



MEETING OF THE CITY COUNCIL  
CITY HALL, Fifth Floor  
6801 Delmar Blvd.  
University City, Missouri 63130  
Monday, November 25, 2019  
6:30 p.m.

**A. MEETING CALLED TO ORDER**

**B. ROLL CALL**

**C. APPROVAL OF AGENDA**

**D. PROCLAMATIONS**

**E. APPROVAL OF MINUTES**

1. October 28, 2019 Study Session Minutes – Economic and Fiscal Impact Study
2. November 11, 2019 Regular Meeting Minutes

**F. APPOINTMENTS to BOARDS & COMMISSIONS**

1. John Stitleman is nominated for re-appointment to the Green Practices Commission by Councilmember Cusick.
2. Barbara Brain is nominated for re-appointment to the Green Practices Commission by Councilmember Cusick.

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

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

**I. PUBLIC HEARINGS**

1. Zoning Code Text Amendment to Article VII - Off-Street Parking and Loading Requirements
2. Liquor License - Original J's Tex-Mex Barbecue, 7359 Forsyth Ave.

**J. CONSENT AGENDA – Vote Required**

1. Golf Cart Lease Agreement
2. Internal Audit Proposal
3. Fiscal Impact Analysis
4. Emerald Ash Borer - Tree Replacement Program
5. Space Needs Study
6. Liquor License - Original J's Tex-Mex Barbecue, 7359 Forsyth Ave.

**K. CITY MANAGER'S REPORT**

1. Army Corp of Engineers Update

**L. UNFINISHED BUSINESS**

1. **BILL 9395 - AN ORDINANCE AMENDING CHAPTER 400 OF THE MUNICIPAL CODE OF THE CITY OF UNIVERSITY CITY, RELATING TO ZONING, BY AMENDING SECTION 400.2130 THEREOF, RELATING TO OFF-STREET PARKING AND LOADING REGULATIONS; CONTAINING A SAVINGS CLAUSE AND PROVIDING A PENALTY**

**M. NEW BUSINESS  
RESOLUTIONS**

- 1. RESOLUTION 2019-16** A RESOLUTION ESTABLISHING AN ECONOMIC DEVELOPMENT STRATEGIC PLAN TASK FORCE
- 2. RESOLUTION 2019-17** A RESOLUTION OF THE CITY COUNCIL OF UNIVERSITY CITY ADOPTING THE ST. LOUIS REGIONAL HAZARD MITIGATION PLAN

**BILLS**

- 3. BILL 9396** - ZONING CODE TEXT AMENDMENT - ZONING CODE SECTION 400.2140 OF ARTICLE VII OF CHAPTER 400 RELATING TO SCHEDULE OF OFF-STREET VEHICLE PARKING REQUIREMENTS.

**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**

**STUDY SESSION  
OF THE UNIVERSITY CITY COUNCIL  
5th Floor of City Hall  
6801 Delmar  
October 28, 2019**

**AGENDA**

Requested by the City Manager

**1. MEETING CALLED TO ORDER**

The City Council Study Session was held in Council Chambers on the fifth floor of City Hall, on Monday, October 28, 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 were present:

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

Also in attendance was City Manager, Gregory Rose; City Attorney, John F. Mulligan Jr., and Carson Bise, President of TischlerBise

**2. CHANGES TO REGULAR COUNCIL AGENDA**

Councilmember Carr requested that Item K (2); Economic Development Retail Sales Tax Board Recommendations, be reviewed on a line-by-line basis.

**3. ECONOMIC AND FISCAL IMPACT STUDY**

Mr. Rose stated Council expressed an interest in learning more about the fiscal and economic impacts Wash U has on the City. So with that in mind, he has invited Carson Bise of TischlerBise to provide Council with a presentation that explains what this type of study would encompass.

Mr. Bise stated he has been doing this type of work for twenty-nine years; has led the American Planning Association's Plan for Growth Task Force; he has been a Board member of the Growth and Infrastructure Consortium, and is the author of several books on this topic. So, after several discussions with Mr. Rose regarding Council's desire to learn more about Wash U's fiscal and economic impact on the City, he thought he would provide an overview of a fiscal and economic impact analysis, with an emphasis more on the fiscal side of things; fiscal analysis basics, and examples of how other communities have used this information.

