; how much money is in the account; how it can be accessed, and what the Commission can do with the money. So can we even ask about the Enterprise or Parks & Stormwater Funds tonight, because we have never been provided any information?

Mayor Crow informed the Commission that in spite of the fact that Council does not have access to those funds, and priorities for the use of this money come through the Commission, control of the final purse strings rests with Council.

Comment from Commissioner: While I understand that point, what I'm asking is whether Council is even aware of the Commission's dilemma?

Mayor Crow stated if the majority of the Commission has a request for the Director of Finance to attend one of their meetings he is positive that the City Manager would make him available.

Since U City is a city known for its parks, he believes that the folks on this Commission are probably on the penultimate commission. The work that all of you do month after month, touches almost every family that lives here, in one way or another. Mayor Crow stated that tonight, Council's agenda has about eighteen budget items, of which seven were derived from this Commission. So that should speak pretty highly for the work that all of you do. Of course, we can always do better, but on behalf of his colleagues, he would like to thank each and every member of this Commission for giving their time back to this community.

Comment from Commissioner: Is there anything that we are not already doing that Council or staff would like to see us focus on?

Councilmember McMahon stated based on the time he's spent as the liaison for the Parks Commission he believes the Commission is doing a great job. The process the Commission went through to put together its packet of proposals and guidance to Council and staff was extremely valuable to see. So while he understands that sometimes there will be issues associated with receiving the right amount of communication so that the Commission is comfortable making these decisions, please remember that that's what he is there for. This Council wants you to be successful, so don't be shy about asking him to help with whatever is needed.

Councilmember Smotherson stated one request he would make is for the Commission to give consideration to relocating some of the handicap parking spaces at Heman Park. To date, there are no handicapped parking spaces located close to where many of the events are being held, so if they could be moved closer he's sure that would be truly appreciated by those in need.

Comment from Commissioner: My church, Holy Communion, puts up temporary handicap parking signs, so perhaps, that's something that could be done during these events.

Mr. Rose stated there has been an eight to ten-year gap since the area of parks & recreation has had a director. And in his opinion, the City is very fortunate to have Mr. Dunkle, who has a significant amount of experience in this profession. So while there may be a tendency for the Commission to continue directing their communications to his staff, he would strongly encourage members to keep Mr. Dunkle involved in the process.

### **3. Adjournment**

Mayor Crow thanked everyone for coming out this evening and adjourned the Joint Study Session at 6:10 p.m.

LaRette Reese  
City Clerk

DRAFT

**SPECIAL MEETING OF THE CITY COUNCIL**

CITY HALL, Fifth Floor  
6801 Delmar Blvd.  
University City, Missouri 63130  
**Saturday, August 17, 2019**  
**9:00 A.M.**

**A. MEETING CALLED TO ORDER**

At the Special Meeting of the City Council of University City held on the fifth floor of City Hall, on Saturday, August 17, 2019, Mayor Terry Crow called the meeting to order at 9:03 a.m.

**B. ROLL CALL**

In addition to the Mayor, the following members of Council were present:

Councilmember Stacy Clay  
Councilmember Paulette Carr  
Councilmember Steven McMahon  
Councilmember Jeffrey Hales  
Councilmember Tim Cusick  
Councilmember Bwayne Smotherson

Also in attendance were City Manager, Gregory Rose, and City Attorney, John F. Mulligan, Jr.

**C. APPROVAL OF AGENDA**

Councilmember McMahon moved to approve the agenda as presented, it was seconded by Councilmember Carr and the motion carried unanimously.

**D. PUBLIC HEARINGS**

1. Liquor License - Poke Doke Restaurant

Mayor Crow opened the Public Hearing at 9:05 a.m., and hearing no requests to speak the hearing was closed at 9:05 a.m.

**E. CONSENT AGENDA – Vote Required**

1. Liquor License Approval – Poke Doke Restaurant

Councilmember Hales moved to approve, it was seconded by Councilmember Smotherson and the motion carried unanimously.

**F. NEW BUSINESS**

**RESOLUTIONS**

## **BILLS**

*Introduced by Councilmember Carr*

1. BILL NO. 9391 - AN ORDINANCE AMENDING CHAPTER 110 OF THE UNIVERSITY CITY MUNICIPAL CODE, RELATING TO ADMINISTRATION, BY REPEALING SECTION 110.040 THEREOF, RELATING TO DISCLOSURE OF CONFLICTS OF INTEREST, AND ENACTING IN LIEU THEREOF A NEW SECTION TO BE KNOWN AS "SECTION 110.040 DISCLOSURE OF CONFLICTS OF INTEREST." The motion was seconded by Mr. McMahon and Bill No. 9391 was read for the first time.

Councilmember McMahon moved to adjourn the Special Meeting, it was seconded by Councilmember Cusick and the motion carried unanimously.

## **G. ADJOURNMENT**

Mayor Crow adjourned the Special Meeting at 9:06 a.m.

LaRette Reese  
City Clerk

DRAFT





## Council Agenda Item Cover

**MEETING DATE:** September 9, 2019

**AGENDA ITEM TITLE:** FY 20-21 Proposed Work Plan

**AGENDA SECTION:** Consent Agenda

**CAN THIS ITEM BE RESCHEDULED? :** Yes

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### **BACKGROUND REVIEW:**

The attached FY20-21 Proposed Work Plan (Plan) was discussed by the Mayor and Council during your Strategic Planning Meeting on August 17, 2019 (see attachment). The Plan establishes Council's priorities and provide guidance to staff on the projects to pursue. The priorities established in the Plan will be used when constructing the Annual Operating and Capital Improvement Program Budgets. In no particular order of importance the priorities are as follows: Economic Development; Public Safety; Encourage High Quality Growth; Infrastructure; Community Quality of Life and Amenities; Prudent Fiscal Management; and Employees.

### **RECOMMENDATION:**

The City Manager recommends the acceptance of the FY20-21 Proposed Work Plan.

### **ATTACHMENTS:**

- FY20-21 Proposed Work Plan – September 9, 2019





DRAFT – Redlined Copy

# City of University City

2020-2021 Work Plan Presentation

August 17, 2019

By

Gregory E. Rose

City Manager

# Priorities

No Changes

- Economic Development
- Public Safety
- Encourage High Quality Growth
- Prudent Fiscal Management
- Infrastructure
- Community Quality of Life Amenities
- Employees

# Economic Development

Strategic Project	Responsible Department	FY Implementation
<ul style="list-style-type: none"> <li>• <b>I-170/Olive TIF Development</b> – Commercial, residential (neighborhood) mixed use development</li> </ul>	<ul style="list-style-type: none"> <li>• <del>Community Development</del></li> <li>• <b>Planning and Development</b></li> </ul>	FY 20 - 22
<ul style="list-style-type: none"> <li>• <b>Economic Development Strategic Plan</b> – Identify businesses that are the best fit for U City and provide a living wage for residents</li> </ul>	<ul style="list-style-type: none"> <li>• Economic Development</li> <li>• <del>City Manager</del></li> </ul>	FY 20
<ul style="list-style-type: none"> <li>• <b>Olive Blvd Master Plan</b> – Study to gain consensus on traffic flows to take advantage of economic opportunities</li> </ul>	<ul style="list-style-type: none"> <li>• <del>Community Development</del></li> <li>• <b>Planning and Development</b></li> </ul>	FY 20 – 21
<ul style="list-style-type: none"> <li>• <b>Downtown Parking Study</b> – Manage parking to improve access and land uses</li> </ul>	<ul style="list-style-type: none"> <li>• <del>Community Development</del></li> <li>• <b>Public Works</b></li> </ul>	FY 20
<ul style="list-style-type: none"> <li>• <b>Creation of a Marketing Plan</b> – Identify tools/assets to tailor a strategy for recruiting business that are best for U City</li> </ul>	<ul style="list-style-type: none"> <li>• <del>City Manager / Community Development</del></li> <li>• <b>Economic Development</b></li> </ul>	FY 21
<ul style="list-style-type: none"> <li>• <b>Creation of a joint City/University planning team</b> – Identify areas of mutual interest to develop future partnerships</li> </ul>	<ul style="list-style-type: none"> <li>• <del>Economic Development</del></li> <li>• <b>City Manager</b></li> </ul>	FY 20-21
<ul style="list-style-type: none"> <li>• <del><b>Economic Development Retail Sales Tax Fund</b> – Create a function and criteria for use of funds collected</del></li> <li>• <b>Establish an Economic Development Program</b> – Create an economic development program that addresses the needs for business retention, recruitment, and job creation</li> </ul>	<ul style="list-style-type: none"> <li>• <del>City Manager</del></li> <li>• <b>Economic Development</b></li> </ul>	FY 19 FY 20
<ul style="list-style-type: none"> <li>• <b>Olive and North &amp; South Development</b> – Identify the type of development desired at intersection and acquire property</li> </ul>	<ul style="list-style-type: none"> <li>• <del>City Manager and Attorney</del></li> <li>• <b>Economic Development</b></li> </ul>	FY 20
<ul style="list-style-type: none"> <li>• <b>Olive and Midland Development</b> – Identify the type of development desired at intersection</li> </ul>	<ul style="list-style-type: none"> <li>• Economic Development / <del>Community</del> <b>Planning and Development</b></li> </ul>	FY 20  J - 1 - 5
<ul style="list-style-type: none"> <li>• <b>Hotel Feasibility Study</b></li> </ul>	<ul style="list-style-type: none"> <li>• Economic Development / <del>City Manager</del></li> </ul>	FY 20

# Public Safety

Strategic Project	Responsible Department	FY Implementation
<b>Police Facility</b> – Constructing a new police station	<b>City Manager</b> Public Works / Police Department	FY <b>21 - 22</b>
<b>Community Policing Strategy</b> – Tailoring a strategy that enhances what works best for U City	Police Department	FY <b>20</b>
<b>Enhancing use of Technology</b> – Using technology to enhance public safety efforts, i.e. cameras, drones, robotics, analytics, etc.	Fire / Police Department	FY <b>18 - 20</b>
<b>Fire Marshal</b> – Recruit and train an individual to enforce the International Fire Code within the FD	Fire Department	FY <b>20</b>
<b>EMS Transport Evaluation</b> – Conduct an analysis of cost and value for fire-based EMS transport	City Manager / Fire Department	FY <b>19</b>
<b>Accreditation</b> – Police accreditation and certification (state) for improving police services	Police Department	FY <b>19 - 22</b>

# Encourage High Quality Growth

Strategic Project	Responsible Department	FY Implementation
<b>Visioning Process / Comprehensive Plan Update</b> – What does the community want the city to look like in the future?	City Manager / Community Development Planning and Development	FY 20 - 21
<b>Redevelopment Plan</b> – Implementation plan for residential component of I170 / Olive TIF	Community Planning and Development	FY 21 - 22
<del>Architectural</del> <b>Infill Review Board</b> – Create an architectural review board to replace/enhance the existing <del>Modify-Infill Review board</del>	Community Planning and Development	FY 20
<b>Evaluation of Boards and Commissions</b> – Determine their effectiveness, efficiency and need	City Clerk / City Manager	FY 20 - 21
<b>Evaluate Zoning Code</b> – Determine their effectiveness of current codes	Community Planning and Development	FY 21
<b>Code Enforcement Analysis</b> – Evaluate housing inspection effectiveness, priorities and processes	Community Planning and Development	FY 20
<b>Housing Program</b> – Create a housing program tailored to fit University City	Planning and Development	FY 20
<b>Parkview Gardens Plan Implementation</b> – Evaluate the zoning and other implementation actions	Community Development	FY 19

# Prudent Fiscal Management

Strategic Project	Responsible Department	FY Implementation
<b>5-year Financial Forecasting</b> – Annually develop a 5 year revenue and expenditure estimate forecast	Finance	FY 20 - 21
<b>Popular Annual Financial Report</b> — Provide a summary of key financial indicators for city employees and residents	Finance	FY 19
<b>Pension Plan Analysis</b> — Review funding levels to determine long term sustainability	Finance	FY 19
<b>Annual 5 year CIP</b> – Develop CIP that meets citizen needs	City Manager / Finance	FY 20
<b>Internal Service Fund Review</b> —Review costs and revenue to ensure funds are balanced— <b>Evaluate and Improve Fleet Operations</b>	Finance / Public Works	FY 20
<b>Solid Waste Rate Analysis</b> – Create a solid waste advisory committee to evaluate the rate analysis report	City Manager / Public Works / Finance	FY 20 - 21
<b>Evaluate Purchasing Cards</b> – Determine the feasibility of using purchasing cards	Finance	FY 20
<b>Annual Operating Budget</b> – Develop a balanced budget	City Manager / Finance	FY 20



# Infrastructure

Strategic Project	Responsible Department	FY Implementation
<b>Ten-year CIP</b> – Identify the capital needs of the city for 10 years	Economic Development / Finance / Public Works	FY <del>20</del> -21
<b>ADA Transition Plan</b> – Ensure compliance with ADA requirements over a 10-year period	Public Works	FY <del>20</del>
<b>Space Needs Study</b> – Identify the city’s available workspace and forecast current and future needs	Public Works	FY <del>20</del>
<b>Storm Water Master Plan</b> – Identify and prioritize the needs for storm water management, flood mitigation, and long-term prevention	Public Works / Community Development	FY <del>20</del> - 21
<del><b>Sanitary Sewer Lateral Program</b> – Analyze current program administration for improvements</del>	Public Works	FY <del>19</del>
<del><b>Waste Water Storage Tank Project by MSD</b> – Evaluate community impact</del>	City Manager / Public Works	FY <del>19</del> – 20
<b>Sustainability Master Plan</b> – Identify the needs, opportunities and priorities	Public Works	FY 20

# Community Quality of Life Amenities

Strategic Project	Responsible Department	FY Implementation
<ul style="list-style-type: none"> <li><del>Technical Training for Public</del> – Library based training for video editing, robotics, coding, etc.</li> </ul>	Library	FY 19
<ul style="list-style-type: none"> <li>Community Event Planning – Planning events that build and support a sense of community</li> </ul>	Parks and Recreation and Forestry	FY 19 - 20
<ul style="list-style-type: none"> <li>Resident Satisfaction Survey – Determine the resident’s satisfaction with services provided</li> </ul>	Communications / City Manager	FY 20
<ul style="list-style-type: none"> <li><del>Streaming of City Council Meetings</del> – Provide residents with the opportunity to view the City Council meetings</li> </ul>	Communications / City Manager	FY 19
<ul style="list-style-type: none"> <li>Establish Parks Service Levels – Determine the level of service at which we should maintain our parks. Explore the concept of play and learn and how apparatus purchased in the future would promote play and learn</li> </ul>	Parks, Recreation and Forestry	FY 20
<ul style="list-style-type: none"> <li>Citizen Survey</li> </ul>	Communications / City Manager	FY 20
<ul style="list-style-type: none"> <li><del>Webcasting of Council Meetings</del></li> </ul>	Communications / City Manager	FY 19

# City Organization

Strategic Project	Responsible Department	FY Implementation	Sense Rating
<b>Compensation and Classification Study</b> —Evaluate employee salaries and benefits to ensure city remains competitive in market	Human Resources / City Manager	FY 18 – 19	2
<b>Performance Measurements – Establish Performance Measurements for each department</b>	Communications / City Manager	FY 21	
<b>Employee Survey</b> – Evaluate the working culture of the organization	Communications / City Manager Human Resources	FY 20	1
<b>Organizational Values</b> – <del>Create</del> <b>Confirm or modify</b> shared values for the entire city organization	Communications / City Manager Human Resources	FY 20	1
<b>“Gainsharing” Program</b> – Evaluate a program to incentivize employees to develop cost saving ideas to improve the organization	Human Resources	FY 21	1
<b>Staffing Needs Assessment</b> – Identify the human resources needed to deliver high quality services	Human Resources	FY 21	1

# City Organization Continued

Strategic Project	Responsible Department	FY Implementation	Sense Rating
<b>Communication Strategy</b> – Create a communication strategy for University City	Communications	FY 20	
<b>Communication Plans</b> – Create communication plans for both the Olive/I170 TIF and the Comprehensive Plan Update	Communications	FY 20	
<b>Space Needs Study</b> – Complete a space needs study for the organization	Public Works	FY 20	
<b>Safety Program</b> —Develop a program to ensure employees work and operate in a safe environment	Human Resources	FY19	±
<b>Employee Onboarding Program</b> —Develop a program to orient new employees into the organization	Human Resources	FY19	±

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# City of University City

FY2020-2021 Work Plan

September 23, 2019



# Priorities

- Economic Development
- Public Safety
- Encourage High Quality Growth
- Prudent Fiscal Management
- Infrastructure
- Community Quality of Life Amenities
- Employees

# Economic Development

Strategic Project	Responsible Department	FY Implementation
<ul style="list-style-type: none"> <li>• <b>I-170/Olive TIF Development</b> – Commercial, residential (neighborhood) mixed use development</li> </ul>	<ul style="list-style-type: none"> <li>• Planning and Development</li> </ul>	FY 20 - 22
<ul style="list-style-type: none"> <li>• <b>Economic Development Strategic Plan</b> – Identify businesses that are the best fit for U City and provide a living wage for residents</li> </ul>	<ul style="list-style-type: none"> <li>• Economic Development</li> </ul>	FY 20
<ul style="list-style-type: none"> <li>• <b>Olive Blvd Master Plan</b> – Study to gain consensus on traffic flows to take advantage of economic opportunities</li> </ul>	<ul style="list-style-type: none"> <li>• Planning and Development</li> </ul>	FY 20 - 21
<ul style="list-style-type: none"> <li>• <b>Downtown Parking Study</b> – Manage parking to improve access and land uses</li> </ul>	<ul style="list-style-type: none"> <li>• Public Works</li> </ul>	FY 20
<ul style="list-style-type: none"> <li>• <b>Creation of a Marketing Plan</b> – Identify tools/assets to tailor a strategy for recruiting business that are best for U City</li> </ul>	<ul style="list-style-type: none"> <li>• Economic Development</li> </ul>	FY 21
<ul style="list-style-type: none"> <li>• <b>Creation of a joint City/University planning team</b> – Identify areas of mutual interest to develop future partnerships</li> </ul>	<ul style="list-style-type: none"> <li>• City Manager</li> </ul>	FY 20-21
<ul style="list-style-type: none"> <li>• <b>Establish an Economic Development Program</b> – Create an economic development program that addresses the needs for business retention, recruitment, and job creation.</li> </ul>	<ul style="list-style-type: none"> <li>• Economic Development</li> </ul>	FY20
<ul style="list-style-type: none"> <li>• <b>Olive and North &amp; South Development</b> – Identify the type of development desired at intersection and acquire property</li> </ul>	<ul style="list-style-type: none"> <li>• Economic Development</li> </ul>	FY 20
<ul style="list-style-type: none"> <li>• <b>Olive and Midland Development</b> – Identify the type of development desired at intersection</li> </ul>	<ul style="list-style-type: none"> <li>• Economic Development / Planning and Development</li> </ul>	FY 20
<ul style="list-style-type: none"> <li>• <b>Hotel Feasibility Study</b></li> </ul>	<ul style="list-style-type: none"> <li>• Economic Development</li> </ul>	FY 20

# Public Safety

Strategic Project	Responsible Department	FY Implementation
<p><b>Police Facility</b> – Construct a new police station</p>	<p>City Manager/Public Works / Police Department</p>	<p>FY 21 - 22</p>
<p><b>Community Policing Strategy</b> – Tailoring a strategy that enhances what works best for U City</p>	<p>Police Department</p>	<p>FY 20</p>
<p><b>Fire Marshal</b> – Recruit and train an individual to enforce the International Fire Code within the FD</p>	<p>Fire Department</p>	<p>FY 20</p>
<p><b>Accreditation</b> – Police accreditation and certification (state) for improving police services</p>	<p>Police Department</p>	<p>FY 19 - 22</p>



# Encourage High Quality Growth

Strategic Project	Responsible Department	FY Implementation
<b>Visioning Process / Comprehensive Plan Update</b> – What does the community want the city to look like in the future?	Planning and Development	FY 20 - 21
<b>Redevelopment Plan</b> – Implementation plan for residential component of I170 / Olive TIF	Planning and Development	FY 21 - 22
<b>Infill Review Board</b> – Modify the Infill Review Board	Planning and Development	FY 20
<b>Evaluation of Boards and Commissions</b> – Determine their effectiveness, efficiency and need	City Clerk / City Manager	FY 20 - 21
<b>Evaluate Zoning Code</b> – Determine their effectiveness of current codes	Planning and Development	FY 21
<b>Code Enforcement Analysis</b> – Evaluate housing inspection effectiveness, priorities and processes	Planning and Development	FY 20
<b>Housing Program</b> - Create a housing program tailored to fit University City	Planning and Development	FY20

# Prudent Fiscal Management

Strategic Project	Responsible Department	FY Implementation
<p><b>5-year Financial Forecasting</b> – Annually develop a 5 year revenue and expenditure estimate forecast</p>	Finance	FY 20 - 21
<p><b>Annual 5 year CIP</b> – Develop CIP that meets citizen needs</p>	City Manager/Finance	FY 20
<p><b>Internal Service Fund Review</b> – Evaluate and Improve Fleet Operations</p>	Human Resources	FY 20
<p><b>Solid Waste Rate Analysis</b> – Create a solid waste advisory committee to evaluate the rate analysis report</p>	City Manager / Public Works / Finance	FY 20 - 21
<p><b>Evaluate Purchasing Cards</b> – Determine the feasibility of using purchasing cards</p>	Finance	FY 20
<p><b>Annual Operating Budget</b> – Develop a balanced budget.</p>	City Manager / Finance	FY20



# Infrastructure

Strategic Project	Responsible Department	FY Implementation
<p><b>Ten-year CIP</b> – Identify the capital needs of the city for 10 years</p>	<p>Economic Development / Finance / Public Works</p>	<p>FY 20 - 21</p>
<p><b>ADA Transition Plan</b> – Ensure compliance with ADA requirements over a 10-year period</p>	<p>Public Works</p>	<p>FY 20</p>
<p><b>Space Needs Study</b> – Identify the city's available workspace and forecast current and future needs</p>	<p>Public Works</p>	<p>FY 20</p>
<p><b>Storm Water Master Plan</b> – Identify and prioritize the needs for storm water management, flood mitigation, and long-term prevention</p>	<p>Public Works/Planning and Development</p>	<p>FY 20 - 21</p>
<p><b>Sustainability Master Plan</b> – Identify the needs, opportunities and priorities</p>	<p>Public Works</p>	<p>FY 20</p>

# Community Quality of Life Amenities

Strategic Project	Responsible Department	FY Implementation
<ul style="list-style-type: none"> <li>• <b>Community Event Planning</b> – Planning events that build and support a sense of community</li> </ul>	Parks, Recreation and Forestry	FY 20
<ul style="list-style-type: none"> <li>• <b>Resident Satisfaction Survey</b> – Determine the resident's satisfaction with services provided</li> </ul>	Communications / City Manager	FY 20
<ul style="list-style-type: none"> <li>• <b>Establish Parks Service Levels</b> – Determine the level of service at which we should maintain our parks. Explore the concept of play and learn and how apparatus purchased in the future would promote play and learn.</li> </ul>	Parks, Recreation and Forestry	FY 20
<ul style="list-style-type: none"> <li>• <b>Citizen Survey</b></li> </ul>	Communications / City Manager	FY 20

# City Organization

Strategic Project	Responsible Department	FY Implementation
<b>Performance Measurements</b> – Establish Performance Measurements for each department	Communications / City Manager	FY 21
<b>Employee Survey</b> – Evaluate the working culture of the organization	Communications / Human Resources	FY 20
<b>Organizational Values</b> – Confirm or modify shared values for the entire city organization	Communications / Human Resources	FY 20
<b>“Gainsharing” Program</b> – Evaluate a program to incentivize employees to develop cost saving ideas to improve the organization	Human Resources	FY 21
<b>Staffing Needs Assessment</b> – Identify the human resources needed to deliver high quality services	Human Resources	FY 21
<b>Communication Strategy</b> – Create a communication strategy for University City	Communications	FY 20
<b>Communication Plans</b> – Create communication plans for both the Olive/1170 TIF and the Comprehensive Plan Update	Communications	FY 20
<b>Space Needs Study</b> – Complete a space needs study for the organization	Public Works	FY20





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**Council Agenda Item Cover**

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**MEETING DATE:** September 9, 2019

**AGENDA ITEM TITLE:** Mobile Data Terminal

**AGENDA SECTION:** Consent Agenda

**CAN THIS ITEM BE RESCHEDULED:** No

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**BACKGROUND REVIEW:** The Police Department received four quotes for the purchase of twenty (20) mobile data terminals.