**TischlerBise**

- National Practice working in 39 states
- National leader in fiscal and economic impact analysis, infrastructure financing evaluations, revenue strategies, and planning
- Fiscal Impact Evaluations (800+)
- Impact Fees (900+)
- Public and Private Sector Experience

**The Planning Process Today**

- Most local governments do not know the true cost of development decisions or if the current land use plan is fiscally sustainable

- Has/Is growth really paying for itself?
- Many communities are still feeling a "slight hangover" from the Great Recession

*The National Leagues of Cities' publication that looks at revenue generation by local governments indicates that these revenues are still not at their pre-recession levels; which typically takes about three years.*

- What is the market for certain uses?
- Should development be incentivized? If so, what types? What is the return on investment?
- Increased funding responsibilities on localities
- Decreasing state and federal funding
- How can localities make up the difference?

### Elements of the Fiscal Equation

- Revenue Generated is referred to as the cash-flow to the public sector.



### How is Fiscal Impact Different than Economic Impact?

Mr. Bise stated he cannot count the number of times he has encountered development communities who hold up a report that purports to say their development project will pay for itself. And what happens in a lot of these cases is that there is a blurring of the lines between fiscal impact and economic impact, so it's important to distinguish the differences.

- The economic impact is the private cash-flow to the private sector.
- A great deal of the cash-flow does not stay within jurisdictional lines, it's sometimes regional in nature and depending on the magnitude of the project it can be statewide in nature.

It's important to understand these cash-flows and whether or not there is a direct fiscal benefit to a local government. And a lot of that is dependent on your revenue structure.



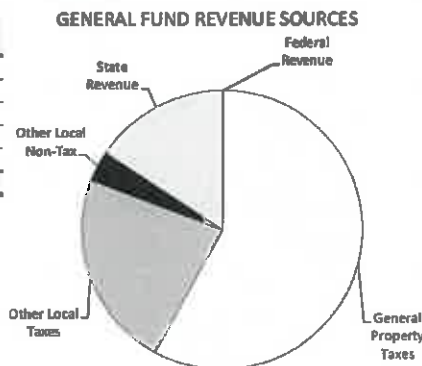
Mr. Bise stated a question he often gets asked, is what is the difference in what your company does and what our finance and budget folks do on a regular basis? There are two main differences:

- Your annual budgeting process is a fiscally constrained operation looking at past revenue trends to project certain revenues out into the future, which also must follow state revenue formulas for other types of revenue sources.
- A fiscal impact analysis does just the opposite. It looks at what it costs to maintain current levels of service across the board and projects that forward. Which is a huge assumption because most local governments are not maintaining levels of service across the board based on their fiscally constrained tightrope.

**Fiscal Impact vs. Revenue Forecasting**

- Municipal budgeting is primarily “revenue-driven”
  - Revenue forecast is used to establish spending targets
- Fiscal impact analysis is not revenue constrained
  - Forecast expenses needed to maintain current levels of service

Source	FY-20 Estimate	Component Share
General Property Taxes	\$ 348,907,916	57.90%
Other Local Taxes	\$ 138,147,102	22.92%
Other Local Non-Tax	\$ 21,058,169	3.49%
State Revenue	\$ 94,469,167	15.68%
Federal Revenue	\$ 35,000	0.01%
<b>Total General Fund</b>	<b>\$ 602,617,354</b>	<b>100.00%</b>



**What Questions Can be Answered?**

- Land use policies and development patterns
  - What is the relationship between development densities and infrastructure costs?
  - What is the optimum mix of land uses?
  - What is the relationship between the geographic location of new development and the cost?

- Leveraging public dollars for economic growth (incentives)
  - *How to invest limited funds to maximize return*
  - *Redevelopment*
  - *Tax increment financing*
- Timing on impacts
  - *Are we living off tomorrow's growth?*
- Annexation
- Demographic and economic change
  - *Boomers aging in place*
  - *Gen X is the largest group of homebuyers*
  - *Millennials are deferring home buying*
- Impact of behavioral trends
  - *New patterns in consumption*
  - *Traditional retail is dying*
  - *Shifting away from cars?*
  - *Walkable urbanism*

### **Methodologies**

- Case study-marginal approach
  - *Reflects fiscal reality*
  - *Dependent on local levels of service*
  - *Available capacity triggers the staging of facilities*
  - *Reflects geographic differences*
- Average cost approach
  - *Focuses on per capita/employee*
  - *Doesn't consider available capacities*
  - *Masks timing*
  - *Uses average (current) costs*
  - *Budget in equilibrium*

### **Common Perceptions**

- Residential development doesn't pay for itself
- Nonresidential development always generates net surpluses

Mr. Bise stated what he believes you will see as he goes through this presentation is that these perceptions are not that simple.

### **Drivers of Fiscal Equation**

#### Revenue Structure

- What are your growth-related revenue sources?
- How are they distributed?

#### Characteristics of Development

- Income
- Persons per household
- Generation rates

#### Fiscal Impacts

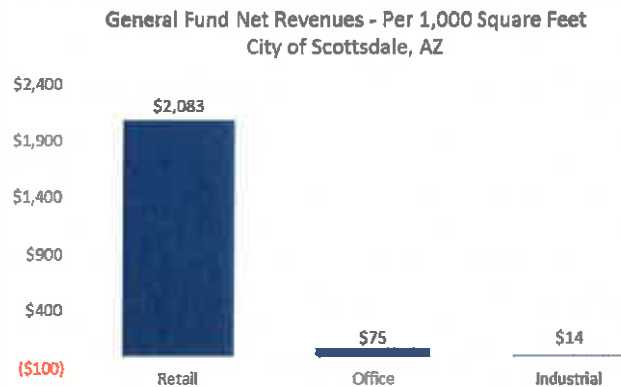
#### Infrastructure Capacity/Lifecycle

- Where are you in the lifecycle of a City
  - *A rapidly growing greenfield City*
  - *An aging inner-ring suburb*
  - *Downtown central city*

## Levels of Service (Costs to Serve)

### Revenue Structure as Driver - Arizona

- Locality with Point of Sale Sales Tax
- On a per thousand square foot basis retail generates substantially more benefits than office and industrial development



### Revenue Structure as Driver - Ohio

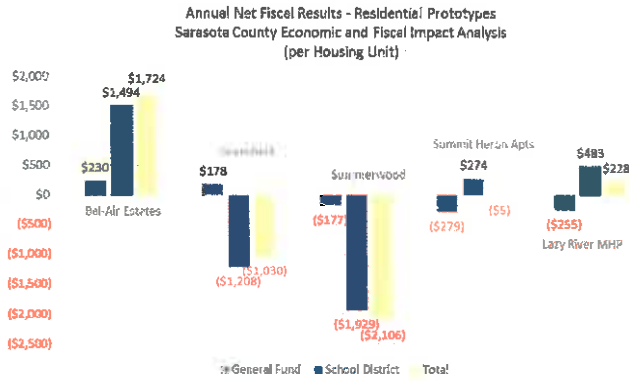
- Locality with Local Income Tax by place of Job Location
- Office and industrial development generates substantial surpluses compared to retail



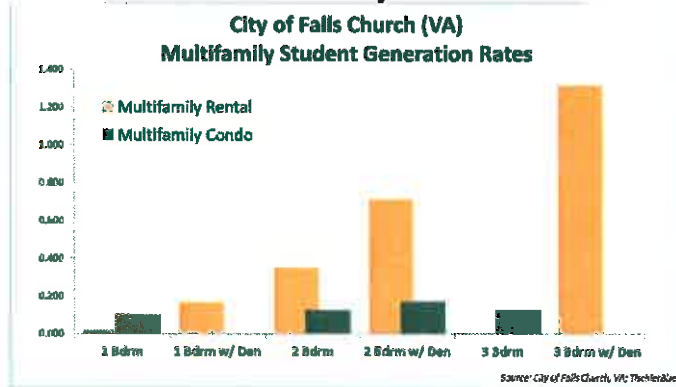
### Demographic Characteristics as Driver - Sarasota County, Florida

- Influence of Single-Family Characteristics
  - *The influence of social economics is seen in Bel-Air Estates; primarily in empty-nesters; high assessed values*
  - *Greenfield and Summerwood are entry and mid-level units with younger families, lower assessed values, high numbers of people generation, and generates deficits*

You cannot say that one land use will generate a surplus or deficit because it depends on so many different factors.