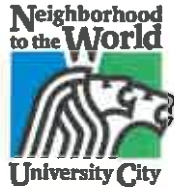
<b>Vendor</b>	<b>Total</b>
<b>SHI</b>	\$93,256.24
<b>TKK Electronics</b>	\$87,761.60
<b>Tough Rugged Laptops #1</b>	\$92,008.80
<b>Tough Rugged Laptops #2</b>	\$88,814.80

We are recommending SHI International Corp. as the company of choice. A mobile data terminal (MDT) or mobile digital computer (MDC) is a computerized device used by the police department to communicate with a central dispatch. Mobile Data Terminals are used to display mapping and information relevant to the tasks and actions performed by the vehicle such as CAD (Computer Aided Dispatch) Regional Justice Information System’s information and officer safety information. SHI is a \$10 billion global provider of information technology products and services. SHI supports customers globally from 35+ offices around the world, including the United States, Ireland, which is an extension of our global European support, Canada, United Kingdom, France and Hong Kong. SHI has a proven reputation and has previously provided quality products and services to the University City Police Department. SHI will provide a 5 year warranty on all purchased MDT’s.

**RECOMMENDATION:** City Manager Recommends approval.







### Council Agenda Item Cover

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**MEETING DATE:** September 9, 2019

**AGENDA ITEM TITLE:** Edward Byrne Memorial Justice Grant (JAG) Program – FY 2019  
Local Solicitation

**AGENDA SECTION:** Consent

**CAN THIS ITEM BE RESCHEDULED:** No

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**BACKGROUND REVIEW:** Purchase ten (10) Tasers to add to current inventory. The cost of each Taser, including the battery pack, holster, two cartridges, and a 4-year warranty is \$1,520.00. A portion of the grant award will be set aside to cover the cost of upgrading the current Records Management System as the department transitions to NIBRS. The total cost of the project is \$16,000. The grant funding opportunity is for \$15,975.00, the City will cover the \$25.00 that is not federally funded.

**RECOMMENDATION:** City Manager Recommends Approval

**City of University City  
University City Police Department  
Edward Byrne Memorial Justice Assistance Grant (JAG) Program – FY 2019  
Local Solicitation**

**APPLICATION ORDER**

<b>Program Narrative</b>	<b>Page 1</b>
<b>Budget Narrative</b>	<b>Page 2</b>



**UNIVERSITY CITY POLICE DEPARTMENT  
OFFICE OF THE CHIEF OF POLICE  
6801 DELMAR BLVD.  
UNIVERSITY CITY, MISSOURI 63130**



**Larry Hampton, Jr.  
CHIEF OF POLICE**

**OFFICE: (314) 505-8652  
FAX: (314) 863-5875**

**PROGRAM NARRATIVE**

**Grant:** Edward Byrne Memorial JAG Program – FY 2019 Local Solicitation  
**Agency:** University City Police Department  
**Project Title:** Taser Purchase  
**Project Identifiers:** Crime Prevention, Equipment - General, Less than Lethal, Officer Safety

The University City Police Department is a municipal police agency which provides full police services. The City of University City is one of ninety-one (91) municipalities in St. Louis County; it is six (6) square miles in area and has a population of approximately 36,000. University City is one of the most densely populated communities in St. Louis County, with an extremely diverse make-up both racially and socio-economically. What makes University City unique is that it is bordered by eight (8) other municipalities, some of which are much smaller in population, with limited resources, so University City serves as a central hub for these surrounding neighborhoods for grocery stores, restaurants, retail, and entertainment. The University City Police Department is currently budgeted for seventy-nine (79) full-time commissioned officers and nineteen full-time (19) civilian employees.

Economic constraints have required the City of University City to make budget cuts on many levels, most of which for the Police Department results in a delay in equipment purchases that are necessary to sustain an appropriate level of safety for both officers and citizens who live, work, and frequent University City, Missouri. Equipment that can be acquired with the funds provided by the Justice Assistance Grant (JAG) Program will help protect the future of the department.

Tasers have an unquantifiable deterrent effect and have proven to serve as a great tool for reducing officer and suspect injuries in the field by preventing physical altercations. The University City Police Department will purchase ten (10) Tasers utilizing the funds provided by the JAG Program to supplement our current inventory. The reliability of technology is not absolute. There is a probability that equipment will malfunction or break and the department will need to have adequate reserves to cover periods when Tasers are inoperable. The department's goal is to have enough Tasers in stock to be prepared for such occurrences of replacement and repair, in addition to, having sufficient coverage during times of special condition, e.g. when police are deployed during protests where less than lethal force is ideal. Although, we have certified Taser trainers who are fully capable of providing adequate training to police personnel about equipment safety, this does not prevent the unexpected from transpiring.

The City of University City will create a separate trust to track all drawdowns from this grant. The trust will enable the City of University City to track drawdowns and expenditures separately from other federal funding. The department will adhere to financial and programmatic reporting on a quarterly basis. The Department plans to complete equipment acquisition within the required two year grant period. Equipment purchased under the JAG Program will be done so, no later than September 30, 2020.



**UNIVERSITY CITY POLICE DEPARTMENT  
OFFICE OF THE CHIEF OF POLICE  
6801 DELMAR BLVD.  
UNIVERSITY CITY, MISSOURI 63130**



**Larry Hampton, Jr.  
CHIEF OF POLICE**

**OFFICE: (314) 505-8652  
FAX: (314) 863-5875**

**BUDGET NARRATIVE**

Grant: Edward Byrne Memorial JAG Program – FY 2019 Local Solicitation  
 Agency: University City Police Department  
 Project Title: Taser Purchase  
 Project Identifiers: Crime Prevention, Equipment - General, Less than Lethal, Officer Safety

**A. Personnel**

There are no expenses for personnel.

**B. Fringe Benefits**

There are no expenses for fringe benefits.

**C. Travel**

There are no expenses for travel.

**D. Equipment**

**Tasers**

University City Police Department will purchase 10 Tasers along with the necessary accessories for proper function. The cost of each item is as follows:

<u>Item Description</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Net Total</u>
Taser	10	\$1,065.00	\$10,650.00
Battery Pack	4	\$65.00	\$260.00
Holster	10	\$64.00	\$640.00
Cartridge	20	\$33.00	\$330.00
Warranty	10	\$331.00	\$3,310.00
<b>Total</b>			<b>\$15,520.00</b>

This will help reduce injuries for the officers and citizens who live, work, and frequent the University City, Missouri.

**E. Supplies**

There are no expenses for supplies.

**F. Construction**

There are no expenses for construction.

**G. Subawards (Subgrants)**

There are no expenses for subawards.



**UNIVERSITY CITY POLICE DEPARTMENT  
OFFICE OF THE CHIEF OF POLICE  
6801 DELMAR BLVD.  
UNIVERSITY CITY, MISSOURI 63130**



**H. Procurement Contracts**

There are no expenses for procurement contracts.

**I. Other Costs**

**NIBRS**

Software Upgrades	1	\$480.00	\$480.00
<b>Total</b>			<b>\$480.00</b>

The department is required to set aside 3% of grant funds to use towards FBI's NIBRS implementation, until our agency becomes NIBRS compliant. These funds will assist with the costs associated with software upgrades.

We are applying for the maximum federal funding amount of \$15,975.00, but the grand total cost of the project will be \$16,600.00. The City will cover the additional \$25.00 that is not federally-allocated.

**J. Indirect Costs**

There are no expenses for indirect costs.

**Budget Summary**

Budget Category	Federal Request	Non-Federal Amounts	Total
<b>A. Personnel</b>	\$0	\$0	\$0
<b>B. Fringe Benefits</b>	\$0	\$0	\$0
<b>C. Travel</b>	\$0	\$0	\$0
<b>D. Equipment</b>	\$15,495.00	\$25.00	\$15,520.00
<b>E. Supplies</b>	\$0	\$0	\$0
<b>F. Construction</b>	\$0	\$0	\$0
<b>G. Subawards (Subgrants)</b>			
<b>H. Procurement Contracts</b>	\$0	\$0	\$0
<b>I. Other Costs</b>	\$480.00	\$0	\$480.00
<b>J. Indirect Costs</b>	\$0	\$0	\$0

<b>Federal Request</b>	<b>\$15,975.00</b>
<b>Non-Federal Request</b>	<b>\$25.00</b>
<b>Total Project Cost</b>	<b>\$16,000.00</b>



**University City Police Department**  
6801 Delmar Blvd., University City, Missouri PH: (314) 725-2211



**MEMORANDUM**

**TO:** LaRette Reese, City Clerk

**FROM:** Chief Larry Hampton

**DATE:** August 20, 2019

**SUBJECT:** U. S. Department of Justice, Edward Byrne Justice Assistance Grant Program FY 2019 Local Solicitation

**CC:** Gregory Rose, City Manager

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The Police Department is requesting the signature of the honorable Mayor Terry Crow on the *Certifications and Assurances by the Chief Executive of the Applicant Government* form for completion of a grant application. As part of the grant application, the U.S. Department of Justice requires the signature of the highest ranking City official. The Police Departments is requesting \$15,975 in grant funds to purchase 10 Tasers.

Sincerely,

Larry Hampton  
Chief of Police

**U.S. DEPARTMENT OF JUSTICE  
OFFICE OF JUSTICE PROGRAMS**

**Edward Byrne Justice Assistance Grant Program FY 2019 Local Solicitation**

**Certifications and Assurances by the Chief Executive of the Applicant Government**

On behalf of the applicant unit of local government named below, in support of that locality's application for an award under the FY 2019 Edward Byrne Justice Assistance Grant ("JAG") Program, and further to 34 U.S.C. § 10153(a), I certify to the Office of Justice Programs ("OJP"), U.S. Department of Justice ("USDOJ"), that all of the following are true and correct:

1. I am the chief executive of the applicant unit of local government named below, and I have the authority to make the following representations on my own behalf as chief executive and on behalf of the applicant unit of local government. I understand that these representations will be relied upon as material in any OJP decision to make an award, under the application described above, to the applicant unit of local government.
2. I certify that no federal funds made available by the award (if any) that OJP makes based on the application described above will be used to supplant local funds, but will be used to increase the amounts of such funds that would, in the absence of federal funds, be made available for law enforcement activities.
3. I assure that the application described above (and any amendment to that application) was submitted for review to the governing body of the unit of local government (e.g., city council or county commission), or to an organization designated by that governing body, not less than 30 days before the date of this certification.
4. I assure that, before the date of this certification— (a) the application described above (and any amendment to that application) was made public; and (b) an opportunity to comment on that application (or amendment) was provided to citizens and to neighborhood or community-based organizations, to the extent applicable law or established procedure made such an opportunity available.
5. I assure that, for each fiscal year of the award (if any) that OJP makes based on the application described above, the applicant unit of local government will maintain and report such data, records, and information (programmatic and financial), as OJP may reasonably require.
6. I have carefully reviewed 34 U.S.C. § 10153(a)(5), and, with respect to the programs to be funded by the award (if any), I hereby make the certification required by section 10153(a)(5), as to each of the items specified therein.

\_\_\_\_\_  
Signature of Chief Executive of the Applicant Unit of  
Local Government

\_\_\_\_\_  
Date of Certification

\_\_\_\_\_  
Printed Name of Chief Executive

\_\_\_\_\_  
Title of Chief Executive

\_\_\_\_\_  
Name of Applicant Unit of Local Government

Rev. March 6, 2019

26  
BJA-2019-15141

J - 3 - 7







## Council Agenda Item Cover

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**MEETING DATE:** September 9, 2019

**AGENDA ITEM TITLE:** Metropolitan St. Louis Sewer District (MSD) Intergovernmental Agreement for Federal Flood Reduction Study

**AGENDA SECTION:** Consent Agenda

**CAN THIS ITEM BE RESCHEDULED?:** No

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### **BACKGROUND REVIEW:**

The Metropolitan St. Louis Sewer District proposes to reimburse University City's payment of the Sponsor's Contributed Funds up to \$650,000 for the General Reevaluation Report (GRR) for Flood Risk Reduction on the University City Branch of the River Des Peres. The Army Corps will be conducting a study beginning approximately in November, 2019 and the deliverable of this study will be the GRR in two years after the start of the work.

An original Intergovernmental Agreement for the aforementioned purpose was signed with MSD in 2016. The term of this agreement is due to expire on September 27, 2019. MSD's proposed Amendment to the Intergovernmental Agreement calls for an extended duration of 36 months from the date of its signing in which the reimbursement funding will be available to be paid to University City regarding the University City Branch of River Des Peres – Corps of Engineers Study. The Army Corps study and its release of the General Reevaluation Report are anticipated to take two years from its kick-off approximately in November 2019.

### **RECOMMENDATION:**

Authority to the City Manager to sign and enter into the "Amendment to Intergovernmental Agreement Dated September 28, 2016" with MSD to enable University City's receipt of reimbursement payments up to \$650,000 for the cost of the University City Branch of River Des Peres – Corps of Engineers Study. This amendment will be valid for 36 months from the date of its signing.

### **ATTACHMENTS:**

- Original Intergovernmental Agreement dated September 28, 2016
- Draft Proposed Amendment to Intergovernmental Agreement



**Metropolitan St. Louis  
Sewer District**

2350 Market Street  
St. Louis, MO 63103-2555  
314-768-6200  
www.stlmsd.com

**RECEIVED**  
**OCT 14 2016**

**BY:** .....

October 12, 2016

Sinan Alpaslan, P.E.  
Director of Public Works and Parks  
City of University City  
6801 Delmar Boulevard, 3<sup>rd</sup> Floor  
University City, Missouri 63130

RE: Intergovernmental Agreement – Federal Flooding Reduction Study

Dear Mr. Alpaslan:

Enclosed please find the fully executed original agreement between our agencies, for your file.

Thank you for your attention to this matter. Please let me know if there are any questions or comments, or if any additional information is needed.

Sincerely,

Bart Hager, P.E.  
Grants Program  
Engineering/Planning

Enclosure

AGREEMENT

THIS AGREEMENT made and entered into this 28<sup>th</sup> day of September, 2016, by and between the Metropolitan St. Louis Sewer District (MSD) and the City of University City (CITY), regarding the University City Branch of River Des Peres – Corps of Engineers Study (10780).

WHEREAS, the MSD Charter Plan empowers the District to contract with municipalities, districts, other public agencies, individuals, or private corporations, or any of them whether within or without the District, for the construction, use, or maintenance of common or joint sewers, drains, outlets, or disposal plants, or for the performance of any service required by the District; and

WHEREAS, CITY desires to complete a federal flooding reduction study for the Upper River Des Peres area and has requested that MSD participate in the cost of the study; and

WHEREAS, the completion of the federal flooding reduction study is a necessary prerequisite to a federal flooding reduction project in the area; and

WHEREAS, MSD recognizes the public benefit to be derived from a federal flooding reduction project in the area and desires to provide financial assistance; and

WHEREAS, this Intergovernmental Agreement allows the District the ability to provide cost sharing and financial assistance to the City to enable the completion of the federal flooding reduction study; and

WHEREAS, MSD Ordinance No. 14418 adopted August 11, 2016 appropriated the necessary funds and authorized the Executive Director and Secretary-Treasurer on behalf of the District to enter into an intergovernmental agreement under Contract. No. 20450 with the City.

NOW THEREFORE, in consideration of certain mutual benefits inuring to the parties hereto, and to the public, the receipt of which are hereby acknowledged, the parties hereto agree as follows:

1. MSD will provide financial assistance to CITY as reimbursement for CITY's costs to enable completion of the federal flooding reduction study in an amount not to exceed \$650,000

(Six Hundred Fifty Thousand dollars) related to the University City Branch of River Des Peres – Corps of Engineers Study (10780) project.


2. Prior to any payment of said financial assistance by MSD to CITY, CITY will invoice MSD, providing details of costs incurred supported with copies of canceled checks verifying CITY's costs. Only the direct cost of CITY's local match cash contributions to the US Army Corps of Engineers are eligible for reimbursement.
3. CITY will provide MSD with record copies of all work products related to this federal flooding reduction study.
4. Reimbursements shall be completed within 36 months from the date of execution of this agreement by both parties, unless additional time is agreed upon in writing.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

METROPOLITAN ST. LOUIS  
SEWER DISTRICT




ATTEST:

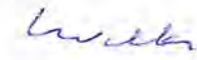
  
\_\_\_\_\_  
Timothy Snoke  
Secretary-Treasurer

BY:   
\_\_\_\_\_  
Brian Hoelscher  
Executive Director


APPROVED AS TO FORM  
OFFICE OF GENERAL COUNSEL

BY:   
\_\_\_\_\_

CITY OF UNIVERSITY CITY, MISSOURI

BY:   
\_\_\_\_\_  
Lehman Walker  
City Manager

ATTEST:

  
\_\_\_\_\_  
Joyce Pumm  
City Clerk

**INTRODUCED BY: Councilmember Carr**

**DATE: August 8, 2016**

**BILL NO. 9291**

**ORDINANCE NO. 7017**

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE METROPOLITAN ST. LOUIS SEWER DISTRICT (MSD) FOR REIMBURSEMENT OF THE COST OF A FEDERAL CORPS OF ENGINEERS FLOODING REDUCTION STUDY FOR THE UPPER RIVER DES PERES AREA.**

**WHEREAS**, the City of University City wishes to enter into an agreement for reimbursement with MSD for the City's costs to complete the Corps of Engineers federal flooding reduction study; and

**WHEREAS**, MSD recognizes the public benefit of a federal flooding reduction project in the area and agrees to provide financial assistance; and

**WHEREAS**, MSD will reimburse the City an amount not to exceed \$650,000 for the cost of the study; and

**WHEREAS**, the Council has determined that the completion of the federal flooding reduction study is a necessary prerequisite to a federal flooding reduction project in the area.


**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF UNIVERSITY CITY, MISSOURI, AS FOLLOWS:**

**Section 1.** The City Manager is hereby authorized and directed to execute the Agreement with MSD for reimbursement for the federal flooding reduction study of the Upper River Des Peres area, the terms and conditions of which are set forth in Exhibit "A" attached hereto and incorporated herein by reference.

\*\*\*

**Section 2.** This ordinance shall take effect and be in force from and after its passage as provided by law.

PASSED THIS 12<sup>th</sup> day of September, 2016

  
MAYOR

ATTEST:

  
CITY CLERK

CERTIFIED TO BE CORRECT AS TO FORM:

  
CITY ATTORNEY





**Metropolitan St. Louis  
Sewer District**

2350 Market Street  
St. Louis, MO 63103-2555  
314-768-6200  
www.stlmsd.com

August 29, 2019

Sinan Alpaslan, P.E.  
Director of Public Works and Parks  
City of University City  
6801 Delmar Boulevard, 3<sup>rd</sup> Floor  
University City, Missouri 63130

RE: Intergovernmental Agreement Amendment– Federal Flooding Reduction Study

Dear Mr. Alpaslan:

Enclosed please find the agreement amendment between our agencies related to the above, to extend the period of time allowed for reimbursements, for your execution. Please have signed and dated all four copies, retaining two for your records, and returning two to the Metropolitan St. Louis Sewer District, to my attention.

Thank you for your attention to this matter. Please let me know if there are any questions or comments, or if any additional information is needed.

Sincerely,

Bart Hager, P.E.  
Grants Program  
Engineering/Planning

Enclosure

AMENDMENT TO AGREEMENT  
DATED SEPTEMBER 28, 2016

THIS AGREEMENT AMENDMENT made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2019, by and between the Metropolitan St. Louis Sewer District (MSD) and the City of University City (CITY), regarding the University City Branch of River Des Peres – Corps of Engineers Study (10780).

WHEREAS, the MSD Charter Plan empowers the District to contract with municipalities, districts, other public agencies, individuals, or private corporations, or any of them whether within or without the District, for the construction, use, or maintenance of common or joint sewers, drains, outlets, or disposal plants, or for the performance of any service required by the District; and

WHEREAS, CITY desires to complete a federal flooding reduction study for the Upper River Des Peres area and has requested that MSD participate in the cost of the study; and

WHEREAS, the completion of the federal flooding reduction study is a necessary prerequisite to a federal flooding reduction project in the area; and

WHEREAS, MSD recognizes the public benefit to be derived from a federal flooding reduction project in the area and desires to provide financial assistance; and

WHEREAS, an Intergovernmental Agreement allowing the District the ability to provide cost sharing and financial assistance to the City to enable the completion of the federal flooding reduction study was executed as of September 28, 2016; and

WHEREAS, the Intergovernmental Agreement required reimbursements to be completed within 36 months from the date of execution of the agreement by both parties, unless additional time is agreed upon in writing; and

WHEREAS, additional time is needed to complete the work; and

WHEREAS, MSD Ordinance No. 14418 adopted August 11, 2016 appropriated the necessary funds and authorized the Executive Director and Secretary-Treasurer on behalf of the District to enter into an intergovernmental agreement under Contract. No. 20450 with the City.


NOW THEREFORE, in consideration of certain mutual benefits inuring to the parties hereto, and to the public, the receipt of which are hereby acknowledged, the parties hereto agree as follows:

1. Reimbursements shall be completed within 36 months from the date of execution of this Agreement Amendment by both parties, unless additional time is agreed upon in writing.
2. All other terms and conditions of the original Intergovernmental Agreement, dated September 28, 2016 ,remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.



ATTEST:

  
\_\_\_\_\_  
Timothy Snoke  
Secretary-Treasurer

METROPOLITAN ST. LOUIS  
SEWER DISTRICT

BY: \_\_\_\_\_

Brian Hoelscher  
Executive Director

APPROVED AS TO FORM  
OFFICE OF GENERAL COUNSEL

BY: \_\_\_\_\_

CITY OF UNIVERSITY CITY, MISSOURI



ATTEST:

\_\_\_\_\_

BY:

\_\_\_\_\_  
Gregory Rose  
City Manager

DRAFT





## Council Agenda Item Cover

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**MEETING DATE:** September 9, 2019

**AGENDA ITEM TITLE:** Army Corps – River Des Peres Study – Amended Agreement

**AGENDA SECTION:** Consent Agenda

**CAN THIS ITEM BE RESCHEDULED?:** No

---

### **BACKGROUND REVIEW:**

The Army Corps proposes an amendment to the original design agreement of 2004 in order to complete a General Reevaluation Report for Flood Risk Reduction on the University City Branch of the River Des Peres. As of June 7, 2019 this project is a Congressionally approved task for the Army Corps and the amendment to the 2004 Design Agreement will enable receipt of Federal funds for the construction or implementation of the project.

The non-Federal Sponsor Contributed funds amount for the design of the project is identified as \$650,000 in the amended design agreement. University City is required to sign a letter of funds offer to the Army Corps to meet the Contributed Funds requirement. The proposed local funding source for the Contributed Funds is 14-fund balance (Park and Stormwater Sales Tax Fund). The Metropolitan St. Louis Sewer District (MSD) has offered to reimburse University City for the cost of this project up to its full Contributed Funds amount of \$650,000.

The project is scoped to study flood risk reduction solutions in a comprehensive format including structural and non-structural solutions, varying frequencies of flood risk zones and all reaches and branches of the River Des Peres in University City. Structural solutions may include channel improvements, detention/retention and the non-structural solutions may include property acquisitions, elevation of structures, berms and small flood walls for directing drainage and flow.

Once the aforementioned documents are executed, it is anticipated to take approximately a month to get the project kicked off, in November of 2019. The total timeline for the study is two years: One year for evaluation and development of options and recommendations, and opening it for public feedback at that point, for another year's worth of work following the receipt of public feedback to finalize and release the study.

### **RECOMMENDATION:**

Authority to the City Manager to sign and enter into the Amended Design Agreement between the Department of the Army and City of University City and certify a Sponsor's Contributed Funds Offer Letter for General Reevaluation Report on the River Des Peres, Missouri.

### **ATTACHMENTS:**

- Background documents (River Des Peres University City Branch)
- Draft Amended Design Agreement
- Draft Sponsor's Contributed Funds Offer Letter

**River Des Peres Project Authority  
Chief of Engineers Report**



DEPARTMENT OF THE ARMY  
OFFICE OF THE CHIEF OF ENGINEERS  
WASHINGTON, D.C. 20314-1000

REPLY TO  
ATTENTION OF:

CECW-PM

May 23, 1989

SUBJECT: River des Peres, Missouri

THE SECRETARY OF THE ARMY

1. I submit for transmission to Congress my interim report on River des Peres, Missouri. It is accompanied by the reports of the Board of Engineers for Rivers and Harbors and the district and division engineers. These reports are in partial response to three United States Senate Public Works Committee resolutions dated 4 October 1966, 15 July 1970, and 2 October 1972, and two United States House of Representatives Public Works Committee resolutions requesting a review of prior reports of the Chief of Engineers in the interest of providing improvements for flood control and other purposes in the general Metropolitan St. Louis, Missouri, area.

2. The district and division engineers recommend implementation of a plan providing for:

a. Channel enlargement and stabilization along about 2.53 miles of the University City Branch of upper River des Peres between Purdue Avenue and Interstate 170, a recreational trail of 2.53 miles within the improved channel right-of-way, and a small recreation park to be constructed by non-Federal interests on non-project lands.

b. Channel enlargement and stabilization along about 2.49 miles of Deer Creek starting near Deer Creek Park and ending near McKnight Road. A recreational trail totaling 3.01 miles would be built, of which 2.49 miles would be within the improved channel right-of-way and 0.52 mile would be built by non-Federal interests on non-project lands.

c. A flood forecasting and warning system consisting of installation of new staff and rain gauges, preparation of an operational report, and coordination and education programs.

d. Floodproofing of five structures in the vicinity of Watson Road Industrial Park within the Kirkwood Branch of Gravois Creek.

CECW-PM

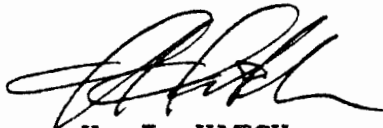
SUBJECT: River des Peres, Missouri

3. The reporting officers' recommended plan, described in the supplement to the district engineer's report, is the national economic development plan and would eliminate 53 percent of average annual flood damages in the improved areas. Based on October 1988 price levels and the most up-to-date cost estimate, Support Document E revised March 1989, the estimated first cost of the recommended plan is \$20,100,000 with a Federal share of \$14,932,000 and a non-Federal share of \$5,168,000. At an interest rate of 8-7/8 percent and a 100-year period for economic analysis, average annual benefits and costs are estimated at \$2,592,100 and \$2,001,700, respectively. The benefit-cost ratio is 1.3.

4. The Board of Engineers for Rivers and Harbors concurs in the findings and recommendations of the reporting officers. The board finds the recommended improvements to be economically justified, engineeringly feasible, and environmentally and socially acceptable. Accordingly, the board recommends that flood damage reduction and related recreational measures for the River des Peres, Missouri, be authorized for implementation in accordance with reporting officers' recommended plan.

5. I concur in the findings, conclusions, and recommendations of the board.

6. The recommendations contained herein reflect policies governing formulation of individual projects and information available at this time. They do not necessarily reflect program and budgeting priorities inherent in the local and State programs or the formulation of a national civil works construction program. Consequently, I acknowledge that the recommendations may be modified before they are transmitted to the Congress as proposals for authorization and implementation funding. However, the sponsor, the State, interested Federal agencies, and other parties will be advised of any modifications and will be afforded an opportunity to comment further prior to transmittal to the Congress.



H. J. HATCH  
Lieutenant General, USA  
Chief of Engineers

**River Des Peres Project Authority  
Congressional Authorizing Language  
Water Resources Development Act 1990  
Section 101(a)(17)**

Chief of Engineers, dated August 8, 1989, at a total cost of \$9,296,000, with an estimated first Federal cost of \$6,754,000 and an estimated first non-Federal cost of \$2,542,000.

(15) Great lakes connecting channels and harbors, michigan and minnesota.--The project for navigation, Great Lakes Connecting Channels and Harbors, Michigan and Minnesota: Report of the Chief of Engineers, dated January 30, 1990, at a total cost of \$13,148,400, with an estimated first Federal cost of \$8,791,700 and an estimated first non-Federal cost of \$4,356,700.

(16) Coldwater creek, missouri.--The project for flood control, Coldwater Creek, Missouri: Report of the Chief of Engineers, dated August 9, 1988, at a total cost of \$22,829,000, with an estimated first Federal cost of \$15,496,000 and an estimated first non-Federal cost of \$7,333,000.

(17) River des peres, missouri.--The project for flood control, River Des Peres, Missouri: Report of the Chief of Engineers, dated May 23, 1989, at a total cost of \$21,318,000, with an estimated first Federal cost of \$15,846,000 and an estimated first non-Federal cost of \$5,472,000.

(18) Passaic river main stem, new jersey and new york. --

(A) Flood control elements. --

(i) In general. --The project for flood control, Passaic River Main Stem, New Jersey and New York: Report of the Chief of Engineers, dated February 3, 1989, except that the main diversion tunnel shall be extended to include the outlet to Newark Bay, New Jersey, at a total cost of \$1,200,000,000, with an estimated first Federal cost of \$890,000,000 and an estimated first non-Federal cost of \$310,000,000.

(ii) Design and construction.--The Secretary shall design and construct the project in accordance with the Newark Bay tunnel outlet alternative described in the Phase I General Design Memorandum of the District Engineer, dated December 1987. The main diversion tunnel shall be extended approximately 6 1/2 miles to outlet in Newark Bay, the 9 levee systems in Bergen, East Essex, and Passaic Counties which were associated with the eliminated Third River tunnel outlet shall be excluded from the



**River Des Peres Project Authority  
Design Agreement Between  
U.S. Army Corps of Engineers and University City, Missouri**

DESIGN AGREEMENT  
BETWEEN  
THE DEPARTMENT OF THE ARMY  
AND  
CITY OF UNIVERSITY CITY, MISSOURI  
FOR DESIGN OF THE  
UNIVERSITY CITY BRANCH  
OF THE RIVER DES PERES, MISSOURI PROJECT

THIS AGREEMENT entered into this 30th day of JUNE, 2004, by and between the Department of the Army (hereinafter the "Government") represented by the U.S. Army Engineer, St. Louis District and the City of University City, Missouri (hereinafter the "Non-Federal Sponsor") represented by the City Manager.

WITNESSETH, THAT:

WHEREAS, construction or implementation of the University City Branch of the River Des Peres, Missouri Project at University City, Missouri is authorized by Section 101(a)(17) of the Water Resources Development Act of 1990;

WHEREAS, the Energy and Water Development Appropriations Act for Fiscal Year 2004, Public Law 108-137, included funds for the Government to initiate design (as defined in Article I.B. of this Agreement) of the University City Branch of the River Des Peres, Missouri Project (hereinafter the "Project" as defined in Article I.A. of this Agreement) at University City, Missouri;

WHEREAS, Section 105(c) of Public Law 99-662 (33 U.S.C. Section 2215) [100 Stat 4089] provides that the costs of design of a water resources project shall be cost shared in the same percentage as the purposes of the project;

WHEREAS, the Government and the Non-Federal Sponsor agree that the Non-Federal Sponsor shall contribute 25 percent of the financial obligations for design of the Project;

WHEREAS, the Government and Non-Federal Sponsor have the full authority and capability to perform as hereinafter set forth and intend to cooperate in paying for design in accordance with the terms of this Agreement.

NOW, THEREFORE, the Government and the Non-Federal Sponsor agree as follows:

## ARTICLE I - DEFINITIONS AND GENERAL PROVISIONS

For purposes of this Agreement:

A. The term "Project" shall mean the University City Branch portion of the authorized River Des Peres, Missouri, flood control project commencing at Purdue Avenue, approximately stream mile 0.97 to Kempland Avenue at approximately stream mile 3.5 as generally described in the River Des Peres, Missouri, Feasibility Report, Environmental Assessment and Finding of No Significant Impact, dated June 1988, and approved by the Chief of Engineers.

B. The term "design" shall mean all activities directly related to planning, engineering and design of the Project for which financial obligations are made during the period of design in accordance with the terms of this Agreement; the final accounting in accordance with Article IV.D. of this Agreement; any audit in accordance with Article VII of this Agreement; and the Government's activities conducted as part of negotiating this Agreement. The term shall not include any activities performed as part of reconnaissance or feasibility studies; activities conducted as part of negotiation of a project cooperation agreement for the Project or separable element thereof; or the Non-Federal Sponsor's activities conducted as part of negotiating this Agreement.

C. The term "total design costs" shall mean all costs incurred by the Non-Federal Sponsor and the Government as a consequence of financial obligations for design. The term includes but is not necessarily limited to, the Government's costs of negotiating this Agreement; applicable planning and evaluation; applicable engineering and design; environmental assessment and documentation; the identification, survey, and evaluation of historic properties; participation in the Design Coordination Team in accordance with Article III of this Agreement; costs of the final accounting in accordance with Article IV.D. of this Agreement; and costs of audit in accordance with Article VII of this Agreement. The term does not include any costs related to betterments; any costs of dispute resolution under Article V of this Agreement; any costs incurred as part of reconnaissance studies or feasibility studies; any costs (other than audit) resulting from financial obligations after the period of design; any costs of negotiating a project cooperation agreement for the Project or separable element thereof; or the Non-Federal Sponsor's costs of negotiating this Agreement.

D. The term "period of design" shall mean the time period commencing when Federal General Investigations appropriations for Preconstruction Engineering and Design of the Project are allocated to the U.S. Army Engineer District, St. Louis, and ending when a project cooperation agreement for the Project, or a separable element thereof, is executed between the Government and a non-Federal entity or entities.

E. The term "District Engineer" shall mean the U.S. Army Engineer for the St. Louis District.

F. The term “fiscal year” shall mean one fiscal year of the Government. The Government fiscal year begins on October 1 and ends on September 30.

G. The term “betterment” shall mean a change in the design of an element of the Project resulting from the application of standards that the Government determines exceed those that the Government would otherwise apply for accomplishing the design and construction of that element, or the addition of an element of the Project that the Government would not otherwise accomplish.

H. The term “financial obligations for design” shall mean a financial obligation of the Government that results or would result in a cost that is or would be included in total design costs.

I. The term “non-Federal proportionate share” shall mean the ratio of the Non-Federal Sponsor’s total cash contribution required in accordance with Article II.B. of this Agreement to total financial obligations for design, as projected by the Government.

## ARTICLE II - OBLIGATIONS OF THE GOVERNMENT AND THE NON-FEDERAL SPONSOR

A. The Government, subject to receiving funds appropriated by the Congress and using those funds and funds provided by the Non-Federal Sponsor, shall expeditiously design the Project, applying those procedures usually applied to the engineering and design of Federal projects, pursuant to Federal laws, regulations, and policies.

1. To the maximum extent possible, the Government shall design the Project in accordance with the Project Management Plan for the Project and, if applicable, a Project Study Plan for any reevaluation during design, developed and updated as required by the Government after consultation with the Non-Federal Sponsor.

2. The Government shall afford the Non-Federal Sponsor the opportunity to review and comment on the solicitations for all contracts, including relevant scopes of work, prior to the Government’s issuance of such solicitations. To the extent possible, the Government shall afford the Non-Federal Sponsor the opportunity to review and comment on all contract modifications, including change orders, prior to the issuance to the contractor of a Notice to Proceed. In any instance where providing the Non-Federal Sponsor with notification of a contract modification or change order is not possible prior to issuance of the Notice to Proceed, the Government shall provide such notification in writing at the earliest date possible. To the extent possible, the Government also shall afford the Non-Federal Sponsor the opportunity to review and comment on all contract claims prior to resolution thereof. The Government shall consider in good faith the comments of the Non-Federal Sponsor, but the contents of solicitations, award of contracts, execution of contract modifications, issuance of change orders,

resolution of contract claims, and performance of all design (whether the work is performed under contract or by Government personnel), shall be exclusively within the control of the Government.

3. Notwithstanding paragraph A.1. of this Article, if the award of any contract for design or continuation of design using the Government's own forces would result in cumulative financial obligations for design exceeding \$2,750,000, the Government and the Non-Federal Sponsor agree to defer award of that contract, all subsequent contracts for design, and design using the Government's own forces until such time as the Government and the Non-Federal Sponsor agree to proceed with further contract awards for design or the continuation of design using the Government's own forces, but in no event shall the award of contracts or design using the Government's own forces be deferred for more than three years. Notwithstanding this general provision for deferral of contract awards or design, the Government, after consultation with the Non-Federal Sponsor, may award a contract or contracts or continue with design using the Government's own forces after the Assistant Secretary of the Army (Civil Works) makes a written determination that the award of such contract or contracts or continuation of design using the Government's own forces must proceed in order to comply with law or to protect human life or property from imminent and substantial harm.

4. As of the effective date of this Agreement, \$66,000 of Federal funds have been appropriated for design of the Project. This amount is less than the Federal share of projected total design costs, and the Government makes no commitment to budget for additional funds for the Federal share of total design costs. Notwithstanding any other provision of this Agreement, the Government's financial participation in design of the Project is limited to this amount together with any additional funds that the Congress may appropriate for design of the Project. In the event that the Congress does not appropriate funds sufficient to meet the Federal share of funds required to continue design in the then-current or upcoming fiscal year, the Government shall notify the Non-Federal Sponsor of the insufficiency of funds and the parties, within the Federal and Non-Federal funds available for the Project, shall suspend design or terminate this Agreement in accordance with Article XI.B. of this Agreement. To provide for this eventuality, the Government may reserve a percentage of total Federal funds available for design and an equal percentage of the total funds contributed by the Non-Federal Sponsor pursuant to Article II.B. of this Agreement as a contingency to pay costs of termination, including any costs of contract claims and contract modifications.

B. The Non-Federal Sponsor shall provide, during the period of design a contribution equal to 25 percent of total design costs. If the Government projects that the value of the Non-Federal Sponsor's contributions under Articles III and VII will be less than 25 percent of total design costs, the Non-Federal Sponsor shall provide a contribution, in accordance with Article IV.B. of this Agreement, in the amount necessary to meet its 25 percent share of total design costs.

C. The Government shall perform a final accounting in accordance with Article IV.D. of

this Agreement to determine the contributions provided by the Non-Federal Sponsor in accordance with paragraphs B. and E. of this Article and Articles III and VII of this Agreement and to determine whether the Non-Federal Sponsor has met its obligations under paragraphs B. and E. of this Article.

D. The Non-Federal Sponsor shall not use Federal funds to meet the Non-Federal Sponsor's share of total design costs under this Agreement unless the Federal granting agency verifies in writing that the expenditure of such funds is expressly authorized by statute.

E. The Non-Federal Sponsor may request the Government to design betterments. Such requests shall be in writing and shall describe the betterments requested to be designed. If the Government in its sole discretion elects to design the requested betterments or any portion thereof, it shall so notify the Non-Federal Sponsor in a writing that sets forth any applicable terms and conditions, which must be consistent with this Agreement. In the event of conflict between such a writing and this Agreement, this Agreement shall control. The Non-Federal Sponsor shall be solely responsible for all costs due to the requested design of betterments and shall pay all such costs in accordance with Article IV.C. of this Agreement.

F. In accordance with Article IV.E. of this Agreement, the Government shall afford credit, toward the share of total project costs for the Project that is required of the non-Federal entity or entities executing the Project Cooperation Agreement or Agreements for the Project or separable element thereof, for the Non-Federal Sponsor's 25 percent share of total design costs required under paragraph B. of this Article.

G. This Agreement shall not be construed as obligating either party to seek funds for, or to participate in, construction or implementation of the Project or a separable element thereof or as relieving the Non-Federal Sponsor of any future obligation under the terms of any Project Cooperation Agreement.

### ARTICLE III - DESIGN COORDINATION TEAM

A. To provide for consistent and effective communication, the Non-Federal Sponsor and the Government, not later than 30 days after the effective date of this Agreement, shall appoint named senior representatives to a Design Coordination Team. Thereafter, the Design Coordination Team shall meet regularly until the end of the period of design. The Government's Project Manager and a counterpart named by the Non-Federal Sponsor shall co-chair the Design Coordination Team.

B. The Government's Project Manager and the Non-Federal Sponsor's counterpart shall keep the Design Coordination Team informed of the progress of the design and of significant pending issues and actions, and shall seek the views of the Design Coordination Team on matters that the Design Coordination Team generally oversees.

C. Until the end of the period of design, the Design Coordination Team shall generally oversee issues related to design, including scheduling of reports and work products; development of plans and specifications; anticipated real property and relocation requirements for construction or implementation of the Project; contract awards and modifications; contract costs; the Government's cost projections; anticipated requirements and needed capabilities for performance of operation, maintenance, repair, replacement and rehabilitation of the Project; and other related matters.

D. The Design Coordination Team may make recommendations that it deems warranted to the District Engineer on matters that the Design Coordination Team generally oversees, including suggestions to avoid potential sources of dispute. The Government in good faith shall consider the recommendations of the Design Coordination Team. The Government, having the legal authority and responsibility for design, has the discretion to accept, reject, or modify the Design Coordination Team's recommendations.

E. The costs of participation in the Design Coordination Team during the period of design shall be included in total design costs and cost shared in accordance with the provisions of this Agreement.

#### ARTICLE IV - METHOD OF PAYMENT

A. Until the Government furnishes the Non-Federal Sponsor with the results of the final accounting, the Government shall maintain current records of contributions provided by the parties and current projections of total design costs and costs due to additional work under Article II.E. of this Agreement. At least quarterly, the Government shall provide the Non-Federal Sponsor with a report setting forth all contributions provided to date and the current projections of total design costs, of total costs due to additional work under Article II.E. of this Agreement, of each party's share of total design costs, of the non-Federal proportionate share, of the Non-Federal Sponsor's total contributions required in accordance with Articles II.B. and II.E. of this Agreement, and of the funds the Government projects to be required from the Non-Federal Sponsor in accordance with Articles II.B. and II.E. of this Agreement for the upcoming fiscal year. On the effective date of this Agreement, total design costs are projected to be \$2,500,000, and the Non-Federal Sponsor's contribution required under Article II.B. of this Agreement is projected to be \$625,000. Such amounts are estimates subject to adjustment by the Government and are not to be construed as the total financial responsibilities of the Government and the Non-Federal Sponsor.

B. The Non-Federal Sponsor shall provide the contribution required under Article II.B. of this Agreement in accordance with the provisions of this paragraph.

1. Not later than 30 calendar days after execution of this Agreement, the

Government shall notify the Non-Federal Sponsor in writing of the funds the Government determines to be required from the Non-Federal Sponsor to meet the non-Federal proportionate share of projected financial obligations for design through the first fiscal year of design, including the non-Federal proportionate share of financial obligations for design incurred prior to such payment. Not later than 30 calendar days after such notice the Non-Federal Sponsor shall provide the Government with the full amount of the required funds by delivering a check payable to "FAO, USAED, St. Louis (B3)" to the District Engineer, or verify to the satisfaction of the Government that the Non-Federal Sponsor has deposited the required funds in an escrow or other account acceptable to the Government, with interest accruing to the Non-Federal Sponsor, or present the Government with an irrevocable letter of credit acceptable to the Government for the required funds, or provide an Electronic Funds Transfer in accordance with procedures established by the Government.

2. For the second and subsequent fiscal years of design, the Government shall notify the Non-Federal Sponsor in writing, no later than 60 calendar days prior to the beginning of that fiscal year, of the funds the Government determines to be required from the Non-Federal Sponsor to meet the non-Federal proportionate share of projected financial obligations for design for that fiscal year. No later than 30 calendar days prior to the beginning of the fiscal year, the Non-Federal Sponsor shall make the full amount of the required funds for that fiscal year available to the Government through the funding mechanisms specified in paragraph B.1. of this Article.

3. The Government shall draw from the funds provided by the Non-Federal Sponsor such sums as the Government deems necessary to cover: (a) the non-Federal proportionate share of financial obligations for design incurred prior to the payment made under paragraph B.1 of this Article; and (b) the non-Federal proportionate share of financial obligations for design as they are incurred during the remainder of the period of design.

4. If at any time during the period of design the Government determines that additional funds will be needed from the Non-Federal Sponsor to cover the non-Federal proportionate share of projected financial obligations for design for the current fiscal year, the Government shall notify the Non-Federal Sponsor in writing of the additional funds required together with an explanation of why additional funds are required, and the Non-Federal Sponsor, no later than 30 calendar days from receipt of such notice, shall make the additional required funds available through the payment mechanisms specified in paragraph B.1. of this Article.

C. In advance of the Government incurring any financial obligation associated with additional work under Article II.E. of this Agreement, the Non-Federal Sponsor shall provide the Government with the full amount of the funds required to pay for such additional work by delivering a check payable to "FAO, USAED, St. Louis (B3)" to the District Engineer, or verify to the satisfaction of the Government that the Non-Federal Sponsor has deposited the full amount of the funds required to pay for such additional work in an escrow or other account acceptable to the Government, with interest accruing to the Non-Federal Sponsor, or present the Government



with an irrevocable letter of credit acceptable to the Government for the required funds, or provide an Electronic Funds Transfer in accordance with procedures established by the Government. The Government shall draw from the funds provided by the Non-Federal Sponsor such sums as the Government deems necessary to cover the Government's financial obligations for such additional work as they are incurred. In the event the Government determines that the Non-Federal Sponsor must provide additional funds to pay for such additional work, the Government shall notify the Non-Federal Sponsor in writing of the additional funds required. Within 30 calendar days thereafter, the Non-Federal Sponsor shall provide the Government with the full amount of the additional required funds through the funding mechanisms specified above.

D. Upon completion of design or termination of this Agreement, and upon resolution of all relevant proceedings, claims and appeals, the Government shall conduct a final accounting and furnish the Non-Federal Sponsor with the results of the final accounting. The final accounting shall determine total design costs, each party's contribution provided thereto, and each parties required share thereof. The final accounting also shall determine total costs due to additional work under Article II.E. of this Agreement and the Non-Federal Sponsor's contribution provided pursuant to Article II.E. of this Agreement.

1. In the event the final accounting shows that the total contribution provided by the Non-Federal Sponsor under Articles II.B., II.E., III and VII of this Agreement is less than its required 25 percent share of total design costs plus costs due to additional work under Article II.E. of this Agreement, the Non-Federal Sponsor shall, no later than 90 calendar days after receipt of written notice, make a payment to the Government of whatever sum is required to meet the Non-Federal Sponsor's required 25 percent share of total design costs plus costs due to additional work under Article II.E. of this Agreement.

2. In the event the final accounting shows that the total contribution provided by the Non-Federal Sponsor under Articles II.B., II.E., III and VII of this Agreement exceeds its required 25 percent share of total design costs plus costs due to additional work under Article II.E. of this Agreement, the Government shall afford credit to the Non-Federal Sponsor during the construction or implementation of the Project (other than the 5 percent cash share for structural flood control), or the Government shall, subject to the availability of funds, refund the excess to the Non-Federal Sponsor no later than 90 calendar days after the final accounting is complete. In the event existing funds are not available to refund the excess to the Non-Federal Sponsor, the Government shall seek such appropriations as are necessary to make the refund.

E. The Government shall afford credit for the Non-Federal Sponsor's 25 percent share of total design costs required under Article II.B. of this Agreement, in accordance with this paragraph. The Government shall afford such credit only after any payment to the Government or refund to the Non-Federal Sponsor required by paragraph D. of this Article has been made. To afford such credit, the Government shall apply the amount credited toward the share that non-Federal entities are required to provide toward total project costs for the Project. However, any

amount credited for the value of the Non-Federal Sponsor's contributions toward total Design costs provided in accordance with Articles III and VII of this Agreement shall not be applied toward the 5 percent cash share required by Section 103(a)(1) (A) of the Water Resources Development Act of 1986, Public Law 99-662, as amended. Nothing in this Agreement shall be construed to obligate the Government to repay the Non-Federal Sponsor, in whole or in part, for its 25 percent share of total design costs.

1. If Federal funds are appropriated for construction or implementation of the Project, and if the Government and a non-Federal entity enter into a Project Cooperation Agreement for construction or implementation of the entire Project, then the Government shall afford credit for the entire 25 percent share.

2. If Federal funds are appropriated for construction or implementation of the Project or a separable element thereof, and if the Government and a non-Federal entity enter into a Project Cooperation Agreement for construction or implementation of such separable element, then the Government shall afford credit for such portion of the 25 percent share as is allocable to such separable element.

3. If no Federal funds are appropriated for construction or implementation of the Project or a separable element thereof, or if the Government and a non-Federal entity do not enter into a Project Cooperation Agreement for construction or implementation of the Project or a separable element, then the Government shall not afford any credit for such 25 percent share.

#### ARTICLE V - DISPUTE RESOLUTION

As a condition precedent to a party bringing any suit for breach of this Agreement, that party must first notify the other party in writing of the nature of the purported breach and seek in good faith to resolve the dispute through negotiation. If the parties cannot resolve the dispute through negotiation, they may agree to a mutually acceptable method of non-binding alternative dispute resolution with a qualified third party acceptable to both parties. The parties shall each pay 50 percent of any costs for the services provided by such a third party as such costs are incurred. The existence of a dispute shall not excuse the parties from performance pursuant to this Agreement.

#### ARTICLE VI - HOLD AND SAVE

The Non-Federal Sponsor shall hold and save the Government free from all damages arising from design for the Project and design for any Project-related betterments, except for damages due to the fault or negligence of the Government or its contractors.

## ARTICLE VII - MAINTENANCE OF RECORDS AND AUDIT

A. Not later than 60 calendar days after the effective date of this Agreement, the Government and the Non-Federal Sponsor shall develop procedures for keeping books, records, documents, or other evidence pertaining to costs and expenses incurred pursuant to this Agreement. These procedures shall incorporate, and apply as appropriate, the standards for financial management systems set forth in the Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments at 32 C.F.R. Section 33.20. The Government and the Non-Federal Sponsor shall maintain such books, records, documents, or other evidence in accordance with these procedures and for a minimum of three years after completion of the accounting for which such books, records, documents, or other evidence were required. To the extent permitted under applicable Federal laws and regulations, the Government and the Non-Federal Sponsor shall each allow the other to inspect such books, documents, records, or other evidence.

B. Pursuant to 32 C.F.R. Section 33.26, the Non-Federal Sponsor is responsible for complying with the Single Audit Act of 1984, 31 U.S.C. Sections 7501-7507, as implemented by Office of Management and Budget (OMB) Circular No. A-133 and Department of Defense Directive 7600.10. Upon request of the Non-Federal Sponsor and to the extent permitted under applicable Federal laws and regulations, the Government shall provide to the Non-Federal Sponsor and independent auditors any information necessary to enable an audit of the Non-Federal Sponsor's activities under this Agreement. The costs of any non-Federal audits performed in accordance with this paragraph before the Government furnishes the Non-Federal Sponsor with the results of the final accounting shall be allocated in accordance with the provisions of OMB Circulars A-87 and A-133, and such costs as are allocated to the Project shall be included in total design costs and cost shared in accordance with the provisions of this Agreement.