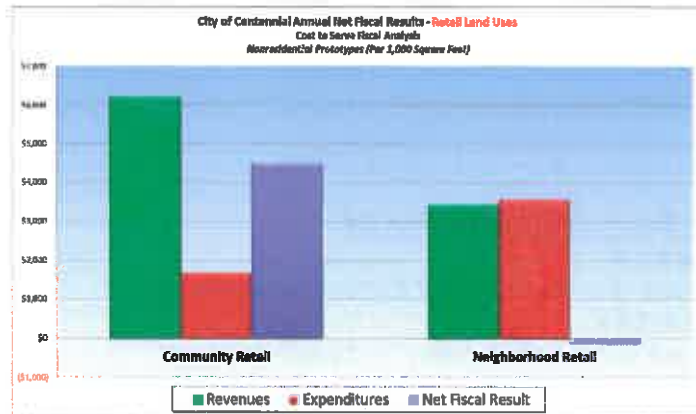
- **Influence of Multifamily Characteristics - Falls Church VA**



### Changing Retail

- What happens to revenue when retail space shifts to services

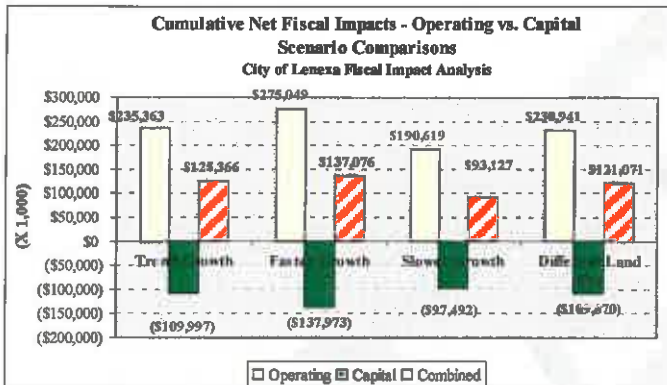
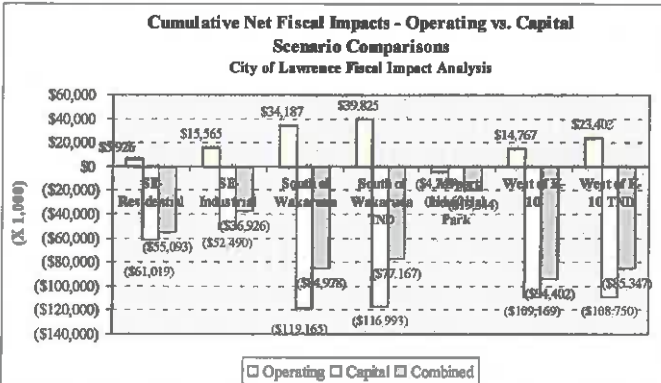
This is something a lot of communities are dealing with, particularly in sales tax based economies. The result; taxable sales per foot plunges over time.



- A tale of two cities
  - An example of infrastructure capacity in two cities located 45 minutes apart
  - Growth paid for itself in Lenexa, but not in Lawrence.
  - Lenexa is an older city where its footprint has already been laid.



- Lawrence is growing on the fringes, having to rapidly expand its infrastructure footprint.