C. In accordance with 31 U.S.C. Section 7503, the Government may conduct audits in addition to any audit that the Non-Federal Sponsor is required to conduct under the Single Audit Act. Any such Government audits shall be conducted in accordance with Government Auditing Standards and the cost principles in OMB Circular No. A-87 and other applicable cost principles and regulations. The costs of Government audits performed in accordance with this paragraph before the Government furnishes the Non-Federal Sponsor with the results of the final accounting shall be included in total design costs and cost shared in accordance with the provisions of this Agreement.

## ARTICLE VIII - FEDERAL AND STATE LAWS

In the exercise of their respective rights and obligations under this Agreement, the Non-Federal Sponsor and the Government agree to comply with all applicable Federal and State laws

and regulations, including, but not limited to, Section 601 of the Civil Rights Act of 1964, Public Law 88-352 (42 U.S.C. 2000d), and Department of Defense Directive 5500.11 issued pursuant thereto, as well as Army Regulations 600-7, entitled "Nondiscrimination on the Basis of Handicap in Programs and Activities Assisted or Conducted by the Department of the Army", and Section 402 of the Water Resources Development Act of 1986, as amended (33 U.S.C. 701b-12), requiring non-Federal preparation and implementation of flood plain management plans.

#### ARTICLE IX - RELATIONSHIP OF PARTIES

A. In the exercise of their respective rights and obligations under this Agreement, the Government and the Non-Federal Sponsor each act in an independent capacity, and neither is to be considered the officer, agent, or employee of the other.

B. In the exercise of its rights and obligations under this Agreement, neither party shall provide, without the consent of the other party, any contractor with a release that waives or purports to waive any rights such other party may have to seek relief or redress against such contractor either pursuant to any cause of action that such other party may have or for violation of any law.

#### ARTICLE X - OFFICIALS NOT TO BENEFIT

No member of or delegate to the Congress, nor any resident commissioner, shall be admitted to any share or part of this Agreement, or to any benefit that may arise therefrom.

#### ARTICLE XI - TERMINATION OR SUSPENSION

A. If at any time the Non-Federal Sponsor fails to fulfill its obligations under Articles II.B., II.E. or IV of this Agreement, the Assistant Secretary of the Army (Civil Works) shall terminate this Agreement or suspend future performance under this Agreement unless he determines that continuation of work on design of the Project is in the interest of the United States or is necessary in order to satisfy agreements with any other non-Federal interests in connection with the Project.

B. If the Government fails to receive annual appropriations in amounts sufficient to meet its share of scheduled expenditures for design for the then-current or upcoming fiscal year, the Government shall so notify the Non-Federal Sponsor in writing, and 60 calendar days thereafter either party may elect without penalty to terminate this Agreement or to suspend future performance under this Agreement. In the event that either party elects to suspend future performance under this Agreement pursuant to this paragraph, such suspension shall remain in effect until such time as the Government receives sufficient appropriations or until either the

Government or the Non-Federal Sponsor elects to terminate this Agreement, whichever occurs first.

C. In the event that either party elects to terminate this Agreement pursuant to this Article, both parties shall conclude their activities relating to design of the Project and proceed to a final accounting in accordance with Article IV.D. of this Agreement.

D. Any termination of this Agreement or suspension of future performance under this Agreement in accordance with this Article shall not relieve the parties of liability for any obligation previously incurred. Any delinquent payment from the Non-Federal Sponsor shall be charged interest at a rate, to be determined by the Secretary of the Treasury, equal to 150 per centum of the average bond equivalent rate of the 13-week Treasury bills auctioned immediately prior to the date on which such payment became delinquent, or auctioned immediately prior to the beginning of each additional 3-month period if the period of delinquency exceeds 3 months.

## ARTICLE XII - NOTICES

A. Any notice, request, demand, or other communication required or permitted to be given under this Agreement shall be deemed to have been duly given if in writing and either delivered personally or by telegram or mailed by first-class, registered, or certified mail, as follows:

If to the Non-Federal Sponsor:

City Manager  
6801 Delmar Boulevard  
University City, MO 63130

If to the Government:

District Engineer  
Army Corps of Engineers, St. Louis District  
1222 Spruce Street  
St. Louis, MO 63103

B. A party may change the address to which such communications are to be directed by giving written notice to the other party in the manner provided in this Article.

C. Any notice, request, demand, or other communication made pursuant to this Article shall be deemed to have been received by the addressee at the earlier of such time as it is actually received or seven calendar days after it is mailed.

ARTICLE XIII - CONFIDENTIALITY

To the extent permitted by the laws governing each party, the parties agree to maintain the confidentiality of exchanged information when requested to do so by the providing party.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, which shall become effective upon the date it is signed by the Acting District Engineer.

THE DEPARTMENT OF THE ARMY

BY: Joseph D. Tyron

JOSEPH D. TYRON  
Major, Corps of Engineers  
Acting District Engineer

DATE: 30 JUN 04

THE CITY OF UNIVERSITY CITY

BY: Frank Ollendorf


FRANK OLLENDORF  
City Manager

DATE: June 2, 2004

CERTIFICATE OF AUTHORITY

I, John Mulligan, Jr., do hereby certify that I am the principal legal officer of the city of University City, Missouri, that the city of University City, Missouri, is a legally constituted public body with full authority and legal capability to perform the terms of the Agreement between the Department of the Army and the city of University City, Missouri, in connection with design of the University City Branch of the River Des Peres, Missouri, Project, and that the persons who have executed this Agreement on behalf of the city of University City, Missouri, have acted within their statutory authority.

IN WITNESS WHEREOF, I have made and executed this certification this  
2nd day of June, 2004.

  
\_\_\_\_\_  
JOHN MULLIGAN, JR.  
CITY ATTORNEY

CERTIFICATION REGARDING LOBBYING

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

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the 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.

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

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

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

  
FRANK OLLENDORF  
CITY MANAGER

DATE: June 2, 2004



**River Des Peres Project Authority  
University City's Letter to Offer Sponsor Contributed Funds**



**Lehman Walker, City Manager**

6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 505-8534, Fax: (314) 863-9146

May 2, 2016

COL Anthony P. Mitchell  
Commander, St. Louis District  
U.S. Army Corps of Engineers  
1222 Spruce Street  
St. Louis, MO 63103-2833

RE: Proposal for Acceptance of Voluntarily Contributed Funds for General Reevaluation Report (GRR) on the River des Peres, Missouri, University City Branch

Dear COL Mitchell,

As you are aware, the U.S. Army Corps of Engineers, St. Louis District (District) studied the feasibility of providing urban flood damage reduction and related improvements in the River des Peres watershed in St. Louis City and County, Missouri. The District approved a Feasibility Report, Supplementary Information Report, Environmental Assessment and Finding of No Significant Impact (FONSI) on May 23, 1989. A Chiefs Report was signed in 1989 and the project authorized for construction in 1990. The FY2004 Energy and Water Development Appropriations Act, Public Law 108-137, provided funds for the District to initiate design of a structural channel modification along the University City Branch of the River Des Peres, located in University City, Missouri. Updates to the hydraulic model and a Value Engineering Study in 2009 revealed that the authorized plan would induce flooding downstream.

The District initiated reanalysis of the recommended plan in 2009 to reformulate and modify the plan evaluating a nonstructural buyout in the 5-year floodplain. We understand that the District received its last Federal work allowance in FY10 and has been unable to move forward with the reanalysis due to the lack of a Federal work allowance.

University City offers contributed funds in the amount of \$650,000 to reflect the Federal and non-Federal share necessary for the District to complete the GRR. We understand that credit cannot be afforded or repayment authorized for our voluntary contribution of funds. We also understand that the District's acceptance of funds will not constitute or imply any commitment to budget or appropriate funds for the project in the future.

Best regards,

Lehman Walker  
City Manager  
City of University City

River Des Peres Project Authority  
U.S. Army Corps of Engineers Confirmation of  
Congressional Committee Notification Completed

-----Original Message-----

From: Cole, James L (Jim) JR CIV USARMY CEMVD (USA)

Sent: Friday, June 7, 2019 3:41 PM

To: Wilson, Susan E CIV USARMY CEMVS (USA) <Susan.E.Wilson@usace.army.mil>; Sullivan, Shawn F CIV USARMY CEMVS (USA) <Shawn.F.Sullivan@usace.army.mil>; Feldmann, Michael G CIV USARMY CEMVS (USA)

<Michael.Feldmann@usace.army.mil>; Kohler, Gregory W CIV USARMY CEMVS (US) <Greg.Kohler@usace.army.mil>

Cc: Turner, Renee N CIV USARMY CEMVD (US) <Renee.N.Turner@usace.army.mil>; Feibelman, Richard Y (Rich) CIV USARMY CEMVD (USA) <Rich.Feibelman@usace.army.mil>; Chewning, Daniel B (Brian) CIV USARMY CEMVD (US)

<Brian.Chewning@usace.army.mil>; Shepard, George T Jr CIV USARMY CEMVD (USA) <George.T.Shepard@usace.army.mil>;

Smithhart, Benjamin T CIV USARMY CEMVD (US) <Benjamin.T.Smithhart@usace.army.mil>; Smith, Derrick A CIV USARMY CEMVM (USA) <Derrick.A.Smith@usace.army.mil>

Subject: FW: Contributed Funds Notifications - River des Peres, MO (UNCLASSIFIED)

Importance: High

All:

HQ Future Directions Branch has informed MVD that the Committee Notification for River Des Peres is complete. Please see the attached signed documents and retain for your files.

Thanks,

Jim Cole

Program Manager-Upper District Support Team St. Louis District Mississippi Valley Division

1400 Walnut Street

Vicksburg, MS 39180

Ph: 601.634.5293

Cell: 601.529.4753

-----Original Message-----

From: Powell, Laura C CIV USARMY CEHQ (US)

Sent: Friday, June 7, 2019 3:46 PM

To: Lucyshyn, John CIV USARMY CEHQ (US) <John.Lucyshyn@usace.army.mil>

Cc: Roberts, Karla A CIV USARMY CEHQ (USA) <Karla.A.Roberts@usace.army.mil>; Wethington, David M (Dave) CIV USARMY CEHQ (USA) <David.M.Wethington@usace.army.mil>

Subject: FW: Contributed Funds Notifications - River des Peres, MO (UNCLASSIFIED)

Importance: High

CLASSIFICATION: UNCLASSIFIED

Congressional notification is complete :)

See signed copies attached.

/r

Laura C Powell

Future Directions

U.S. Army Corps of Engineers

202-761-7493 office

202-710-2739 cell



DEPARTMENT OF THE ARMY  
OFFICE OF THE ASSISTANT SECRETARY  
CIVIL WORKS  
108 ARMY PENTAGON  
WASHINGTON DC 20310-0108

NOV - 5 2018

The Honorable Lamar Alexander  
Chairman, Subcommittee on Energy  
and Water Development  
Committee on Appropriations  
United States Senate  
Washington, DC 20510

Dear Mr. Chairman:

This letter is to inform you that the Department of Army has initiated negotiations for accepting contributed funds for the River des Peres, Missouri project from the city of University City, Missouri, which is the non-Federal sponsor of this project. The purpose of these negotiations is to amend the June 30, 2004, Design Agreement (DA) for the project to allow the non-Federal sponsor to provide contributed funds under 33 U.S.C. 701h to cover all of the remaining cost of certain work.

The proposed work involves a general re-evaluation study of the authorized project. The non-Federal sponsor is offering to contribute all funds needed to complete this study. The Corps of Engineers estimates that this work will cost \$650,000.

The non-Federal sponsor is offering to provide these contributed funds voluntarily and understands that the amendment to the DA will recognize that no repayment or credit for such funds is authorized. In addition, the non-Federal sponsor understands that acceptance of these funds by the Department of the Army will not constitute or imply any commitment by the Federal Government to budget or appropriate funds for this project in the future. Therefore, execution of the proposed amendment to the existing DA will not represent or give rise to obligations of the United States.

I am sending an identical letter to the Honorable Mike Simpson, Chairman, Subcommittee on Energy and Water Development, Committee on Appropriations, United States House of Representatives.

Sincerely,

A handwritten signature in cursive script that reads "R.D. James".

R.D. James  
Assistant Secretary of the Army  
(Civil Works)

CF: Honorable Dianne Feinstein  
Ranking Member



DEPARTMENT OF THE ARMY  
OFFICE OF THE ASSISTANT SECRETARY  
CIVIL WORKS  
108 ARMY PENTAGON  
WASHINGTON DC 20310-0108

NOV -5 2018

The Honorable John Barrasso  
Chairman, Committee on Environment  
and Public Works  
United States Senate  
Washington, DC 20510

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Sincerely,

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R.D. James  
Assistant Secretary of the Army  
(Civil Works)

CF: Honorable Tom Carper  
Ranking Member



DEPARTMENT OF THE ARMY  
OFFICE OF THE ASSISTANT SECRETARY  
CIVIL WORKS  
108 ARMY PENTAGON  
WASHINGTON DC 20310-0108

NOV - 5 2018

The Honorable Bill Shuster  
Chairman, Committee on Transportation  
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United States House of Representatives  
Washington, DC 20515

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R.D. James  
Assistant Secretary of the Army  
(Civil Works)

CF: Honorable Peter A. DeFazio  
Ranking Member



DEPARTMENT OF THE ARMY  
OFFICE OF THE ASSISTANT SECRETARY  
CIVIL WORKS  
108 ARMY PENTAGON  
WASHINGTON DC 20310-0108

NOV -5 2018

The Honorable Mike Simpson  
Chairman, Subcommittee on Energy  
and Water Development  
Committee on Appropriations  
United States House of Representatives  
Washington, DC 20515

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Sincerely,

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R.D. James  
Assistant Secretary of the Army  
(Civil Works)

CF: Honorable Marcy Kaptur  
Ranking Member



AMENDMENT NUMBER 1  
TO THE  
DESIGN AGREEMENT  
BETWEEN  
THE DEPARTMENT OF THE ARMY  
AND  
CITY OF UNIVERSITY CITY, MISSOURI  
FOR DESIGN OF THE  
UNIVERSITY CITY BRANCH  
OF THE RIVER DES PERES, MISSOURI PROJECT

THIS AMENDMENT is entered into this \_\_\_\_ day of \_\_\_\_\_, 2019, by and between the Department of the Army (hereinafter the "Government") represented by the U.S. Army Engineer, St. Louis District and the City of University City, Missouri (hereinafter the "Non-Federal Sponsor") represented by the City Manager.

WITNESSETH, THAT:

WHEREAS, construction or implementation of the University City Branch of the River Des Peres, Missouri Project at University City, Missouri is authorized by Section 101(a)(17) of the Water Resources Development Act of 1990;

WHEREAS, the Government and the Non-Federal Sponsor entered into a Design Agreement on June 30, 2004 (hereinafter the "Agreement") for design of the University City Branch of the River Des Peres, Missouri Project for flood risk management (hereinafter the "Project", as defined in Article I.A of the Agreement);

WHEREAS, in addition to providing the required non-Federal cost share, the Non-Federal Sponsor considers it to be in its own interest to contribute funds voluntarily (hereinafter the "Contributed Funds") to be used by the Government for the Design, as authorized pursuant to 33 U.S.C. 701h;

WHEREAS, the Government and the Non-Federal Sponsor desire to amend the Agreement to add provisions to contribute funds.

NOW, THEREFORE, the Government and the Non-Federal Sponsor agree to amend the Agreement as follows:

1. Insert after the fourth WHEREAS clause the following:

"WHEREAS, in addition to providing the required non-Federal cost share, the Non-Federal Sponsor considers it to be in its own interest to contribute funds voluntarily (hereinafter the "Contributed Funds") to be used by the Government for the Design, as authorized pursuant to 33 U.S.C. 701h; and"

2. ARTICLE I - DEFINITIONS is amended as follows:

- a. The "total design costs" definition in Article I.C is amended by adding as a third sentence; "The term also includes the cost of work funded with Contributed Funds."
- b. Add a new paragraph J to Article I as follows; "Contributed Funds" means those funds above any statutorily required non-Federal cost share that are provided voluntarily by the Non-Federal Sponsor for funding the Design, with no credit or repayment authorized for such funds."

3. ARTICLE II - OBLIGATIONS OF THE GOVERNMENT AND THE NON-FEDERAL SPONSOR is amended as follows:

- a. By inserting paragraph H which states; "In addition to providing the funds required pursuant to paragraph B. of this Article, the Non-Federal Sponsor will be providing Contributed Funds currently estimated at \$650,000.00, for the Design. The Non-Federal Sponsor shall make the full amount of such funds available to the Government by delivering a check payable to "FAO, USAED, [St. Louis District (B3)]" to the District Engineer, or by providing an Electronic Funds Transfer of such funds in accordance with procedures established by the Government. No credit or repayment is authorized, nor shall be provided, for any Contributed Funds provided by the Non-Federal Sponsor that are obligated by the Government. In addition, acceptance and use of Contributed Funds shall not constitute, represent, or imply any commitment to budget or appropriate funds for the Design in the future."

4. All other terms and conditions of the Agreement remain unchanged.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment Number 1, which shall become effective upon the date it is signed by the District Engineer.

DEPARTMENT OF THE ARMY

CITY OF UNIVERSITY CITY, MISSOURI

BY: \_\_\_\_\_  
 BRYAN K. SIZEMORE  
 Colonel, U.S. Army  
 District Engineer

BY: \_\_\_\_\_  
 GREGORY ROSE  
 City Manager

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

CERTIFICATE OF AUTHORITY

I, \_\_\_\_\_, do hereby certify that I am the principal legal officer of the city of University City, Missouri, that the city of University City, Missouri, is a legally constituted public body with full authority and legal capability to perform the terms of the Amendment No. 1 between the Department of the Army and the city of University City, Missouri, in connection with design of the University City Branch of the River Des Peres, Missouri, Project, and that the persons who have executed this Amendment No. 1 on behalf of the city of University City, Missouri, have acted within their statutory authority.

IN WITNESS WHEREOF, I have made and executed this certification this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
[INSERT TYPED NAME]  
CITY ATTORNEY

CERTIFICATION REGARDING LOBBYING

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

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the 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.

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

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

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. 1352. 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.

\_\_\_\_\_  
Gregory Rose  
City Manager, University City, Missouri

DATE: \_\_\_\_\_

**NON-FEDERAL SPONSOR'S  
SELF-CERTIFICATION OF FINANCIAL CAPABILITY  
FOR AGREEMENTS**

I, \_\_\_\_\_, do hereby certify that I am the Chief Financial Officer of the city of University City, Missouri (the "Non-Federal Sponsor"); that I am aware of the financial obligations of the Non-Federal Sponsor for the University City Branch of the River Des Peres, Missouri Project; and that the Non-Federal Sponsor has the financial capability to satisfy the Non-Federal Sponsor's obligations under Amendment No. 1 of the Design Agreement for the University City Branch of the River Des Peres, Missouri Project.

IN WITNESS WHEREOF, I have made and executed this certification this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

DRAFT

August 22, 2019

COL Bryan K. Sizemore  
Commander, St. Louis District  
U.S. Army Corps of Engineers  
1222 Spruce Street  
St. Louis, MO 63103-2833

RE: Sponsor's Contributed Funds Offer for General Reevaluation Report (GRR) on the River des Peres, Missouri, University City Branch

Dear COL Sizemore,

As you are aware, the U.S. Army Corps of Engineers, St. Louis District (District) studied the feasibility of providing urban flood damage reduction and related improvements in the River des Peres watershed in St. Louis City and County, Missouri. The District approved a Feasibility Report, Supplementary Information Report, Environmental Assessment and Finding of No Significant Impact (FONSI) on May 23, 1989. A Chiefs Report was signed in 1989 and the project authorized for construction in 1990. The FY2004 Energy and Water Development Appropriations Act, Public Law 108-137, provided funds for the District to initiate design of a structural channel modification along the University City Branch of the River Des Peres, located in University City, Missouri. Updates to the hydraulic model and a Value Engineering Study in 2009 revealed that the authorized plan would induce flooding downstream of the project.

The District initiated reanalysis of the recommended plan between 2004-2009 to reformulate and modify the plan. In the absence of a Federal work allowance since FY2010, progress has not been made to implement a solution to a documented problem that impacts lives and property.

University City offers contributed funds in the amount of \$650,000 to reflect the Federal and non-Federal share necessary for the District to complete the GRR. We have been informed by the District that the Congressional committee notification process has been completed and the execution of an amendment to the 2004 Design Agreement is needed to enable the District's acceptance of contributed funds. We understand that credit cannot be afforded or repayment authorized for our voluntary contribution of funds. We also understand that the District's acceptance of funds will not constitute or imply any commitment to budget or appropriate funds for the project in the future.

Sincerely,

Gregory Rose  
City Manager  
University City, Missouri







## Council Agenda Item Cover

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**MEETING DATE:** September 9, 2019

**AGENDA ITEM TITLE:** MSD Stormwater Operation, Maintenance and Construction Improvement (OMCI) Taxing Sub-districts – An Update

**AGENDA SECTION:** City Manager's Report

**CAN THIS ITEM BE RESCHEDULED?:** YES

---

**BACKGROUND:** The City of University City is located within three OMCI taxing sub-districts. These are: 1) University City Branch of River Des Peres, 2) Deer Creek, and 3) Wellston (in the order from the largest to the smallest land area in each district) – please see Attachment #1 containing a map of each district and the corresponding tax revenue characteristics. The tax rates in these sub-districts are now set to zero.

MSD has conducted planning meetings with the municipalities in their service area with respect to soliciting their input on reestablishing the taxes in the OMCI taxing sub-districts and two options for administering the funding generated from it: Option 1: Administered by MSD, Option 2: Administration Split between MSD and each municipality. A general meeting was held on June 25, 2019 where MSD shared the above information, after which the district-specific meetings were held on July 31 (Deer Creek) and August 6 (University City branch of River Des Peres and Wellston). Staff attended all the meetings and reviewed the information, then conferred to request delivery of an update by MSD to City Council in this matter.

MSD's plan forward relative to the OMCI Taxing Sub-districts is to develop a recommendation from MSD staff to the MSD Board of Trustees based on feedback from the municipalities in each sub-district. To this end, MSD's Executive Director and CEO, Brian Hoelscher, will present an update to University City Council (a copy of the presentation attached – see Attachment #2)

The timeline relative to the OMCI Taxing Sub-districts is the following:

- Concluding in September 2019: MSD will help to establish stormwater committees in each sub-district, which will hold planning meetings to determine their final recommendations on rate and administration.
- October to December 2019: MSD staff will submit recommendations to the MSD Board of Trustees, and the Board of Trustees will vote on re-establishing sub-district rates.

**RECOMMENDATION:** The City Manager is requesting discussion and direction by City Council.

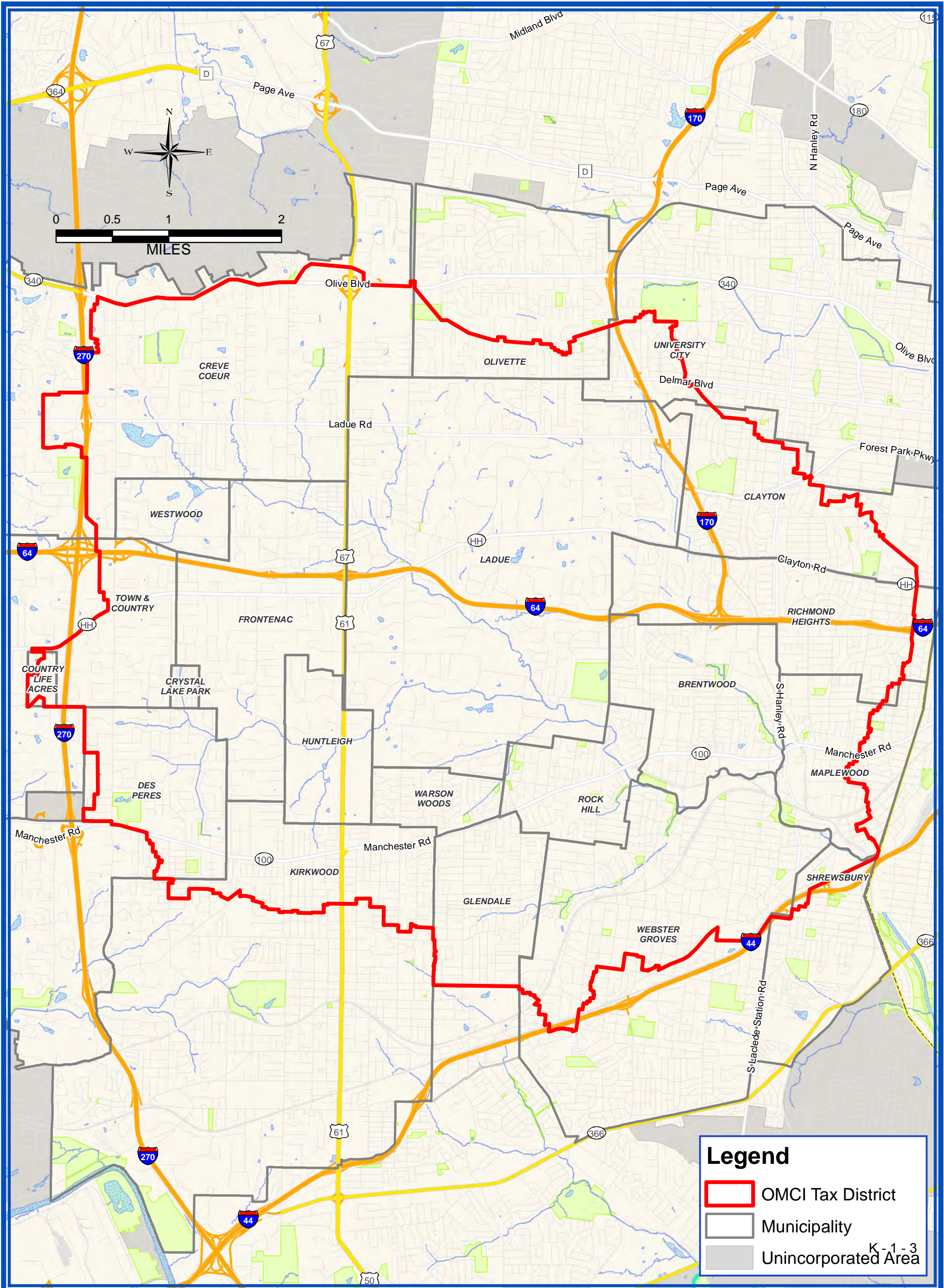
**ATTACHMENT:** 1) University City OMCI Information Packet  
2) MSD Stormwater OMCI Taxing Sub-districts Presentation





# The Metropolitan St. Louis Sewer District

## Deer Creek OMCI Taxing District and Related Municipalities



**OMCI Data  
by OMCI District**

<b>OMCI Name:</b>	<b>Max OMCI Property Tax Rate (2018):</b>	<b>OMCI Revenue:</b>
Deer Creek (5566)	\$ 0.0780	\$ 3,731,126

<u>Municipality:</u>	<u>Residents:</u>	<u>% Residents:</u>	<u>Revenue</u>	<u>% Revenue</u>	<u>% ID Projects by \$</u>	<u>Annual Revenue if 50% Share</u>
BRENTWOOD	8,055	8.55%	\$ 242,466	6.50%	16.9%	121,233
CLAYTON	11,410	12.12%	\$ 698,734	18.73%	0.3%	349,367
COUNTRY LIFE ACRES	60	0.06%	\$ 6,222	0.17%	0.0%	3,111
CREVE COEUR	8,245	8.76%	\$ 434,228	11.64%	0.3%	217,114
CRYSTAL LAKE PARK	470	0.50%	\$ 13,910	0.37%	0.0%	6,955
DES PERES	2,949	3.13%	\$ 134,722	3.61%	0.6%	67,361
FRONTENAC	3,482	3.70%	\$ 233,447	6.26%	6.4%	116,724
GLENDALE	5,918	6.29%	\$ 127,975	3.43%	0.9%	63,987
HUNTLEIGH	334	0.35%	\$ 47,592	1.28%	0.0%	23,796
KIRKWOOD	4,730	5.02%	\$ 149,736	4.01%	2.1%	74,868
LADUE	8,521	9.05%	\$ 591,074	15.78%	56.5%	295,537
MAPLEWOOD	5,599	5.95%	\$ 93,098	2.50%	0.0%	46,549
OLIVETTE	1,936	2.06%	\$ 74,138	1.99%	0.7%	37,069
RICHMOND HEIGHTS	7,839	8.33%	\$ 244,434	6.55%	5.7%	122,217
ROCK HILL	4,635	4.92%	\$ 92,325	2.47%	1.2%	46,162
SHREWSBURY	689	0.73%	\$ 8,086	0.22%	0.6%	4,043
TOWN & COUNTRY	1,183	1.26%	\$ 108,896	2.92%	0.4%	54,448
UNIVERSITY CITY	3,211	3.41%	\$ 63,897	1.71%	0.2%	31,949
WARSON WOODS	1,962	2.08%	\$ 58,311	1.56%	0.4%	29,155
WEBSTER GROVES	12,652	13.44%	\$ 288,447	7.73%	6.6%	144,224
WESTWOOD	278	0.30%	\$ 19,388	0.52%	0.0%	9,694
<b>Totals:</b>	<b>94,158</b>	<b>100%</b>	<b>\$ 3,731,126</b>	<b>100%</b>		<b>1,865,563</b>

Residents: calculated based on percentage of municipality area within the OMCI, multiplied by the average population density of the municipality

% Residents: calculated based on the estimated municipality population within the OMCI, divided by the total OMCI population

Revenue: calculated by applying the %Revenue times the annual anticipated total revenue from the OMCI

% Revenue: assessed valuation of the municipality area within the OMCI, divided by the assessed valuation of the total OMCI

**OMCI Identified Projects Listed by Municipality and by Benefit Cost Ratio**

OMCI Fund Number	OMCI Name	Municipality	Project Benefit Cost	Conceptual Project Cost	Category	Project Number	Project Name	Scope of Work	Problem Description
5566	Deer Creek OMCI Fund	Brentwood	1.06	33,280,000	Regional Flooding	11469	HANLEY INDUSTRIAL COURT AND WEST POINT DRIVE PHASE III (DCBC-150)	BUYOUT OF 25 COMMERCIAL PROPERTIES SUBJECT TO FLOODING.	FLOODING OF 39 PROPERTIES
5566	Deer Creek OMCI Fund	Brentwood	0.5	256,000	Local Flooding	11161	WHITEHALL CT - PINE AVE STORM SEWER	485 FEET OF 15INCH RCP STORM SEWER AND 4 STRUCTURES.	YARD FLOODING.
5566	Deer Creek OMCI Fund	Brentwood	0.01	320,000	Local Flooding	12765	POWELL AVE AND ANNALEE STORM SEWER IMPROVEMENTS	REPLACE 680 FEET OF 30-INCH TO 48-INCH AND 4 FOOT BY 3 FOOT BOX STORM SEWERS.	STREET FLOODING.
		<b>Brentwood Total</b>		<b>33,856,000</b>					
5566	Deer Creek OMCI Fund	Clayton	0.31	288,000	Local Flooding	11472	BILTMORE DR.AND BEMISTON AVE. STORM SEWER	CONSTRUCT 405 FEET OF 15-INCH TO 30-INCH STORM SEWER AND APPURTENANCES.	INFREQUENT ROADWAY FLOODING.
5566	Deer Creek OMCI Fund	Clayton	0.25	251,200	Local Flooding	11001	DAYTONA DRIVE STORM SEWER IMPROVEMENTS	CONSTRUCT 550 FEET OF 12-INCH TO 15-INCH STORM SEWERS.	Yard flooding.
5566	Deer Creek OMCI Fund	Clayton	0.01	-	Local Flooding	13285	CLAYTON CITY HALL STORM SEWER	CONSTRUCT PROJECT TO PREVENT STORM SEWER SURCHARGE FROM ENTERING BELOW GRADE PARKING GARAGE.	STORM SEWER SURCHARGING AND FLOODING OF UNDERGROUND PARKING GARAGE.
		<b>Clayton Total</b>		<b>539,200</b>					
5566	Deer Creek OMCI Fund	Creve Coeur	0.47	688,000	Erosion	10310	QUAILWAYS DR. #8 CHANNEL IMPROVEMENTS	DESIGN AND CONSTRUCT APPROXIMATELY 570 FEET OF BANK STABILIZATION, 30 FEET OF 15-INCH TO 18-INCH DIAMETER STORM SEWER, AND APPURTENANCES.	CREEK EROSION ALONG PORTIONS OF MONSANTO-SUNSWEPT BRANCH OF DEER CREEK, BETWEEN MIDDLEBROOK DRIVE AND QUAILWAYS DRIVE.
		<b>Creve Coeur Total</b>		<b>688,000</b>					
5566	Deer Creek OMCI Fund	Des Peres	0.49	131,200	Local Flooding	11164	LAWNWOOD DR. #1442 STORM SEWER	CONSTRUCT 320 FEET OF 15-INCH TO 18-INCH STORM SEWER.	YARD FLOODING.
5566	Deer Creek OMCI Fund	Des Peres	0.47	488,000	Erosion	11176	BALLAS RD. - BALWYCK LN. BANK STABILIZATION	STABILIZE 270 FEET OF CHANNEL AND CONSTRUCT TWO GRADE CONTROLS.	CREEK EROSION.
5566	Deer Creek OMCI Fund	Des Peres	0.36	376,000	Local Flooding	11167	WINDRIDGE COURT STORM SEWER	CONSTRUCT 740 FEET OF 12-INCH TO 21-INCH STORM SEWER.	YARD FLOODING.
5566	Deer Creek OMCI Fund	Des Peres	0.34	304,000	Local Flooding	11168	BRIARBROOK TRAIL STORM SEWER	CONSTRUCT 485 FEET OF 15-INCH TO 24-INCH STORM SEWER AND APPURTENANCES.	STORM SEWER SYSTEM ALONG BRIARBROOK TRAIL DISCHARGES ONTO PROPERTY CAUSING FLOODING OF DRIVEWAY AND FRONT YARD.
		<b>Des Peres Total</b>		<b>1,299,200</b>					
5566	Deer Creek OMCI Fund	Frontenac	0.44	328,000	Local Flooding	11040	WYNCLIFF LN - FOREST AIRE DR STORM SEWER (FRONTENAC 1-3)	CONSTRUCT 840 FEET OF 12-INCH TO 21-INCH STORM SEWER, 50 FEET OF BIOSWALE, AND BERM.	Infrequent non-floodplain structural flooding.
5566	Deer Creek OMCI Fund	Frontenac	0.44	528,000	Local Flooding	11233	VOUGA LN. TO BLUESPRING LN. STORM IMPROVEMENTS (FRONTENAC 7-2)	CONSTRUCT 1,150 FEET OF 12-INCH TO 30-INCH STORM SEWER, BIOSWALE AND RAIN GARDEN.	FLOODING OF MISCELLANEOUS STRUCTURES FROM OVERLAND FLOW.
5566	Deer Creek OMCI Fund	Frontenac	0.43	665,600	Local Flooding	11238	HUNTLEIGH DOWNS STORM IMPROVEMENTS (FRONTENAC 4-3B)	CONSTRUCT 1,430 FEET OF 12-INCH TO 24-INCH STORM SEWER, BIOSWALE AND RAIN GARDENS.	YARD FLOODING.

**OMCI Identified Projects Listed by Municipality and by Benefit Cost Ratio**

OMCI Fund Number	OMCI Name	Municipality	Project Benefit Cost	Conceptual Project Cost	Category	Project Number	Project Name	Scope of Work	Problem Description
5566	Deer Creek OMCI Fund	Frontenac	0.41	507,200	Local Flooding	11236	SAVANNAH PL. - ANZEIGER AVE. STORM IMPROVEMENTS (FRONTENAC 7-4)	CONSTRUCT 805 FEET OF 12-INCH TO 15-INCH STORM SEWER, BERM, AND RAIN GARDEN.	INFREQUENT STRUCTURAL FLOODING, AND YARD EROSION.
5566	Deer Creek OMCI Fund	Frontenac	0.41	352,000	Local Flooding	11524	DEVONDALE TO HOLIDAY STORM IMPROVEMENTS (FRONTENAC 5-2)	CONSTRUCT 800 FEET OF 12-INCH TO 27-INCH STORM SEWERS, AND RAINGARDENS.	YARD FLOODING.
5566	Deer Creek OMCI Fund	Frontenac	0.4	865,600	Local Flooding	11169	COUNTRYSIDE LANE - PORTLAND DRIVE STORM SEWER	CONSTRUCT 1,288 FEET OF 12-INCH TO 36-INCH STORM SEWER, 100 FEET BIOSWALE, 5 RAINGARDENS, AND 97 FEET OF BOX CULVERT.	STRUCTURE FLOODING FROM OVERLAND FLOW.
5566	Deer Creek OMCI Fund	Frontenac	0.39	1,081,600	Local Flooding	11172	GEYER LN. - HERMITAGE HILLS STORM SEWER	CONSTRUCT 1,415 FEET OF 12-INCH TO 48-INCH STORM SEWER, 3X4 RCB, AND THREE RAIN GARDENS.	FREQUENT STRUCTURAL FLOODING FROM OVERLAND FLOW.
5566	Deer Creek OMCI Fund	Frontenac	0.37	720,000	Local Flooding	11034	OUTER LADE AND CHIPPER STORM SEWER	CONSTRUCT 1070 FEET OF 12-INCH TO 30-INCH STORM SEWER AND 5 RAIN GARDENS.	Overland flooding of two commercial buildings
5566	Deer Creek OMCI Fund	Frontenac	0.36	398,400	Local Flooding	11025	CHIPPER RD TO FRONTENAC WOODS STORM IMPROVEMENTS (FRONTENAC 4-1)	CONSTRUCT 970 FEET OF 12-INCH TO 18-INCH STORM SEWER, 2 RAINGARDENS, AND 50 FEET OF BIOSWALE.	Yard flooding.
5566	Deer Creek OMCI Fund	Frontenac	0.36	358,400	Local Flooding	11038	N GEYER ROAD 2709 STORM IMPROVEMENTS (FRONTENAC 3-1)	CONSTRUCT 890 FEET OF 12-INCH TO 18-INCH STORM SEWER, AND 150 FEET OF BIOSWALE.	Yard flooding.
5566	Deer Creek OMCI Fund	Frontenac	0.35	740,800	Local Flooding	11019	HICKORY LANE STORM IMPROVEMENTS (FRONTENAC 1-2)	CONSTRUCT 1320 FEET OF 12-INCH TO 36-INCH STORM SEWER, THREE RAINGARDENS, AND 250 FEET OF BIOSWALE.	Yard flooding.
5566	Deer Creek OMCI Fund	Frontenac	0.33	568,000	Local Flooding	11225	GEYER RD. N #2535 STORM IMPROVEMENTS	CONSTRUCT 1,065 FEET OF 24-INCH TO 42-INCH RCP STORM SEWER.	FREQUENT STRUCTURAL FLOODING FROM OVERLAND FLOW.
5566	Deer Creek OMCI Fund	Frontenac	0.31	464,000	Local Flooding	11226	FIRETHORN DR #2050 STORM IMPROVEMENTS	CONSTRUCT 810 FEET OF 12-INCH TO 21-INCH STORM SEWER, ONE BIORETENTION CELL, AND APPURTENANCES.	GARAGE FLOODING, YARD FLOODING, AND EROSION.
5566	Deer Creek OMCI Fund	Frontenac	0.31	310,400	Local Flooding	11235	LAUREL OAK DR. #709 STORM IMPROVEMENTS (FRONTENAC 7-2)	CONSTRUCT 655 FEET OF 12-INCH TO 27-INCH STORM SEWER, AND RAIN GARDEN.	YARD FLOODING AND EROSION.
5566	Deer Creek OMCI Fund	Frontenac	0.3	403,200	Local Flooding	11232	DWYER AVE. - ARTHUR PL. STORM SEWER (FRONTENAC 7-4)	CONSTRUCT 1,070 FEET OF 12-INCH TO 18-INCH STORM SEWER.	YARD FLOODING.
5566	Deer Creek OMCI Fund	Frontenac	0.29	800,000	Erosion	11227	FOX RIDGE ROAD STORM IMPROVEMENTS	CONSTRUCT 285 FEET OF STORM SEWER, 540 FEET OF BANK STABILIZATION, AND 195 FEET OF MODULAR BLOCK WALL.	MODERATE RISK STRUCTURAL EROSION.
5566	Deer Creek OMCI Fund	Frontenac	0.28	632,000	Local Flooding	11021	CLAYTON ROAD 11319 TO 11440 STORM IMPROVEMENTS (FRONTENAC 6-2)	CONSTRUCT 1360 FEET OF 15-INCH TO 30-INCH STORM SEWER, TWO RAINGARDENS, TWO BERMS AND 200 FEET OF BIOSWALE.	Yard flooding.
5566	Deer Creek OMCI Fund	Frontenac	0.23	876,800	Local Flooding	11244	FRONTENAC ESTATES STORM IMPROVEMENTS (FRONTENAC 6-3)	CONSTRUCT 1,835 FEET OF 12-INCH TO 27-INCH STORM SEWER, AND RAINGARDENS.	GARAGE FLOODING.
5566	Deer Creek OMCI Fund	Frontenac	0.19	1,040,000	Local Flooding	11523	GEYER WOOD LN. AND N. GEYER RD. STORM IMPROVEMENTS (FRONTENAC 2-2)	CONSTRUCT 1,545 FEET OF 12-INCH TO 30-INCH STORM SEWERS AND 2 RAIN GARDENS.	FREQUENT STRUCTURAL FLOODING FROM OVERLAND FLOW (NON-FLOODPLAIN).
5566	Deer Creek OMCI Fund	Frontenac	0.16	1,168,000	Erosion	10304	OAK GATE CHANNEL IMPROVEMENTS	DESIGN AND CONSTRUCT APPROXIMATELY 935 FEET OF BANK STABILIZATION.	CREEK EROSION.
		<b>Frontenac Total</b>		<b>12,808,000</b>					

**OMCI Identified Projects Listed by Municipality and by Benefit Cost Ratio**

OMCI Fund Number	OMCI Name	Municipality	Project Benefit Cost	Conceptual Project Cost	Category	Project Number	Project Name	Scope of Work	Problem Description
5566	Deer Creek OMCI Fund	Glendale	0.49	1,160,000	Local Flooding	11175	NANCY CAROL LANE STORM SEWER	CONSTRUCT 1,140 FEET OF 15-INCH TO 42-INCH STORM SEWER AND 6-FOOT BY 4-FOOT BOX CULVERT AND APPURTENANCES.	BASEMENT FLOODING.
5566	Deer Creek OMCI Fund	Glendale	0.31	336,000	Local Flooding	11229	BERRY PARK DR. STORM SEWER	CONSTRUCT 790 FEET OF 12-INCH TO 21-INCH RCP STORM SEWER.	YARD PONDING.
5566	Deer Creek OMCI Fund	Glendale	0.19	336,000	Local Flooding	10587	EAST ESSEX AVE. #802 - #804 STORM SEWER	DESIGN AND CONSTRUCT APPROXIMATELY 580 FEET OF 12-INCH TO 24-INCH STORM SEWER AND APPURTENANCES.	STORMWATER FLOODING AND PONDING.
		<b>Glendale Total</b>		<b>1,832,000</b>					
5566	Deer Creek OMCI Fund	Kirkwood	0.34	1,168,000	Local Flooding	11192	GEYER RD. N. 1100-1300 BLOCK STORM SEWERS	CONSTRUCT 2,700 FEET OF 12-INCH TO 30-INCH STORM SEWERS.	YARD FLOODING.
5566	Deer Creek OMCI Fund	Kirkwood	0.24	368,000	Local Flooding	11197	SUNSET CT. - KIRKWOOD RD. STORM SEWER	CONSTRUCT 880 FEET OF 12-INCH TO 18-INCH STORM SEWER.	YARD FLOODING AND PONDING.
5566	Deer Creek OMCI Fund	Kirkwood	0.11	912,000	Local Flooding	11194	WOODLAWN - PAR - JULIAN - QUON STORM SEWER	CONSTRUCT 1,300 FEET OF 12-INCH TO 27-INCH RCP STORM SEWER.	INADEQUATE ROAD DRAINAGE CAUSING STREET FLOODING.
5566	Deer Creek OMCI Fund	Kirkwood	0.1	1,696,000	Local Flooding	11242	HARRISON AVE. - PEEKE TO WILSON STORM SEWER	CONSTRUCT 1,890 FEET OF 12-INCH TO 42-INCH RCP STORM SEWER.	STREET FLOODING.
		<b>Kirkwood Total</b>		<b>4,144,000</b>					
5566	Deer Creek OMCI Fund	Ladue	1.12	672,000	Local Flooding	12939	SOUTH TEALBROOK DRIVE STORM SEWER (LADUE 1605)	CONSTRUCT 525 FEET OF 12-INCH TO 18-INCH STORM SEWER.	STRUCTURE AND YARD FLOODING.
5566	Deer Creek OMCI Fund	Ladue	0.86	109,690	Erosion	13293	WARSON ROAD SOUTH #2000 STREAMBANK STABILIZATION	INSTALL HEAVY STONE REVETMENT TO STABILIZE THE CREEK BANK.	EROSION.
5566	Deer Creek OMCI Fund	Ladue	0.78	168,000	Erosion	10205	BLACK CREEK #12	CONSTRUCT APROXIMATELY 110 FEET OF 8' HIGH RETAINING WALL AND A SOIL CONFINEMENT SYSTEM AT SELECTED LOCATIONS.	EROSION ALONG BLACK CREEK NEAR #12 BLACK CREEK.
5566	Deer Creek OMCI Fund	Ladue	0.73	896,000	Local Flooding	12703	DANIEL ROAD STORM SEWER RELIEF	CONSTRUCT 855 FEET OF 12-INCH TO 27-INCH RCP STORM SEWER.	PROPERTY AND ROADWAY FLOODING.
5566	Deer Creek OMCI Fund	Ladue	0.71	1,744,000	Erosion	12941	LARKDALE - ROBINDALE STREAMBANK STABILIZATION (LADUE 1622)	CONSTRUCT 1,450 FEET OF STREAMBANK STABILIZATION PROTECTION, INCLUDING MODULAR BLOCK WALL AND BIOSTABILIZATION.	STREAMBANK EROSION THREATENING STRUCTURES.
5566	Deer Creek OMCI Fund	Ladue	0.63	1,256,000	Regional Flooding	11088	CONWAY LANE - CONWAY ROAD BRIDGE AND CHANNEL IMPROVEMENTS	REMOVE AND REPLACE BRIDGE STRUCTURE, CONSTRUCT 320 FEET OF BANK STABILIZATION, AND 480 FEET OF MODULAR BLOCK WALL.	Frequent structure and road flooding, and erosion.
5566	Deer Creek OMCI Fund	Ladue	0.59	4,640,000	Erosion	12968	WENNEKER DRIVE NORTH STREAMBANK STABILIZATION (LADUE 1616.01)	CONSTRUCT 1,635 FEET OF STREAMBANK PROTECTION USING BIOSTABILIZATION.	STREAMBANK EROSION THREATENING STRUCTURES.
5566	Deer Creek OMCI Fund	Ladue	0.51	2,400,000	Local Flooding	11201	BABLER LANE TO WINDING RIDGE STORM SEWERS	CONSTRUCT 1,485 FEET OF 15-INCH TO 54-INCH RCP AND 515 FEET OF 72-INCH BY 36-INCH RCB STORM SEWER , AND 600 FEET OF 8-INCH SANITARY SEWERS .	STREET AND YARD FLOODING.
5566	Deer Creek OMCI Fund	Ladue	0.5	6,512,000	Erosion	12969	WENNEKER DRIVE SOUTH STREAMBANK STABILIZATION (LADUE 1619)	CONSTRUCT 4,100 FEET OF STREAMBANK PROTECTION USING BIOSTABILIZATION.	STREAMBANK EROSION THREATENING STRUCTURES.