### Fiscal Impact Analysis in Practice

#### Project Analysis

- Most common type of fiscal impact analysis
- 1 or multiple proposed development programs in a limited geographic area over a specified period of time
- Analyzes the fiscal impact of a combination of proposed uses
- Usually prepared in conjunction with a development proposal, so incremental (does not evaluate impact of development in rest of jurisdiction)

#### The Dangers:

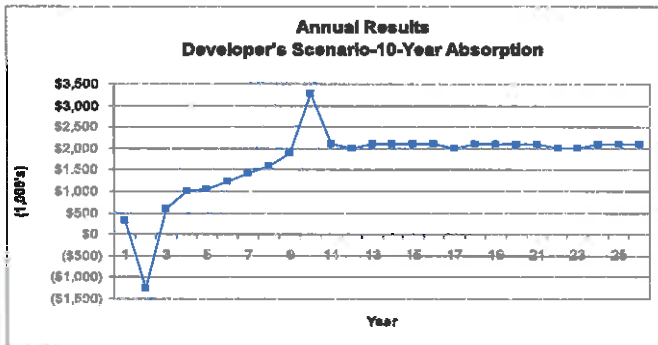
- Looking at development proposals from a very optimistic absorption schedule. When you look at things from a project level you want to look at different schedules to ensure you are well armed; what happens if there is a recession; what happens given the changing nature of retail, et cetera.
- Looking at things just on the project level where each development is in isolation, rather than what happens in total.

### Draper, UT: SunCrest Development

- Built on a mountainside outside of the built environment of the City

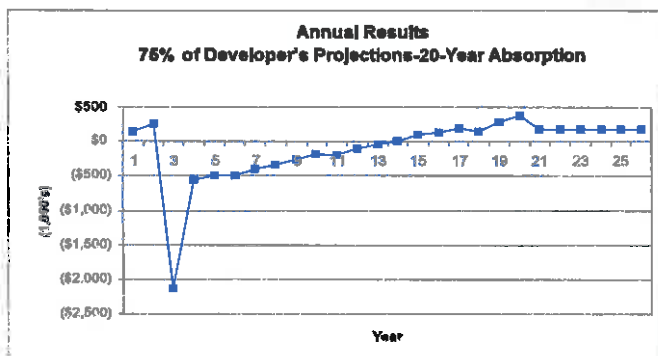
#### Developer's Scenario:

- Look what a great deal this is
- You have a deficit near one because we have to build a public safety annex up on the mountainside and after that, it's gravy for you all



**Different Scenario:**

- What happens over 20 years where you only get 75 percent of the absorption
- No surpluses are seen until roughly year fourteen

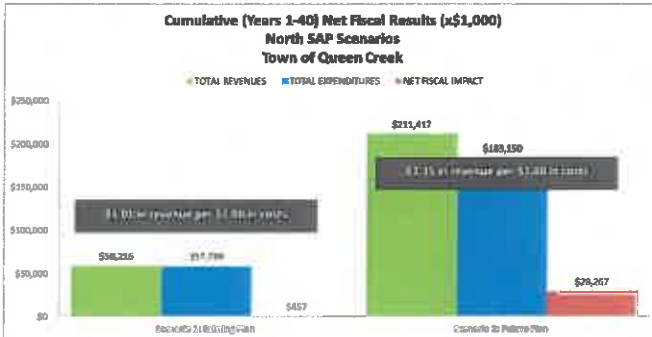
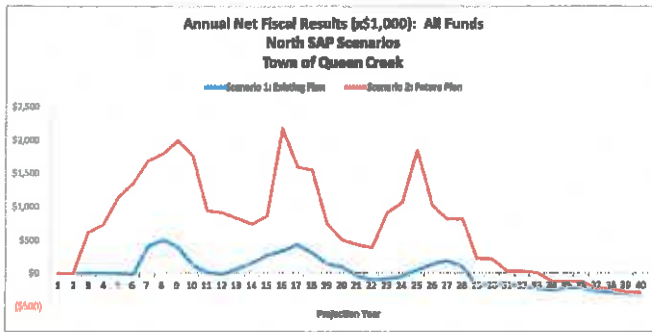


**Area-wide Analysis**

- Can be applied to a neighborhood, several contiguous neighborhoods, an entire city, county, or region
- Usually 10-20 year timeframe
- Common to evaluate multiple development scenarios with various land use mixes/patterns, paces of growth, or economic activity
- Largely performed in conjunction with the planning process to look at the economics of the visioning process