**OMCI Identified Projects Listed by Municipality and by Benefit Cost Ratio**

OMCI Fund Number	OMCI Name	Municipality	Project Benefit Cost	Conceptual Project Cost	Category	Project Number	Project Name	Scope of Work	Problem Description
5566	Deer Creek OMCI Fund	Ladue	0.5	1,561,600	Erosion	12971	WOODCLIFFE ROAD #1-36 STREAMBANK STABILIZATION (LADUE 1625.03)	CONSTRUCT 2,035 FEET OF STREAMBANK PROTECTION USING BIOSTABILIZATION.	STREAMBANK EROSION THREATENING STRUCTURES.
5566	Deer Creek OMCI Fund	Ladue	0.48	368,000	Local Flooding	10358	CLERMONT LANE STORM SEWER	DESIGN AND CONSTRUCT APPROXIMATELY 970 FEET OF 6-INCH PVC TO 12-INCH STORM SEWER AND APPURTENANCES, AND DISCONNECT DRAIN LINES FROM SANITARY SYSTEM.	PROPERTY DOWNSPOUTS AND DRAINS IMPROPERLY CONNECTED TO SANITARY SEWER SYSTEM.
5566	Deer Creek OMCI Fund	Ladue	0.45	7,040,000	Local Flooding	11221	WAKEFIELD - DEERFIELD SINKHOLE RELIEF SEWER	CONSTRUCT 5,230 FEET OF 15-INCH TO 72-INCH STORM SEWER.	YARD FLOODING AS SINKHOLE RETAINS WATER.
5566	Deer Creek OMCI Fund	Ladue	0.44	4,560,000	Erosion	12966	CONWAY ROAD #10033 STREAMBANK STABILIZATION (LADUE 1604.02)	CONSTRUCT 3,770 FEET OF STREAMBANK EROSION PROTECTION USING BIOSTABILIZATION.	STREAMBANK EROSION THREATENING STRUCTURES.
5566	Deer Creek OMCI Fund	Ladue	0.43	224,000	Local Flooding	11166	CONWAY RD. #10134 STORM SEWER	CONSTRUCT 560 FEET OF 12-INCH TO 18-INCH STORM SEWER.	YARD FLOODING.
5566	Deer Creek OMCI Fund	Ladue	0.43	5,280,000	Local Flooding	12955	BRIARCLIFF NORTH STORM SEWER IMPROVEMENTS (LADUE 1615.03)	CONSTRUCT 1,860 FEET OF 12-INCH TO 72-INCH STORM SEWER AND 800 FEET OF STREAMBANK BIOSTABILIZATION.	STRUCTURAL FLOODING FROM OVERLAND FLOW.
5566	Deer Creek OMCI Fund	Ladue	0.41	2,656,000	Erosion	12962	PEBBLE CREEK ROAD STREAMBANK STABILIZATION (LADUE 1624)	CONSTRUCT 2,000 FEET OF STREAMBANK PROTECTION INCLUDING BIOSTABILIZATION AND MODULAR BLOCK WALL.	STREAMBANK EROSION THREATENING STRUCTURES.
5566	Deer Creek OMCI Fund	Ladue	0.41	6,480,000	Erosion	12964	MAGNOLIA - LOG CABIN - GLEN CREEK STREAMBANK STABILIZATION (LADUE 1629)	CONSTRUCT 5,630 FEET OF STREAMBANK PROTECTION INCLUDING BIOSTABILIZATION AND MODULAR BLOCK WALL.	STREAMBANK EROSION THREATENING STRUCTURES.
5566	Deer Creek OMCI Fund	Ladue	0.41	784,000	Erosion	12970	LADUE FOREST #7 STREAMBANK STABILIZATION (LADUE 1621)	CONSTRUCT 200 FEET OF BIOSTABILIZATION.	STREAMBANK EROSION THREATENING STRUCTURES.
5566	Deer Creek OMCI Fund	Ladue	0.38	320,000	Local Flooding	12940	CLERBROOK LANE STORM SEWER (LADUE 1608.03)	CONSTRUCT 270 FEET OF 18-INCH STORM SEWER.	STREET AND YARD FLOODING.
5566	Deer Creek OMCI Fund	Ladue	0.37	2,640,000	Erosion	12965	SORREL LANE STREAMBANK STABILIZATION (LADUE 1632)	CONSTRUCT 2,740 FEET OF STREAMBANK PROTECTION INCLUDING BIOSTABILIZATION AND MODULAR BLOCK WALL.	STREAMBANK EROSION THREATENING STRUCTURES.
5566	Deer Creek OMCI Fund	Ladue	0.36	4,672,000	Erosion	12960	BRIARCLIFF TO LADUE STREAMBANK STABILIZATION (LADUE 1615.01)	CONSTRUCT 4,000 FEET OF STREAMBANK PROTECTION INCLUDING BIOSTABILIZATION AND MODULAR BLOCK WALL.	STREAMBANK EROSION THREATENING STRUCTURES.
5566	Deer Creek OMCI Fund	Ladue	0.33	1,952,000	Local Flooding	12953	UPPER LADUE #37 STORM SEWER (LADUE 1612B)	CONSTRUCT 1,100 FEET OF 18-INCH TO 72-INCH STORM SEWER.	OVERLAND FLOW CAUSING STRUCTURE FLOODING AND YARD EROSION.
5566	Deer Creek OMCI Fund	Ladue	0.31	1,648,000	Local Flooding	12957	BRIARCLIFF #19 STORM SEWER REPLACEMENT (LADUE 1615.05)	CONSTRUCT 1,220 FEET OF 18-INCH TO 48-INCH STORM SEWER.	INADEQUATE STORM SEWER SYSTEM CAUSING FLOODING AND EROSION.
5566	Deer Creek OMCI Fund	Ladue	0.31	2,120,000	Erosion	12963	GLENVIEW ROAD STREAMBANK STABILIZATION (LADUE 1625.05)	CONSTRUCT 2,660 FEET OF STREAMBANK PROTECTION INCLUDING BIOSTABILIZATION AND MODULAR BLOCK WALL.	STREAMBANK EROSION THREATENING STRUCTURES.
5566	Deer Creek OMCI Fund	Ladue	0.3	336,000	Local Flooding	10258	TIRRILL FARMS STORM SEWER	DESIGN AND CONSTRUCT APPROXIMATELY 970 FEET OF 12-INCH TO 27-INCH STORM SEWER AND APPURTENANCES.	YARD FLOODING AND EROSION.



**OMCI Identified Projects Listed by Municipality and by Benefit Cost Ratio**

OMCI Fund Number	OMCI Name	Municipality	Project Benefit Cost	Conceptual Project Cost	Category	Project Number	Project Name	Scope of Work	Problem Description
5566	Deer Creek OMCI Fund	Ladue	0.29	3,136,000	Erosion	12972	GLENVIEW - WOODCLIFFE WEST STREAMBANK STABILIZATION (LADUE 1625.04)	CONSTRUCT 2,800 FEET OF STREAMBANK PROTECTION USING BIOSTABILIZATION.	STREAMBANK EROSION THREATENING STRUCTURES.
5566	Deer Creek OMCI Fund	Ladue	0.27	353,600	Local Flooding	12958	LOUWEN DRIVE #825 STORM SEWER (LADUE 1616.03)	CONSTRUCT 400 FEET OF 12-INCH TO 18-INCH STORM SEWER.	YARD FLOODING AND EROSION.
5566	Deer Creek OMCI Fund	Ladue	0.26	248,000	Erosion	11210	WATCH HILL RD. #5 BANK STABILIZATION	CONSTRUCT 50 FEET OF REINFORCED CONCRETE WALL AND 50 FEET OF HEAVY STONE REVETMENT ALONG EAST BANK AND CHANNEL BOTTOM.	MODERATE RISK ROADWAY EROSION.
5566	Deer Creek OMCI Fund	Ladue	0.26	1,352,000	Erosion	12973	BARNES ROAD STREAMBANK STABILIZATION (LADUE 1631)	CONSTRUCT 1,820 FEET OF STREAMBANK PROTECTION USING BIOSTABILIZATION.	STREAMBANK EROSION THREATENING ROAD.
5566	Deer Creek OMCI Fund	Ladue	0.24	1,872,000	Local Flooding	12956	BRIARCLIFF #27 STORM SEWER (LADUE 1615.04)	CONSTRUCT 885 FEET OF 24-INCH TO 72-INCH STORM SEWER.	STRUCTURE, STREET, AND YARD FLOODING, AND EROSION.
5566	Deer Creek OMCI Fund	Ladue	0.22	288,000	Erosion	11848	BRIARWOOD DRIVE STREAMBANK STABILIZATION	CONSTRUCT 52 FOOT LONG, 7 FOOT HIGH MODULAR BLOCK WALL WITH HEAVY STONE REVETMENT.	STREAMBANK EROSION THREATENING RESIDENTIAL ROAD.
5566	Deer Creek OMCI Fund	Ladue	0.22	816,000	Erosion	12751	ROBIN HILL CT BANK STABILIZATION	CONSTRUCT 485 FEET OF 6-FOOT HIGH VEGETATED MODULAR BLOCK RETAINING WALL.	STREAMBANK EROSION AND FAILING RETAINING WALL.
5566	Deer Creek OMCI Fund	Ladue	0.21	7,120,000	Local Flooding	11467	PRADO STORM SEWER IMPROVEMENTS	REPLACE THE EXISTING 36-INCH TO 66-INCH DIAMETER STORM SEWER WITH 1,330 FEET OF 72-INCH STORM SEWER AND 1,210 FEET OF 5 X 3 TO 10 X 4 REINFORCED CONCRETE BOX CULVERT , AND 310 FEET OF 12-INCH TO 15-INCH SEWER.	BASEMENT AND YARD FLOODING DUE TO UNDERSIZED STORM SEWER TRUNK LINE.
5566	Deer Creek OMCI Fund	Ladue	0.21	408,000	Local Flooding	12954	PRADO #4 STORM SEWER (LADUE 1613.03)	CONSTRUCT 360 FEET OF 18-INCH TO 24-INCH STORM SEWER, AFTER COMPLETION OF PROJECT 11467.	YARD FLOODING AND EROSION.
5566	Deer Creek OMCI Fund	Ladue	0.2	648,000	Local Flooding	11163	GODWIN - LADUE CREST STORM SEWER	CONSTRUCT 910 FEET OF 42-INCH TO 48-INCH STORM SEWER.	YARD FLOODING.
5566	Deer Creek OMCI Fund	Ladue	0.2	7,488,000	Erosion	12961	CLAYTON ROAD STREAMBANK STABILIZATION (LADUE 1623)	CONSTRUCT 4,200 FEET OF STREAMBANK PROTECTION INCLUDING BIOSTABILIZATION AND MODULAR BLOCK WALL.	STREAMBANK EROSION THREATENING ROAD.
5566	Deer Creek OMCI Fund	Ladue	0.19	2,160,000	Local Flooding	12951	CLERMONT - DOGWOOD STORM SEWER REPLACEMENT (LADUE 1608.02A)	CONSTRUCT 1,550 FEET OF 12-INCH TO 36-INCH STORM SEWER.	INADEQUATE STORM SEWER SYSTEM CAUSING STREET AND YARD FLOODING, AND EROSION.
5566	Deer Creek OMCI Fund	Ladue	0.18	2,112,000	Local Flooding	12950	CLERMONT LANE WEST STORM SEWER (LADUE 1608.01A)	CONSTRUCT 1,470 FEET OF 12-INCH TO 48-INCH STORM SEWER.	ROAD FLOODING, YARD FLOODING, AND EROSION.
5566	Deer Creek OMCI Fund	Ladue	0.17	6,400,000	Local Flooding	12948	LITZSINGER LANE - TILLES PARK STORM SEWER (LADUE 1601.02)	CONSTRUCT 4,380 FEET OF 12-INCH TO 48-INCH STORM SEWER.	STRUCTURE FLOODING DUE TO INADEQUATE SINKHOLES.
5566	Deer Creek OMCI Fund	Ladue	0.16	10,120,000	Regional Flooding	11165	FOXBORO RD. FLOOD MITIGATION	BUYOUT 9 HOMES AND REMOVE FROM FLOODING ZONE.	FREQUENT FLOODING OF 9 HOMES ON FOXBORO RD.
5566	Deer Creek OMCI Fund	Ladue	0.15	1,824,000	Local Flooding	11173	CELLA ROAD STORM SEWER	CONSTRUCT 950 FEET OF 6 FOOT BY 4 FOOT BOX CULVERT.	INFREQUENT BASEMENT FLOODING.
5566	Deer Creek OMCI Fund	Ladue	0.12	912,000	Local Flooding	11246	LOG CABIN DR. STORM SEWER	CONSTRUCT 1460 LF OF 18' TO 36' RCP	YARD AND STREET FLOODING DUE TO INADEQUATE/NON-EXISTANT STORM SEWER SYSTEM.

**OMCI Identified Projects Listed by Municipality and by Benefit Cost Ratio**

OMCI Fund Number	OMCI Name	Municipality	Project Benefit Cost	Conceptual Project Cost	Category	Project Number	Project Name	Scope of Work	Problem Description
5566	Deer Creek OMCI Fund	Ladue	0.11	576,000	Local Flooding	11199	KORTWRIGHT AND OLD WARSON STORM IMPROVEMENT	CONSTRUCT 470 FEET OF 15-INCH TO 24-INCH DIAMETER STORM SEWER AND APPURTENANCES.	YARDS ARE FLOODING DUE TO INADEQUATE SINKHOLES.
5566	Deer Creek OMCI Fund	Ladue	0.11	2,400,002	Local Flooding	12949	CONWAY LANE STORM SEWER (LADUE 1604.03)	CONSTRUCT 1,220 FEET OF 12-INCH TO 24-INCH STORM SEWER.	YARD FLOODING AND EROSION.
5566	Deer Creek OMCI Fund	Ladue	0.06	1,776,000	Local Flooding	12952	WINWOOD DRIVE STORM SEWER (LADUE 1611.02)	CONSTRUCT 1,900 FEET OF 18-INCH TO 30-INCH STORM SEWER.	STREET FLOODING.
		<b>Ladue Total</b>		<b>113,048,892</b>					
5566	Deer Creek OMCI Fund	Olivette	1.72	288,000	Local Flooding	11468	COVINGTON MEADOW STORM SEWER	CONSTRUCT 780 FEET OF 12-INCH TO 24-INCH DIAMETER STORM SEWERS, CURBING, .	FREQUENT BASEMENT, STREET, AND YARD FLOODING.
5566	Deer Creek OMCI Fund	Olivette	0.52	496,000	Local Flooding	11471	HIGHGATE - ENFIELD STORM SEWER	CONSTRUCT 980 FEET OF 12" TO 24" DIAMETER RCP .	YARD AND STREET FLOODING AND EROSION BETWEEN HIGHGATE ROAD AND ENFIELD ROAD.
5566	Deer Creek OMCI Fund	Olivette	0.38	296,000	Local Flooding	11202	NANTUCKET LANE TO LISA LANE STORM SEWER	CONSTRUCT 535 FEET OF 18-INCH TO 30-INCH RCP STORM SEWER .	YARD FLOODING AND EROSION.
5566	Deer Creek OMCI Fund	Olivette	0.29	384,000	Erosion	11204	ST. ALFRED AND BLACKPOOL STORM SEWER	CONSTRUCT 820 FEET OF 12-INCH TO 30-INCH STORM SEWER .	INADEQUATE ROAD DRAINAGE.
		<b>Olivette Total</b>		<b>1,464,000</b>					
5566	Deer Creek OMCI Fund	Richmond Heights	0.16	1,056,000	Erosion	11470	BERKSHIRE BANK STABILIZATION	CONSTRUCT GRADE CONTROLS, BANK STABILIZATION OR OTHER NECESSARY METHODS TO STABILIZE THE ENTIRE STREAM THROUGH THE BERKSHIRE SUBDIVISION.	YARD EROSION AND STANDING WATER IN CREEK RUNNING THROUGH BACKYARDS OF 77 BERKSHIRE TO 59 BERKSHIRE.
5566	Deer Creek OMCI Fund	Richmond Heights	0.11	8,030,875	Local Flooding	13060	HAMPTON PARK STORM CHANNEL	CONSTRUCT 2,640 FEET OF 30 FOOT WIDE CONCRETE STORM CHANNEL.	BASEMENT FLOODING OF HOUSES IN THE HAPTON PARK SUBDIVISION BY THE 15-YEAR STORM EVENT.
5566	Deer Creek OMCI Fund	Richmond Heights	0.06	2,350,500	Erosion	13277	CLAYTONIA CREEK IMPROVED CHANNEL REPAIRS	REPAIR 1,900 FEET OF 18-FOOT WIDE IMPROVED CONCRETE CHANNEL.	MISSING FLOOR AND FAILING WALLS AT VARIOUS LOCATIONS ALONG IMPROVED CHANNEL.
		<b>Richmond Heights Total</b>		<b>11,437,375</b>					
5566	Deer Creek OMCI Fund	Rock Hill	0.33	2,448,000	Local Flooding	10311	ROCKFORD & CRAWFORD STORM SEWER	CONSTRUCT APPROXIMATELY 3825 FEET OF 12-INCH TO 48-INCH DIAMETER PIPE AND APPURTENANCES.	SINKHOLE FLOODING YARDS AND STREET
		<b>Rock Hill Total</b>		<b>2,448,000</b>					
5566	Deer Creek OMCI Fund	Shrewsbury	0.32	224,000	Local Flooding	11193	ARLINGTON - EXETER STORM SEWER	CONSTRUCT 440 FEET OF 12-INCH TO 18-INCH RCP STORM SEWER.	INADEQUATE ROAD DRAINAGE ALONG ARLINGTON.
5566	Deer Creek OMCI Fund	Shrewsbury	0.21	896,000	Erosion	11096	SHREWSBURY AVE. #4118 STORM SEWER	CONSTRUCT 425 FEET OF 66-INCH TO 72-INCH STORM SEWER, AND 425 FEET OF VEGETATED SWALE AND COMPOSITE REVETMENT.	BANK EROSION.
		<b>Shrewsbury Total</b>		<b>1,120,000</b>					
5566	Deer Creek OMCI Fund	Town and Country	0.21	896,000	Local Flooding	11162	BALLAS CT. SUBDIVISION STORM SEWER	CONSTRUCT 1,159 LF OF 12" TO 42" RCP	YARD AND STREET FLOODING.

**OMCI Identified Projects Listed by Municipality and by Benefit Cost Ratio**

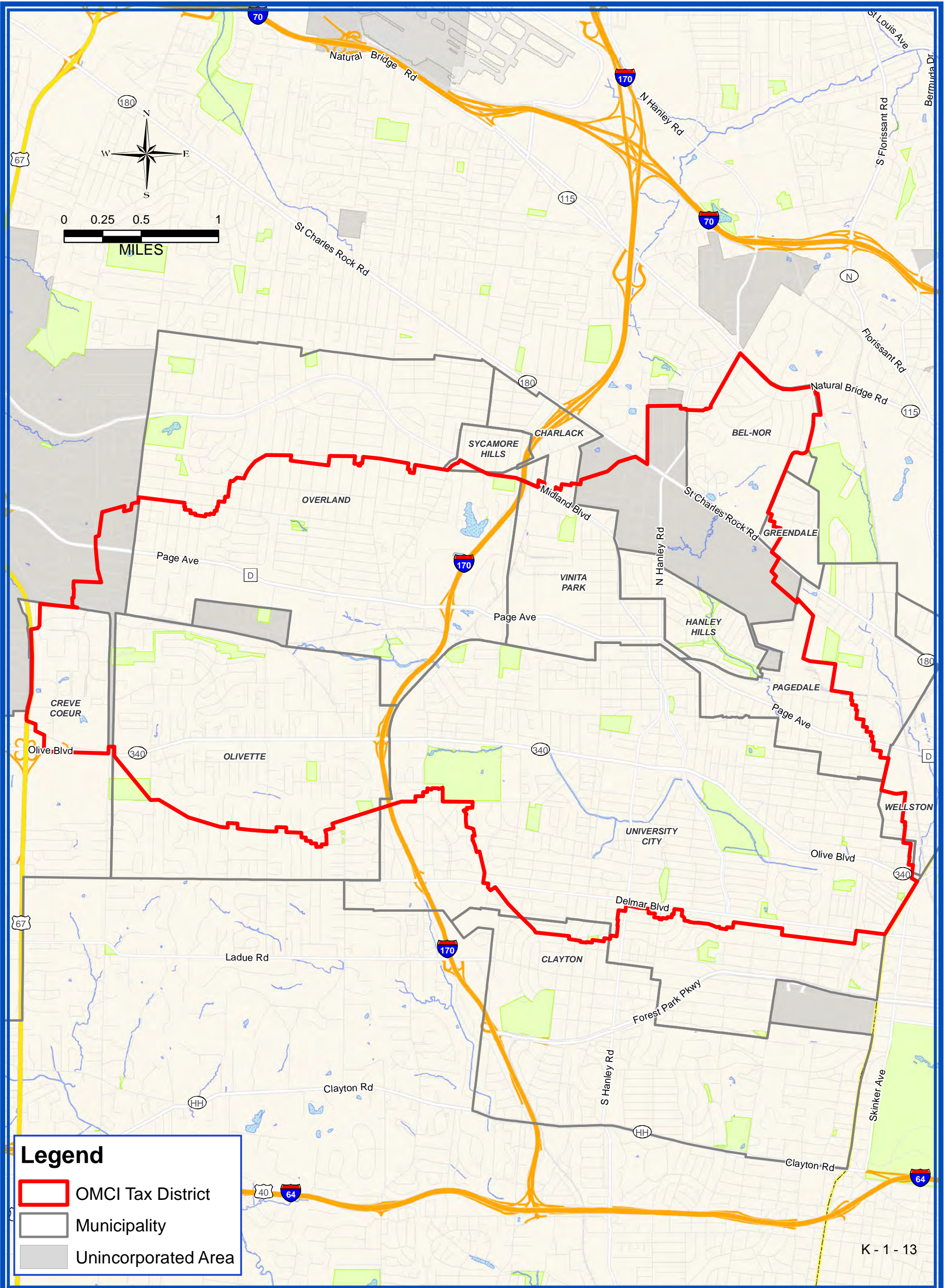
OMCI Fund Number	OMCI Name	Municipality	Project Benefit Cost	Conceptual Project Cost	Category	Project Number	Project Name	Scope of Work	Problem Description
		<b>Town and Country Total</b>		<b>896,000</b>					
5566	Deer Creek OMCI Fund	University City	0.13	376,000	Local Flooding	11454	BALSON TO STANFORD STORM SEWER	CONSTRUCT 970 FEET OF 18-INCH TO 30-INCH RCP STORM SEWER.	YARD PONDING.
		<b>University City Total</b>		<b>376,000</b>					
5566	Deer Creek OMCI Fund	Warson Woods	0.49	328,000	Erosion	12750	DEARBORN DR 1485 BANK STABILIZATION	CONSTRUCT 180 FEET OF 7-FOOT HIGH VEGETATED MODULAR BLOCK WALL.	DETERIORATING GABION WALL.
5566	Deer Creek OMCI Fund	Warson Woods	0.47	235,050	Erosion	13287	RENDERER DRIVE #816 STREAMBANK STABILIZATION	INSTALL HEAVY STONE REVETMENT TO STABILIZE 14 FOOT HIGH OUTSIDE CURVE STREAMBANK.	ERODED OUTSIDE CURVE BANK.
5566	Deer Creek OMCI Fund	Warson Woods	0.3	264,000	Local Flooding	11205	DEARBORN DR. STORM SEWER	CONSTRUCT 365 FEET OF 15-INCH STORM SEWER	OVERLAND FLOW RESULTING IN REAR YARD PONDING, EROSION AND FLOODING.
		<b>Warson Woods Total</b>		<b>827,050</b>					
5566	Deer Creek OMCI Fund	Webster Groves	0.52	3,472,000	Regional Flooding	11200	SHADY GROVE SOUTH CHANNEL IMPROVEMENT PHASE II (DCSG-110)	BUYOUT 6 FLOODPRONE PROPERTIES.	FREQUENT FLOODING OF 18 PROPERTIES AND EMERGENCY ACCESS RESTRICTIONS AT 10 PROPERTIES.
5566	Deer Creek OMCI Fund	Webster Groves	0.44	731,200	Erosion	10340	KIRKHAM & THORNTON - SHADY GROVE CREEK BANK STABILIZATION	DESIGN AND CONSTRUCT APPROXIMATELY 100 FEET OF ROCK BLOCK TOE, 215 FEET OF ROCK BLOCK TOE WITH COMPOSITE REVETMENT, 140 FEET OF MODULAR BLOCK WALL, 65 FEET OF ROCK GRADE CONTROL, AND 40 FEET OF ROCK LINED SWALE.	STREAM BANK EROSION.
5566	Deer Creek OMCI Fund	Webster Groves	0.22	368,000	Local Flooding	11027	YORKSHIRE PLACE AND WEST JACKSON ROAD STORM SEWER	CONSTRUCT 675 FEET OF 15-INCH TO 30-INCH STORM SEWER.	Yard flooding.
5566	Deer Creek OMCI Fund	Webster Groves	0.19	3,888,000	Local Flooding	11198	PORTLAND TERRACE - PLANT AVENUE STORM SEWER	CONSTRUCT 3,130 FEET OF 12-INCH TO 54-INCH STORM SEWER.	FLOODING AND PONDING IN REAR YARDS DUE TO SINKHOLES.
5566	Deer Creek OMCI Fund	Webster Groves	0.11	4,672,000	Local Flooding	11177	GRAY AVE. - CEDAR AVE. - GORE AVE. STORM SEWER	CONSTRUCT 1,420 FEET OF 5X5 RCB, 840 FEET OF 60-INCH RCP, AND 700 FEET OF 36-INCH RCP.	INADEQUATE SINKHOLE AND STORM SEWER CAUSES YARD AND BASEMENT FLOODING.
		<b>Webster Groves Total</b>		<b>13,131,200</b>					
<b>5566 Total</b>	<b>Deer Creek OMCI Fund</b>			<b>199,914,917</b>					





# The Metropolitan St. Louis Sewer District

## University City Branch of River Des Peres OMCI Taxing District and Related Municipalities



**Legend**

- OMCI Tax District
- Municipality
- Unincorporated Area

**OMCI Data  
by OMCI District**

<b>OMCI Name:</b>	<b>Max OMCI Property Tax Rate (2018):</b>	<b>OMCI Revenue:</b>
University City (5584)	\$ 0.0870	\$ 885,571

<u>Municipality:</u>	<u>Residents:</u>	<u>% Residents:</u>	<u>Revenue</u>	<u>% Revenue</u>	<u>% ID Projects by \$</u>	<u>Annual Revenue if 50% Share</u>
BEL-NOR	1,426	2.70%	\$ 17,451	1.97%	5.0%	8,725
CHARLACK	72	0.14%	\$ 538	0.06%	0.0%	269
CLAYTON	330	0.63%	\$ 28,629	3.23%	0.0%	14,314
CREVE COEUR	805	1.53%	\$ 65,759	7.43%	0.0%	32,880
GREENDALE	67	0.13%	\$ 924	0.10%	0.0%	462
HANLEY HILLS	2,101	3.98%	\$ 8,638	0.98%	0.0%	4,319
OLIVETTE	5,801	10.99%	\$ 155,771	17.59%	8.9%	77,886
OVERLAND	9,532	18.06%	\$ 138,356	15.62%	13.5%	69,178
PAGEDALE	1,619	3.07%	\$ 18,419	2.08%	0.2%	9,209
SYCAMORE HILLS	44	0.08%	\$ 383	0.04%	0.0%	191
UNINCORPORATED	2,189	4.15%	\$ 60,804	6.87%	5.1%	30,402
UNIVERSITY CITY	26,799	50.78%	\$ 350,185	39.54%	45.2%	175,093
VINITA PARK	1,880	3.56%	\$ 37,873	4.28%	22.0%	18,936
WELLSTON	110	0.21%	\$ 1,842	0.21%	0.0%	921
<b>Totals:</b>	<b>52,775</b>	<b>100%</b>	<b>\$ 885,571</b>	<b>100.00%</b>		<b>442,785</b>

Residents: calculated based on percentage of municipality area within the OMCI, multiplied by the average population density of the municipality

% Residents: calculated based on the estimated municipality population within the OMCI, divided by the total OMCI population

Revenue: calculated by applying the %Revenue times the annual anticipated total revenue from the OMCI

% Revenue: assessed valuation of the municipality area within the OMCI, divided by the assessed valuation of the total OMCI

**OMCI Identified Projects Listed by Municipality and by Benefit Cost Ratio**

OMCI Fund Number	OMCI Name	Municipality	Project Benefit Cost	Conceptual Project Cost	Category	Project Number	Project Name	Scope of Work	Problem Description
5584	University City OMCI Fund	Bel-Nor	0.63	336,000	Local Flooding	12712	GLEN ECHO DR STORM SEWER (NORDIC DR TO CLEARVIEW DR)	CONSTRUCT 400 FEET OF 15-INCH, AND 200 FEET OF 12-INCH, STORM SEWER.	OVERLAND FLOW FLOODING PROPERTIES.
5584	University City OMCI Fund	Bel-Nor	0.13	608,000	Erosion	11453	ROANOKE STORM IMPROVEMENT	CONSTRUCT 1,200 FEET OF 15-INCH TO 24-INCH STORM SEWER.	STREET FLOODING AND YARD EROSION
		<b>Bel-Nor Total</b>		<b>944,000</b>					
5584	University City OMCI Fund	Olivette	0.92	672,000	Local Flooding	11314	GLENMARY TO WHITE ROSE STORM IMPROVEMENTS	CONSTRUCT 1,160 FEET OF 15-INCH TO 42-INCH RCP STORM SEWER .	EROSION AND FLOODING DUE TO INADEQUATE STORM SYSTEM.
5584	University City OMCI Fund	Olivette	0.52	137,600	Local Flooding	11315	EDWARD DR. TO ALICE PLACE STORM SEWER	CONSTRUCT 325 FEET OF 15-INCH DIAMETER STORM SEWER .	DAMAGE TO PROPERTY DUE TO FLOODING.
5584	University City OMCI Fund	Olivette	0.38	168,000	Local Flooding	10317	DIELMAN ROAD TO APPLESEED STORM SEWER	DESIGN AND CONSTRUCT APPROXIMATELY 220 FEET OF ROCK-LINED TRAPEZOIDAL CHANNEL, AND 10 FEET OF 48-INCH DIAMETER STORM SEWERS, AND APPURTENANCES, FROM DIELMAN ROAD TO APPLESEED.	YARD FLOODING AND EROSION.
5584	University City OMCI Fund	Olivette	0.23	704,000	Erosion	11307	DOLORES AVENUE STORM IMPROVEMENTS	CONSTRUCT 535 FEET OF 42-INCH DIAMETER RCP, TO 5 FOOT BY 3 FOOT BOX CULVERT, .	CREEK EROSION.
		<b>Olivette Total</b>		<b>1,681,600</b>					
5584	University City OMCI Fund	Overland	1.43	336,000	Local Flooding	10880	SIMS AVE #2201 STORM BUYOUT	BUYOUT AND DEMOLISH #2201 SIMS AVENUE, TO REESTABLISH THE OVERLAND FLOW PATH.	STRUCTURE CONSTRUCTED WITHIN OVERLAND FLOW PATH, EXISTING SEWER UNDER STRUCTURE IS DETERIORATING.
5584	University City OMCI Fund	Overland	0.69	176,000	Local Flooding	11455	LACKLAND AVE. 9900 BLOCK STORM SEWER	CONSTRUCT 440 FEET OF 12-INCH TO 15-INCH STORM SEWER.	YARD PONDING.
5584	University City OMCI Fund	Overland	0.59	528,000	Erosion	11313	TRENTON AVE. 9400 BLOCK CHANNEL IMPROVEMENTS	CONSTRUCT 350 FEET OF 6 FOOT HIGH MODULAR BLOCK WALL.	CREEK EROSION THREATENING STRUCTURES.
5584	University City OMCI Fund	Overland	0.4	280,000	Local Flooding	11456	FLORA AND WISMER STORM SEWER	CONSTRUCT 610 FEET OF 18-INCH STORM SEWER.	YARD PONDING DUE TO INADEQUATE STREET DRAINAGE.
5584	University City OMCI Fund	Overland	0.35	184,000	Local Flooding	11311	RIDGE AVENUE #9408 STORM SEWER	CONSTRUCT 360 FEET OF 15-INCH RCP STORM SEWER .	YARD PONDING.
5584	University City OMCI Fund	Overland	0.16	504,000	Local Flooding	11457	ECHO LANE AND WOODSON ROAD STORM SEWER	CONSTRUCT 995 FEET OF 12-INCH TO 24-INCH STORM SEWER.	YARD FLOODING OF FOUR YARDS.
5584	University City OMCI Fund	Overland	0.03	544,000	Local Flooding	11305	LACKLAND RD. WISMER AVE. STORM SEWER	CONSTRUCT 1,180 FEET OF 15-INCH TO 30-INCH STORM SEWER.	LOCALIZED RUNOFF AFFECTING CHURCH PARKING LOT.
		<b>Overland Total</b>		<b>2,552,000</b>					
5584	University City OMCI Fund	Pagedale	6.77	40,000	Local Flooding	12756	DUNLEER WAY 6901 STORM SEWER	CONSTRUCT AREA INLETS, 50 FEET OF 12-INCH STORM SEWER, AND OUTFALL.	STREET FLOODING.
		<b>Pagedale Total</b>		<b>40,000</b>					
5584	University City OMCI Fund	Unincorporated	0.59	960,000	Local Flooding	11452	LOCUST AVENUE TO MADDOX PLACE STORM SEWER	CONSTRUCT 1,985 FEET OF 12-INCH TO 48-INCH RCP STORM SEWER .	INADEQUATE ROAD DRAINAGE THROUGHOUT SUBDIVISION.
		<b>Unincorporated Total</b>		<b>960,000</b>					
5584	University City OMCI Fund	University City	0.76	568,000	Local Flooding	11458	AMHERST #7059 STORM SEWER	CONSTRUCT 690 FEET OF 12-INCH TO 21-INCH RCP STORM SEWER TO SEPARATE THE COMBINED SEWER.	BASEMENT AND STREET FLOODING

**OMCI Identified Projects Listed by Municipality and by Benefit Cost Ratio**

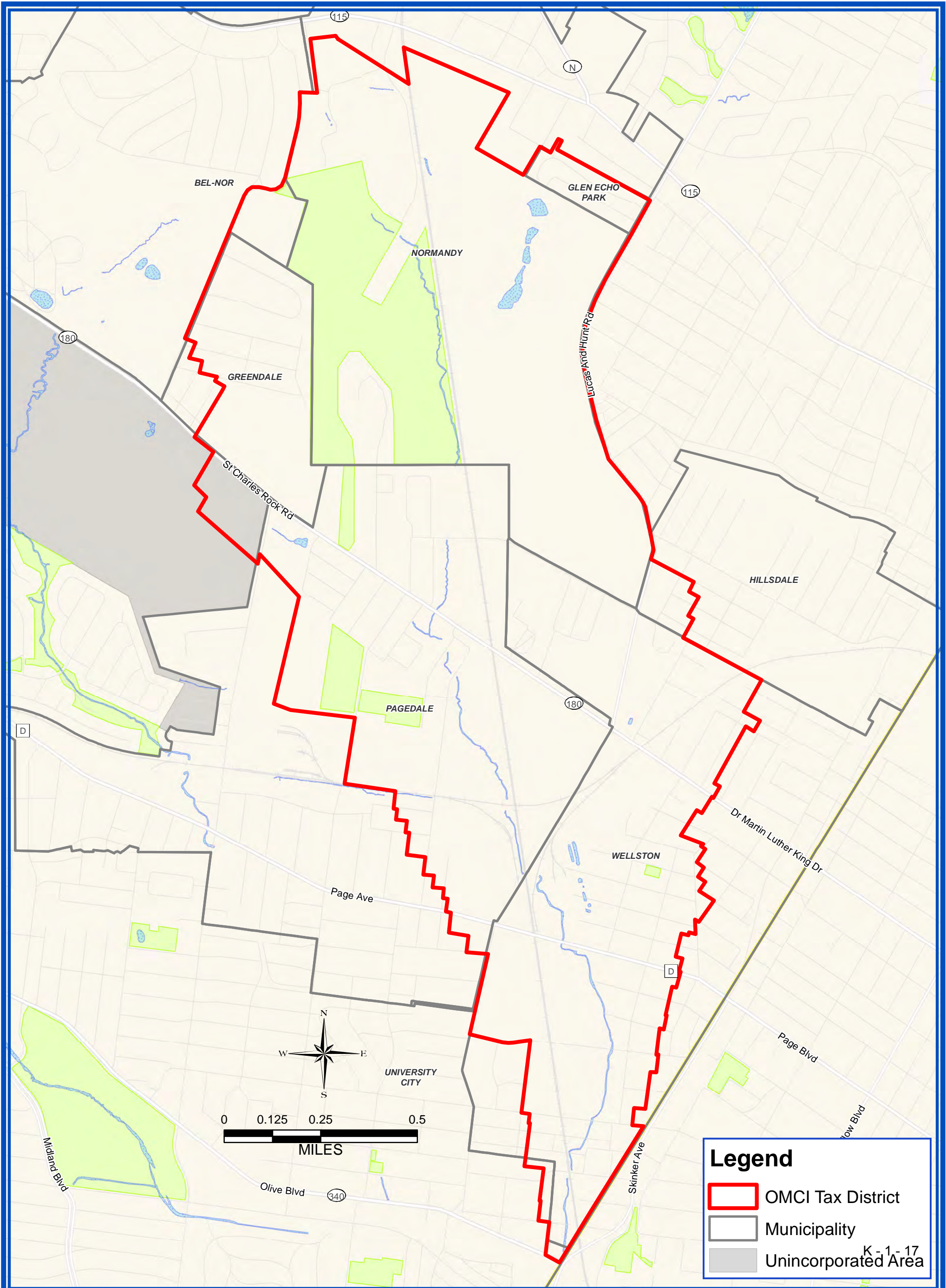
OMCI Fund Number	OMCI Name	Municipality	Project Benefit Cost	Conceptual Project Cost	Category	Project Number	Project Name	Scope of Work	Problem Description
5584	University City OMCI Fund	University City	0.64	896,000	Erosion	10204	AMHERST - BLACKBERRY 7500 BLOCK CHANNEL IMPROVEMENTS (UCMB-120)	CONSTRUCT 655 FEET OF 6 TO 15 FOOT HIGH BLOCK WALL AND 100 FEET OF BIOSTABILIZED BANK.	EROSION THREATENING FENCE AT #7591 AMHERST.
5584	University City OMCI Fund	University City	0.58	192,000	Erosion	11310	MILAN AVENUE STORM SEWER	CONSTRUCT 400 FEET OF 15-INCH TO 18-INCH RCP STORM SEWERS .	YARD PONDING AND EROSION.
5584	University City OMCI Fund	University City	0.53	91,200	Local Flooding	11459	CORNELL #7117 STORM SEWER	REPLACE 80 FEET OF EXISTING STORM AND COMBINED SEWERS WITH 15-INCH SEWERS.	YARD PONDING AND WATER BACKUPS.
5584	University City OMCI Fund	University City	0.53	1,024,000	Erosion	10316	OLIVE 8200 BLOCK BANK STABILIZATION (UCSW-110)	DESIGN AND CONSTRUCT APPROXIMATELY 130 FEET OF CONCRETE RETAINING WALL, 605 FEET OF COMPOSITE REVETMENT, 125 FEET OF BIOSTABILIZATION, 300 FEET OF ROCK BLOCK TOE, 605 FEET OF HEAVY STONE REVETMENT, AND 15 FEET OF 15-INCH STORM SEWER	EROSION THREATENING PARKING LOT AND FENCE ON PROPERTY AT 8144 AND 8162 OLIVE BOULEVARD.
5584	University City OMCI Fund	University City	0.49	296,000	Local Flooding	11312	JACKSON AVE. AND AHERN AVE. STORM SEWER	CONSTRUCT 645 FEET OF 12-INCH TO 18-INCH RCP STORM SEWER .	YARD FLOODING AND PONDING.
5584	University City OMCI Fund	University City	0.09	5,456,000	Maintenance	11308	PENNSYLVANIA TO KINGSLAND CHANNEL REHABILITATION	REPLACE 1,610 FEET OF CONCRETE CHANNEL DOWNSTREAM OF PENNSYLVANIA AVENUE.	DETERIORATED RIP RAP AND CONCRETE CHANNEL CONSTRUCTED IN THE 1930'S.
		<b>University City Total</b>		<b>8,523,200</b>					
5584	University City OMCI Fund	Vinita Park	0.35	3,200,000	Regional Flooding	11449	PAGE AVE. 8500 BLOCK STORM IMPROVEMENTS	CONSTRUCT 560 FEET OF 72-INCH RCP AND 300 FEET OF 10 FOOT BY 5 FOOT RCB CULVERT . CONSTRUCT REINFORCED CONCRETE CHANNEL, REINFORCED CONCRETE VERTICAL WALL, AND PLACE HEAVY STONE REVETMENT.	CREEK BANK EROSION AT TWO COMMERCIAL PROPERTIES AND INFREQUENT FLOODING OF ONE COMMERCIAL PROPERTY.
5584	University City OMCI Fund	Vinita Park	0.31	544,000	Local Flooding	11309	MONROE 8200 BLOCK STORM SEWER	CONSTRUCT 1030 FEET OF 12-INCH TO 24-INCH RCP STORM SEWERS .	PONDING IN YARD AND FLOODING IN BASEMENT
5584	University City OMCI Fund	Vinita Park	0.25	408,000	Local Flooding	10724	PAGE #8227 STORM SEWER	DESIGN AND CONSTRUCT APPROXIMATELY 735 FEET OF 12-INCH TO 18-INCH DIAMETER REINFORCED CONCRETE PIPE STORM SEWER AND APPURTENANCES.	YARD FLOODING.
		<b>Vinita Park Total</b>		<b>4,152,000</b>					
<b>5584 Total</b>	<b>University City OMCI Fund</b>			<b>18,852,800</b>					





# The Metropolitan St. Louis Sewer District

## Wellston OMCI Taxing District and Related Municipalities



**OMCI Data  
by OMCI District**

<b>OMCI Name:</b>	<b>Max OMCI Property Tax Rate (2018):</b>	<b>OMCI Revenue:</b>
Wellston (5589)	\$ 0.0990	\$ 32,366

<u>Municipality:</u>	<u>Residents:</u>	<u>% Residents:</u>	<u>Revenue</u>	<u>% Revenue</u>	<u>% ID Projects by \$</u>	<u>Annual Revenue if 50% Share</u>
BEL-NOR	66	1%	\$ 2,364	7.30%	0.0%	1,182
GLEN ECHO PARK	150	2%	\$ 359	1.11%	7.7%	180
GREENDALE	584	9%	\$ 3,280	10.13%	7.7%	1,640
HILLSDALE	90	1%	\$ 136	0.42%	0.0%	68
NORMANDY	2,176	34%	\$ 9,591	29.63%	17.8%	4,796
PAGEDALE	1,685	26%	\$ 8,447	26.10%	66.8%	4,224
UNINCORPORATED	58	1%	\$ 1,356	4.19%	0.0%	678
UNIVERSITY CITY	62	1%	\$ 1,102	3.40%	0.0%	551
WELLSTON	1,593	25%	\$ 5,730	17.70%	0.0%	2,865
<b>Totals:</b>	<b>6,464</b>	<b>100%</b>	<b>\$ 32,366</b>	<b>100.00%</b>		<b>16,183</b>

Residents: calculated based on percentage of municipality area within the OMCI, multiplied by the average population density of the municipality

% Residents: calculated based on the estimated municipality population within the OMCI, divided by the total OMCI population

Revenue: calculated by applying the %Revenue times the annual anticipated total revenue from the OMCI

% Revenue: assessed valuation of the municipality area within the OMCI, divided by the assessed valuation of the total OMCI

**OMCI Identified Projects Listed by Municipality and by Benefit Cost Ratio**

OMCI Fund Number	OMCI Name	Municipality	Project Benefit Cost	Conceptual Project Cost	Category	Project Number	Project Name	Scope of Work	Problem Description
5589	Wellston OMCI Fund	Glen Echo Park	1.13	595,200	Local Flooding	11462	ST. ANDREWS PLACE AND ST. MARYS LANE STORM SEWER	CONSTRUCT 1,390 FEET OF 12-INCH TO 27-INCH STORM SEWERS .	BASEMENT, STREET, AND YARD FLOODING.
		<b>Glen Echo Park Total</b>		<b>595,200</b>					
5589	Wellston OMCI Fund	Greendale	0.19	592,000	Local Flooding	11463	HILLSDALE DRIVE TO MARILLAC DRIVE STORM SEWER	CONSTRUCT 1,050 FEET OF 15-INCH TO 27-INCH RCP STORM SEWER .	INADEQUATE ROAD DRAINAGE AND YARD FLOODING.
		<b>Greendale Total</b>		<b>592,000</b>					
5589	Wellston OMCI Fund	Normandy	0.3	1,376,000	Local Flooding	11461	NORMANDY PL. - ST. ANDREWS - HENDERSON STORM SEWERS	CONSTRUCT 1,880 FEET OF 18-INCH TO 36-INCH STORM SEWERS.	STRUCTURAL AND YARD FLOODING DUE TO INADEQUATE STORM SEWER SYSTEM.
		<b>Normandy Total</b>		<b>1,376,000</b>					
5589	Wellston OMCI Fund	Pagedale	1.02	521,600	Erosion	10286	KINGSLAND AVENUE #1400 STORM SEWER IMPROVEMENT	DESIGN AND CONSTRUCT APPROXIMATELY 730 FEET OF 12-INCH TO 48-INCH DIAMETER STORM SEWER AND APPURTENANCES.	STREET FLOODING, STRUCTURE FLOODING, AND EROSION, ALONG KINGSLAND AVENUE.
5589	Wellston OMCI Fund	Pagedale	0.01	4,640,000	Local Flooding	11464	ENGELHOLM - LEROY - SALERNO CHANNEL REPLACEMENT	CONSTRUCT 1,460 FEET OF 7 FOOT BY 7 FOOT BOX CULVERT.	UNDERSIZED BOX CULVERT CAUSING YARD FLOODING.
		<b>Pagedale Total</b>		<b>5,161,600</b>					
<b>5589 Total</b>	<b>Wellston OMCI Fund</b>			<b>7,724,800</b>					






# MSD Stormwater OMCI Taxing Sub-districts

University City

September 9, 2019



## AGENDA

- **MSD Overview**
- **History of Stormwater Services**
  - Current Operations & Maintenance Services
  - Successful Proposition S – April 2016
  - Failed Proposition S – April 2019
- **Moving Forward**
- **Potential Revenue and Funding Options**
- **Timeline**
- **Questions**



## MSD OVERVIEW & DETAILS

- **Government Utility**
  - State Constitution
  - Voter Approved Charter
  - 6 Member Board of Trustees (3 City & 3 County)
- **Two utilities: Wastewater & Stormwater**
- **520 square mile service area**
  - All of St. Louis City
  - 87% of St. Louis County
- **~1,300,000 customers**
- **88 municipalities served**
- **7 Treatment Plants**
- **350+ million gallons per day of wastewater treated**
- **4,700+ miles of sanitary sewers**
- **1,800+ miles of combined sewers**
- **3,000+ miles of stormwater sewers**
- **4th largest sewer system in the United States (as measured by miles of sewers handling wastewater)**

## History of Stormwater Services

### Prior to 2016:

- DMCI sub-districts generated funding for D&M and capital construction within defined boundaries
- Some areas had no funding for these types of services

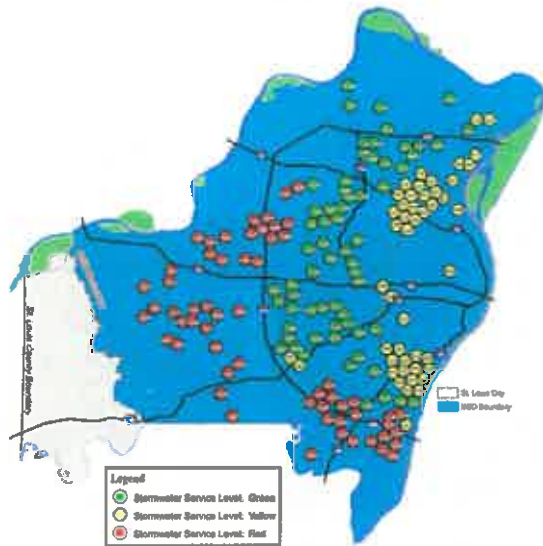


## History of Stormwater Services



### Proposition S 2016:

- Passed by voters in April 2016
- Standardized funding for operations and maintenance of the public storm sewer system
- MSD Board of Trustees set OMCI taxes to zero
- Work on-going to complete approximately \$70 million storm projects

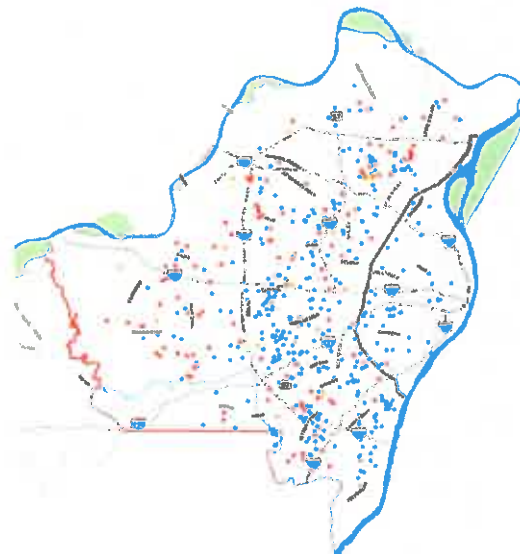



## History of Stormwater Services




### Proposition S 2019:


- Rejected by voters in April 2019
- Defeated by a margin of approximately 53% to 47%
- Designed to address flooding and erosion district-wide
- Problems still exist with no current funding source





## UNFUNDED STORMWATER ISSUES

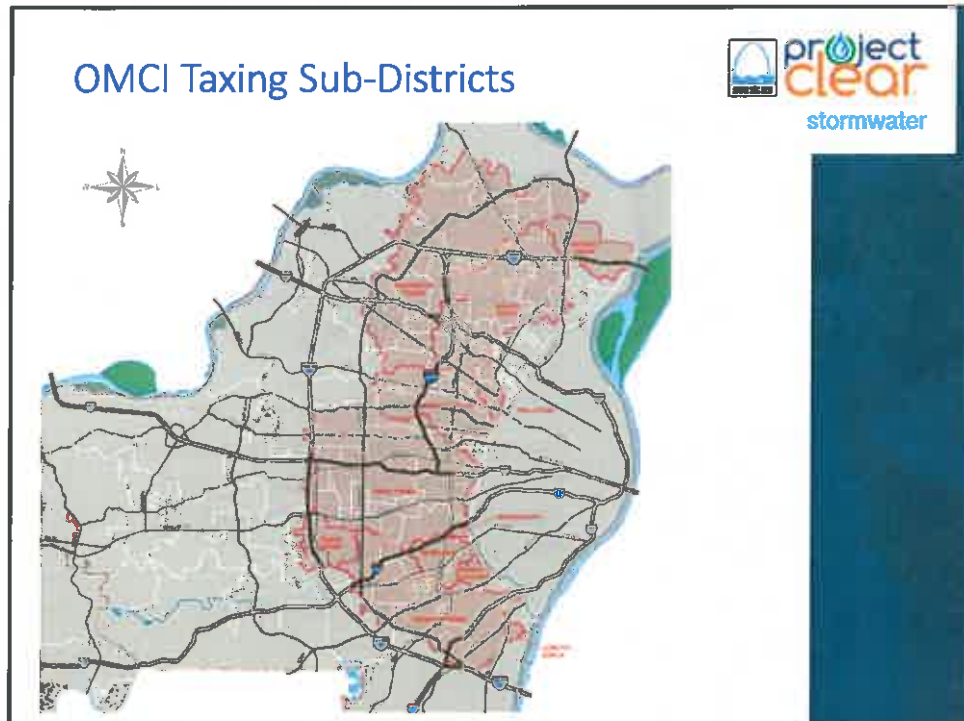
<b>Localized Flooding</b>	<b>Erosion</b>	<b>Regional Flooding</b>
		




## Moving Forward

- **OMCI taxes could be used to address flooding and erosion within the taxing districts**
- **Re-establishment of OMCI taxes would require:**
  - a recommendation from MSD Staff
  - a positive vote by the MSD Board of Trustees





### Moving Forward



project  
clear  
stormwater

- Meetings with the individual municipalities (county for unincorporated areas) within each sub-district (Municipal/County handouts provided)
- Submit recommendation to the MSD Board by MSD staff

Revenue  
Generated and  
Options for  
Funding



### OPTION 1: Funding Administered by MSD

- Funding generated would be totally administered by MSD as prior to April 2016
- MSD would plan, design, and construct projects within each area based on available funding and established priorities to address flooding and erosion

Revenue  
Generated and  
Options for  
Funding



### OPTION 2: Funding Administration Split

- Funding generated within each municipality/unincorporated area would be split between MSD and the local agency at 50/50 or other ratio
- Municipality/County could use its funds to address its priority stormwater issues
- MSD would use remaining funds to plan, design, and construct projects within each OMCI area based on established priorities to address flooding and erosion



## Timeline

- **July – September 2019:**
  - Establish committees
  - Hold planning meetings
  - Discuss final recommendations on rate and administration
- **October – December 2019:**
  - MSD staff make recommendations to MSD Board
  - Board votes on re-establishing sub-district rate



Questions???