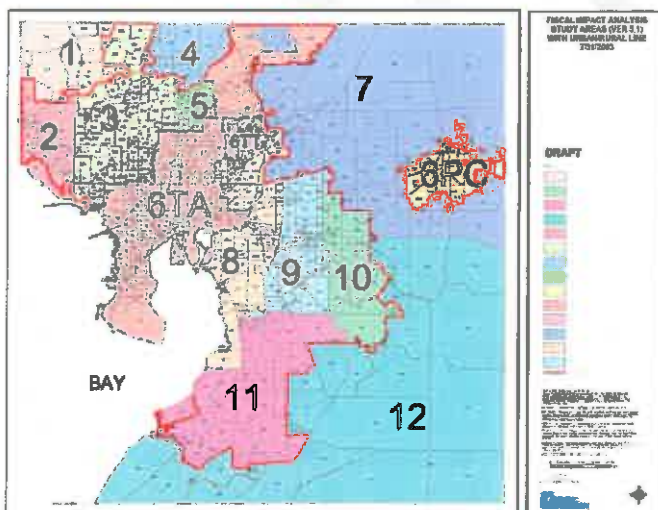
**Small Area Plan Fiscal Analysis Findings**

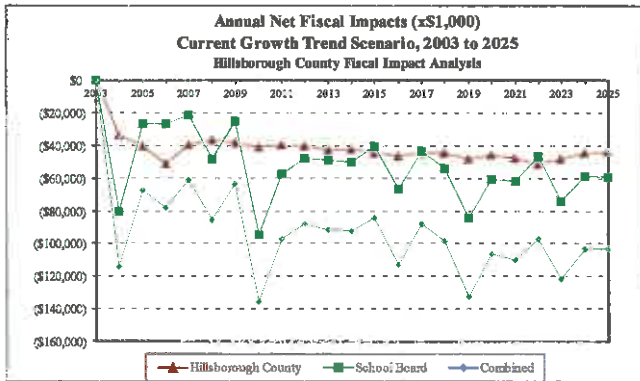
- The City was holding out for retail space, not understanding their place in the larger economy. The development community was pressuring the City to rezone certain areas because there was no market for retail.
- TischlerBise was hired to do a market and fiscal analysis which determined that the development community was right



**Hillsborough County, FL**

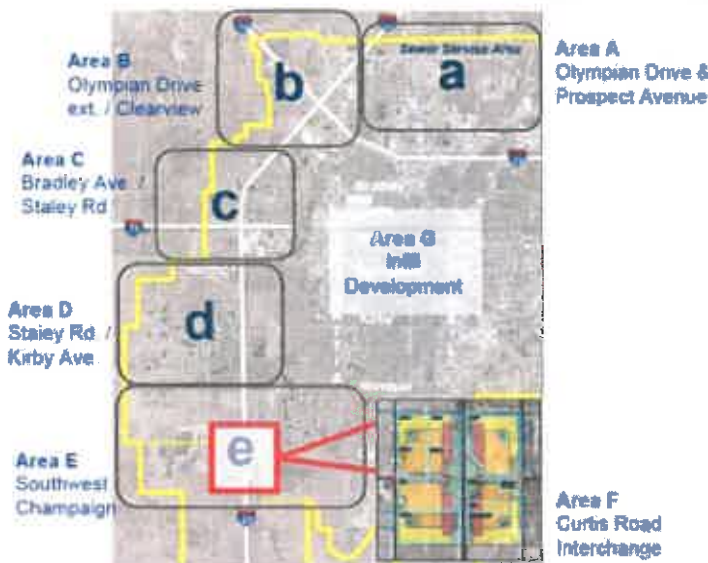
- You cannot treat development homogeneously. There are different areas of your city that have different styles of development, different assessed values, and different characters that should be reflected in a fiscal model so that you reflect the type of retail or office uses you have in sort of the main street type areas vs. the more suburban types of uses.
- This graph shows the impact of using marginal costing which is dependent on your infrastructure capacity as a city.