## Council Agenda Item Cover

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**MEETING DATE:** September 9, 2019

**AGENDA ITEM TITLE:** An Ordinance Amending Municipal Code Section 110.040  
Relating to Conflicts of Interest

**AGENDA SECTION:** Unfinished Business - Bills

**CAN THIS ITEM BE RESCHEDULED? :** No

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### **BACKGROUND REVIEW:**

According to Missouri statutes on regulation of conflict of interest and lobbying, each political subdivision in Missouri with an annual operating budget in excess of one million dollars (\$1,000,000) must decide by September 15, every two years, whether to conform with the complex, detailed personal financial disclosure requirements in Chapter 105 RSMo, or adopt its own method of disclosing conflicts of interest pursuant to Section 105.485.4 RSMo.

The City Council adopted Ordinance No. 7045 (Municipal Code Section 110.040) on August 14, 2017, thereby adopting its own method of disclosing conflicts of interest pursuant Section 105.485.4 RSMo. There has been no change in State law on the subject since then, so the attached Bill is substantively identical to Ordinance No. 7045. The deadline for adopting the Bill is September 15, 2019. The Bill may be introduced on August 17 and passed on September 9 so as to meet the deadline.

**RECOMMENDATION:** City Manager recommends approval.

### **ATTACHMENTS:**

1. Bill No. 9391

INTRODUCED BY:

DATE: August 17, 2019

**BILL NO.: 9391**

**ORDINANCE NO.:**

**AN ORDINANCE AMENDING CHAPTER 110 OF THE UNIVERSITY CITY MUNICIPAL CODE, RELATING TO ADMINISTRATION, BY REPEALING SECTION 110.040 THEREOF, RELATING TO DISCLOSURE OF CONFLICTS OF INTEREST, AND ENACTING IN LIEU THEREOF A NEW SECTION TO BE KNOWN AS “SECTION 110.040 DISCLOSURE OF CONFLICTS OF INTEREST.”**

WHEREAS, according to Missouri statutes on regulation of conflict of interest and lobbying, each political subdivision in Missouri with an annual operating budget in excess of one million dollars (\$1,000,000) must decide by September 15, every two years, whether to conform with the complex, detailed personal financial disclosure requirements in Chapter 105 RSMo, or to adopt its own method of disclosing conflicts of interest pursuant to Section 105.485.4 RSMo; and

WHEREAS, the City of University City has an annual operating budget in excess of one million dollars (\$1,000,000) and it is desirable to comply with State law by adoption of the following ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF UNIVERSITY CITY, MISSOURI, AS FOLLOWS:

Section 1. Chapter 110 of the University City Municipal Code, relating to Administration, is hereby amended by repealing Section 110.040 thereof, relating to conflicts of interest, and enacting in lieu thereof a new section to be known as “Section 110.040 Disclosure of Conflicts of Interest,” so that said section, as amended, shall read as follows:

**110.040 Disclosure of Conflicts of Interest.**

A. Declaration of Policy. The proper operation of municipal government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in the proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established a procedure for disclosure by certain officials and employees of private financial or other interests in matters affecting the City.

B. Conflicts of Interest. The Mayor or any member of the City Council who has a substantial personal or private interest as defined by Sections 105.450 (10, 11) and 105.461.1 RSMo, in any measure, bill, order or ordinance proposed or pending before the City Council, shall, before he or she passes on the measure, bill, order or ordinance, file a written report of the nature of the interest with the City Clerk and such statement shall be recorded in the record of proceedings of the City Council.

C. Disclosure Reports.

1. Each elected official, candidate for elective office, the City Manager, the Chief Purchasing Officer and the City Attorney (if employed full time) shall disclose in writing the following described transactions, if any such transactions were engaged in during the calendar year:

- a. For such person, and all persons within the first degree of consanguinity or affinity of such person, the date and the identities of the parties to each transaction with a total value in excess of five hundred dollars (\$500), if any, that such person had with the City, other than compensation received as an employee or payment of any tax, fee or penalty due to the City, and other than transfers for no consideration to the City; and
- b. The date and the identities of the parties to each transaction known to the person with a total value in excess of five hundred dollars (\$500), if any, that any business entity in which such person had a substantial interest, had with the City, other than payment of any tax, fee or penalty due to the City or transactions involving payment for providing utility service to the City, and other than transfers for no consideration to the City.
- c. The City Manager and the Chief Purchasing Officer shall disclose in writing the following information:
  - (1) The name and address of each of the employers of such person from whom income of one thousand dollars (\$1,000) or more was received during the year covered by the statement;
  - (2) The name and address of each sole proprietorship which he or she owned; the name, address and the general nature of the business conducted of each general partnership and joint venture in which he or she was a partner or participant; the name and address of each partner or coparticipant for each partnership or joint venture unless such names and addresses are filed by the partnership or joint venture with the Secretary of State; the name, address and general nature of the business conducted of any closely held corporation or limited partnership in which the person owned ten percent (10%) or more of any class of the outstanding stock or limited partners' units; and the name of any publicly traded corporation or limited partnership which is listed on a regulated stock exchange or automated quotation system in which the person owned two percent (2%) or more of any class of outstanding stock, limited partnership units or other equity interests; and
  - (3) The name and address of each corporation for which such person served in the capacity of a director, officer or receiver.

D. Filing of Reports. Duplicate disclosure reports made pursuant to this ordinance; in the format approved by the Missouri Ethics Commission, shall be filed with the City Clerk and the Missouri Ethics Commission. The City Clerk shall maintain such disclosure reports available for public inspection and copying during normal business hours.

E. When Filed. The financial interest statements shall be filed at the following times, but no person is required to file more than one financial interest statement in any calendar year:

1. Each candidate for elective office who is required to file a personal financial disclosure statement shall file the financial interest statement no later than fourteen days after the close of the filing at which the candidate seeks nomination or election, and the statement shall be for the twelve months prior to the closing date;

2. Each person appointed to office shall file the statement within thirty days of such appointment or employment;

3. Every other person required to file a financial interest statement shall file the statement annually not later than May 1 and the statement shall cover the calendar year ending the immediately preceding December 31; provided that any member of the City Council may supplement the financial interest statement to report additional interests acquired after December 31 of the covered year until the date of filing of the financial interest statement.

Section 2. Filing of Ordinance. The City Clerk is directed to send a certified copy of this ordinance to the Missouri Ethics Commission within ten days of its adoption.

Section 3. Effective Date. This ordinance shall take effect and be in force from and after its passage as provided by law.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

CERTIFIED TO BE CORRECT AS TO FORM:

\_\_\_\_\_  
City Attorney





## Council Agenda Item Cover

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**MEETING DATE:** September 9, 2019

**AGENDA ITEM TITLE:** Resolution for Fiscal Year 2018-2019 Budget Amendment # 3

**AGENDA SECTION:** New Business

**CAN THIS ITEM BE RESCHEDULED? :** No

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**BACKGROUND REVIEW:** Attached is the second budget amendment of fiscal year 2019 for all Funds. This amendment includes the increases and decreases of revenues and expenditures.

The General Fund Year to Date approximate actuals as of June 30, 2019 are as follows:

Revenues Actual	\$23,570,195
Expenses Actual	<u>\$23,237,700</u>
Over/ (Under)	\$ 332,495 – approximate YTD surplus

### **General Fund**

#### **Revenues:**

- 1) Increase of **Local Use Tax** of \$130,000 due to growth in the use or consumption of tangible personal property.
- 2) Decrease of **County-Wide Sales Tax** of \$360,000 due to over budgeting with the anticipation of receiving the amount that was budgeted for the fiscal year. The County-Wide Sales Tax actual amount of \$5,034,500 has been fairly consistent with the past five years.
- 3) Increase of **Miscellaneous Operating Revenue** of \$42,000 due to receiving funds from the State of Missouri for Unclaimed Property.
- 4) Increase of **Natural Gas** of \$150,000 due to receiving more funds in the months of March and April. The revenue fluctuates year to year based on weather, usage and rates.
- 5) Increase of **Water** of \$80,000 due to under budgeting. The revenue fluctuates year to year based on weather, usage and rates.
- 6) Decrease of **Telephone** of \$400,000 due to not collecting what the City had anticipated. There has been a steady decline in revenue over the past five years as landline services have decreased.

- 7) Increase of **Right of Way Use** of \$630,000 due to a settlement agreement between the City and Level 3 Communications LLC.
- 8) Increase of **Parking Fines** of \$110,000 due to not anticipating collecting this amount over the budgeted amount.
- 9) Increase of **Interfund Loan – Interest** of \$95,000 due to Public Safety Sales Tax, Parking Garage, Park and Stormwater Sales Tax, and Golf Course Funds borrowing from the General Fund.

**Expenditures:**

1) **City Manager’s Office**

- a. A transfer of \$26,000 from Public Relations and Program and \$30,000 from Technology Services to cover \$56,000 for Director of Communications position.
- b. A transfer of \$150,000 from Salaries-Full Time, \$32,000 from Salaries-Part-Time & Temp, and \$15,000 from Social Security Contributions to cover \$47,000 of Professional Services and \$150,000 of Legal Services.

2) **Police**

- a. A transfer of \$150,000 from Finance Salaries – Full Time, \$1,000 from Information Technology Office Supplies, and \$10,000 from Information Technology Office Furniture & Equipment to help offset \$24,000 of Insurance-Property & Auto, \$24,000 of Electricity, and \$210,000 of Property Rental. The remaining amount of \$97,000 will need to be transferred from the General Fund Reserve.
- b. A transfer of \$70,000 from Salaries-Full Time to cover \$70,000 of Overtime.

3) **Fire**

- a. Due to the reinstatement of the Emergency Medical Services (EMS) by the City Manager and City Council, the department hired new employees to staff the service. A transfer of \$25,000 from Salaries-Part-Time & Temp to help offset \$220,000 of Salaries-Full-Time, \$40,000 of Overtime, \$20,000 of Workers Compensation, and \$30,000 of Medical Insurance. The remaining amount of \$285,000 will need to be transferred from the General Fund Reserve.
- b. The department incurred approximately \$15,000 in software systems purchases that was not in the budget. This amount will also need to be transferred from the General Fund Reserve.

In March 2019, the Fire Department was awarded a Safer Grant over a three year period. The Safer Grant will help offset the costs of the EMS operations. First revenue payment was received in August 2019 (FY2020) in the amount of \$231,254.

4) **Public Works – Admin & Engineering**

- a. Due to additional staff salaries, a transfer of \$50,000 from Community Development Salaries-Full-Time to cover \$50,000 of Public Works – Admin & Engineering.

**Economic Development Retail Sales Tax Fund**

- 5) The actual sales tax for Economic Development Retail during the FY2019 was approximately \$25,000 lower than the original budget of \$702 thousand. Professional Services were under budget by \$25,000. Decrease expenditure to offset the decrease in revenue.

This amendment will have no impact on the fund reserve of the Economic Development Retail Sales Tax Fund.

**Capital Improvement Sales Tax Fund**

6) The actual sales tax for Capital Improvement during the FY2019 was approximately \$139,000 lower than the original budget of \$2.4 million. Building Improvements were under budget by \$139,000. Decrease expenditure to offset the decrease in revenue.

This amendment will have no impact on the fund reserve of the Capital Improvement Sales Tax Fund.

The resolution for approval of the amendment is attached.

**RECOMMENDATION:**

The City Manager recommends the City Council approve the Resolution for Fiscal Year 2018-2019 Budget Amendment # 3.

**FY 19 Budget Amendment #3  
To Be Approved by City Council  
September 9, 2019**

**General Fund:**

<u>Account</u>	<u>Revenue Increase</u>	<u>Revenue Decrease</u>	<u>Description</u>
1) 4101 Local Use Tax	130,000		Increase to get closer to actual
2) 4105 County-Wide Sales Tax		(360,000)	Decrease in pool sales tax appropriation
3) 4804 Misc. Operating Revenue	42,000		Increase due to receiving funds from State of Missouri for Unclaimed Property
4) 4405 Natural Gas	150,000		Increase due to receiving more revenue in the months of March and April
5) 4410 Water	80,000		Increase to get closer to actual
6) 4415 Telephone		(400,000)	Decrease to get closer to actual
7) 4430 Right of Way Use	630,000		New source of revenue
8) 4703 Parking Fines	110,000		Increase to get closer to actual
9) 4859 Interfund Loan - Interest	95,000		Increase to get closer to actual

<u>Account</u>	<u>Expenditure Increase</u>	<u>Expenditure Decrease</u>	<u>Description</u>
<b>Asst. to CM - Communications</b>			
1) Personnel Services	56,000		Added Communications Director Position - Position filled late in FY
<b>City Manager's Office</b>			
2) 5001 Salaries-Full Time		(150,000)	Transfer expenditures to cover cost of professional services and legal services
5340 Salaries-Part-time & Temp		(32,000)	
5660 Social Security Contributions		(15,000)	
6010 Professional Services	47,000		Transfer expenditures to cover cost of adding Communications Director position
6020 Legal Services	150,000		
6135 Public Relations and Programs		(26,000)	
6560 Technology Services		(30,000)	
<b>Finance</b>			
3) 5001 Salaries-Full Time		(150,000)	Transfer funds between Finance to Police to offset expenditures
<b>Information Technology</b>			
4) 7001 Office Supplies		(1,000)	Transfer funds between IT to Police to offset expenditures
8180 Office Furniture & Equip		(10,000)	

**FY 19 Budget Amendment #3  
To Be Approved by City Council  
September 9, 2019**

<b>Police</b>				
5)	5001 Salaries-Full Time		(70,000)	Transfer to overtime; employees worked longer hours
	5380 Overtime	70,000		
	6160 Insurance-Property & Auto	24,000		
	6260 Electricity	24,000		
	6545 Property Rental	210,000		Actual higher than budgeted
<b>Fire</b>				
6)	5001 Salaries-Full Time	220,000		Increase due to hiring EMS employees
	5340 Salaries-Part-time & Temp		(25,000)	No actual YTD expenditures
	5380 Overtime	40,000		
	5420 Workers Compensation	20,000		
	5460 Medical Insurance	30,000		
	8140 Software Systems	15,000		No expenditure was budgeted
<b>Public Works - Admin &amp; Engineering</b>				
7)	5001 Salaries-Full Time	50,000		Two additional staff salaries in FY19
<b>Community Development</b>				
8)	5001 Salaries-Full Time		(50,000)	Transfer funds between Public Works and Community Development

**FY 19 Budget Amendment #3  
To Be Approved by City Council  
September 9, 2019**

**Economic Development Retail Sales Tax Fund:**

<u>Account</u>	<u>Revenue Increase</u>	<u>Revenue Decrease</u>	<u>Description</u>
1) 4145 Economic Dev Sales Tax		(25,000)	Decrease Sales Tax revenue to get closer to actual
<u>Account</u>	<u>Expenditure Increase</u>	<u>Expenditure Decrease</u>	<u>Description</u>
2) 6010 Professional Services		(25,000)	Decrease expenditure to offset decrease in revenue
<b>Total Economic Development Sales Tax Fund</b>			
<b>Reduction in Fund Balance</b>		-	

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**Capital Improvement Sales Tax Fund**

<u>Account</u>	<u>Revenue Increase</u>	<u>Revenue Decrease</u>	<u>Description</u>
3) 4110 Capital Improvement		(139,000)	Decrease Sales Tax revenue to get closer to actual
<u>Account</u>	<u>Expenditure Increase</u>	<u>Expenditure Decrease</u>	<u>Description</u>
4) 8001 Building Improvements		(139,000)	Decrease expenditure to offset decrease in revenue
<b>Total Capital Improvement Sales Tax Fund</b>			
<b>Reduction in Fund Balance</b>		-	

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***Resolution 2019 - 14***

**A RESOLUTION AMENDING THE FISCAL YEAR 2018-2019 (FY19)  
BUDGET – AMENDMENT # 3 AND APPROPRIATING SAID AMOUNTS**

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of University City, Missouri, that the Annual Budget for the fiscal year beginning July 1, 2018, was approved by the City Council and circumstances now warrant amendment to that original budget.

**BE IT FURTHER RESOLVED**, that in accordance with the City Charter, the several amounts stated in the budget amendment as presented, are herewith appropriated to the several objects and purposes named.

Adopted this 9th day of September, 2019

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Certified to be Correct as to Form:

\_\_\_\_\_ City Attorney







## Council Agenda Item Cover

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**MEETING DATE:** September 9, 2019

**AGENDA ITEM TITLE:** Saint Louis County Vector Control Services – Contract Renewal

**AGENDA SECTION:** New Business - Bill

**CAN THIS ITEM BE RESCHEDULED?:** YES

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**BACKGROUND:** The City of University City’s contract with Saint Louis County regarding vector control services expired in June of this year. The County has continued providing the services since the contract expiration coincided the season’s ongoing mosquito and other vector control work and proposes a contract renewal for 5 years.

The County provides the below listed services under the vector control contract:

- 1) Larviciding: monitoring, identification and treatment of known mosquito breeding sites within the contracting municipality throughout the mosquito season. EPA-registered mosquito larvicide and environmentally friendly products and application methods are utilized.
- 2) Adulticiding: nighttime Ultra-Low Volume (ULV) mosquito adulticide applications on public roads, using truck mounted ULV machines. Adulticiding is done at the discretion of Saint Louis County Vector Control and is based primarily upon mosquito surveillance and testing results.
- 3) Rodent Abatement: this program is request-driven and provides rodent abatement services for the control of Norway Rats in public areas within the contracting municipality. Per a resident call and request, and after investigation by a Vector Control Specialist in the area of the complaint and its findings, proper control methods are utilized in public areas according to Integrated Pest Management protocols. Public areas where Norway Rat activity has been identified will be re-treated by prescribed methods as indicated on rodenticide labeling until rodent activity has been eradicated. On private property, residents receive professional recommendations on the control and exclusion of rodents and/or the resident is advised to contact a licensed private pest control operator to treat their property.

Fees for the 2019 season are as follows:

- 1) Larviciding: \$65.00/Hour
- 2) Adulticiding: \$92.00/Hour
- 3) Rodent Abatement: \$42.00/Hour

St. Louis County Best Practices program requires that the County provides all or none of these services to any municipality at the municipality’s choice, for effectiveness in vector control results. \$20,000 is budgeted for the program costs in FY2020 in University City, which is in line with the previous years’ expenditures for this service.

**RECOMMENDATION:** The City Manager requests approval of the attached Ordinance which authorizes the City Manager to enter into and execute a contract with St. Louis County for the performance of vector control services within University City.

**ATTACHMENT:**

- 1) Draft Local Government Contract with St. Louis County, Missouri for Vector Control Services
  
- 2) Bill for Authorizing the City Manager to enter into and execute a contract with St. Louis County for the performance of vector control services within University City

**LOCAL GOVERNMENT CONTRACT WITH ST. LOUIS  
COUNTY, MISSOURI FOR VECTOR CONTROL SERVICES**

This contract is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between the \_\_\_\_\_, a Municipal Corporation, (hereinafter referred to as "Municipality") and St. Louis County, Missouri, (hereinafter referred to as "County").

Witnesseth:

Whereas, Municipality has enacted Ordinance No. /Resolution No. \_\_\_\_\_ authorizing said Municipality to enter into this contract with County for vector control services to be performed within said Municipality through County's Department of Public Health; and

Whereas, County is authorized by Article II, Section 2.180 (20) of County's Charter to cooperate and contract with other political subdivisions for common services; and

Whereas, Section 604.020 SLCRO 1974, as amended, authorizes the County Executive to contract on behalf of the Department of Public Health with political subdivisions to provide public health services; and

Whereas, in conformity with Section 604.040 SLCRO 1974, as amended, the St. Louis County Council has adopted Resolution No. 6281, 2018, that sets forth the terms and conditions upon which vector control services are to be provided to Municipality; and

Now therefore, in consideration of the mutual promises and undertakings herein set forth, County and Municipality agree as follows:

1. County shall provide vector control services as indicated:
  - a. Mosquito Control Services:
    1. Including Adulticiding, per County guidelines, to include all necessary materials, equipment, and personnel.  
  
Other mosquito control services:
    2. Including Larviciding, per County guidelines, to include all necessary materials, equipment, and personnel.
  - b. Rodent abatement services:  
Including rodent inspections and abatement, per County guidelines, to include all necessary materials, equipment, and personnel.
2. Municipality shall:
  - a. Pay County for vector control services including adulticiding at the hourly rate of ninety-two dollars (\$92.00), for other mosquito control services including larviciding at the hourly rate of sixty-five dollars (\$65.00), and for rodent abatement services at the hourly rate of forty – two dollars (\$42.00).

- b. Make all payments by check payable to the order of "St. Louis County Department of Public Health". Billing will occur annually in January. Payments for the previous years' service, under above paragraph "a" of this section, must be received by County before the 31<sup>st</sup> day of March of the year services are provided. Remit payment to St. Louis County Department of Public Health, 6121 N. Hanley Road, Berkeley, MO 63134.
- 3. The costs per hour for services may be revised annually by County. County shall provide written notice to Municipality of the change in cost no later than May 1 of any year in which the services will be rendered.
- 4. The initial contract term shall be five (5) years, subject to changes in prices and services provided therein by County, as agreed to by Municipality. Either party may terminate this contract upon thirty days written notice.

St. Louis County, Missouri

By: \_\_\_\_\_  
County Executive

Attest:

\_\_\_\_\_  
Administrative Director

APPROVED:

\_\_\_\_\_  
Director, Department of Public Health

Approved As To Legal Form:

\_\_\_\_\_  
County Counselor

APPROVED:

\_\_\_\_\_  
Accounting Officer

**To be completed by Municipality representative**

MUNICIPALITY

\_\_\_\_\_  
(Name Of)

By:

\_\_\_\_\_  
(Signature of authorized individual)

\_\_\_\_\_  
(Type name/title of authorized individual)

ATTEST:

\_\_\_\_\_  
City/Village Clerk

INTRODUCED BY:

DATE: September 9, 2019

**BILL NO.: 9392**

**ORDINANCE NO.:**

AN ORDINANCE AUTHORIZING THE CITY OF UNIVERSITY CITY TO ENTER INTO AND EXECUTE A CONTRACT WITH ST. LOUIS COUNTY, MISSOURI, FOR VECTOR CONTROL SERVICES AND AUTHORIZING AND DIRECTING THE CITY MANAGER OF UNIVERSITY CITY TO ENTER INTO ON BEHALF OF SAID CITY A CONTRACT WITH ST. LOUIS COUNTY, MISSOURI, FOR VECTOR CONTROL SERVICES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF UNIVERSITY CITY, MISSOURI, AS FOLLOWS:

Section 1. The City Manager of University City is hereby authorized and directed to enter into and execute a contract with St. Louis County, Missouri, whereby said County, by and through its Department of Public Health, will provide Victor Control Services within University City.

Section 2. The City shall compensate St. Louis County, Missouri, for services rendered at the hourly rate set forth in the contract and as such rates are changed in accordance with the terms and conditions of the contract between the City and St. Louis County.

Section 3. After execution thereof, this agreement shall be in effect for one (5) years. Either party may terminate the contract by written notice, at least thirty (30) days prior thereto.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

CERTIFIED TO BE CORRECT AS TO FORM:

\_\_\_\_\_  
City Attorney