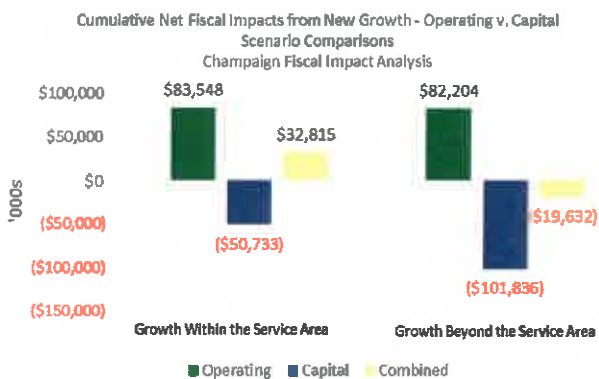
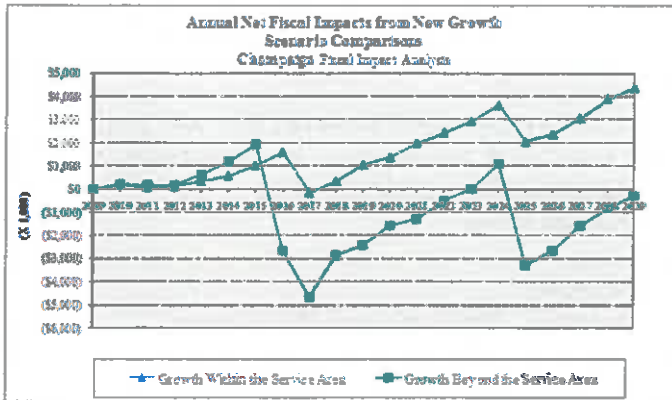


### Champaign, IL

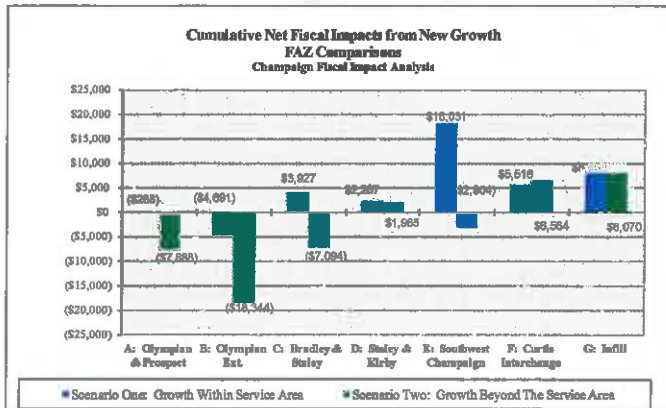
- A three-phased study to answer:
  1. What are the fiscal impacts of current land use?
  2. What are the fiscal impacts of future growth?
  3. What happens if you allow growth to occur outside of the urban sanitary sewer service boundary?
  4. How to raise revenue without raising taxes?
- TischlerBise dissected Champaign by subareas because each of these areas in the community had different characteristics.
- Growth within the service area was a much better fiscal option for the community



- Deficits are generated to the capital fund, but the operating fund is generating surpluses.
- The operating budget is the budget that is funded by a city's largest growth-related revenue sources
- It is much easier to fund capital deficits than it is operating deficits



• Results by subareas



**Champaign Findings**

- The City is severely constrained as to the amount of revenue available for support of capital improvements needed to serve new development
  - *The City should consider alternative financing sources such as impact fees for growth-related infrastructure, particularly for road projects*
  - *The implementation of a tiered impact fee program, that charges more for development further out, could assist the City in directing development in a phased manner*

## **Parting Thoughts**

- Fiscal impact analysis is both a science and an art
  - *It is not uncommon to have differences in fiscal studies prepared by two groups. There is a lot of leeway given to the analyst in terms of methodology and assumptions. So, it needs to be well-vetted to ensure it passes the straight-face test.*
- A “one size fits all” approach leads to generalizations
  - *Each jurisdiction is unique*
  - *Results can indicate the opposite of reality*
- Fiscal impacts are only one part of the equation. Other things to think about:
  - *Affordable housing*
  - *Environmental policies*
  - *Transportation goals, et cetera*
  - *The idea is to look at things long-term to make sure that the land use plan is fiscally sustainable*
- The goal should be to educate constituency
- Garbage in, garbage out
  - *The analysis must include a clearly written rationale explaining methodology and assumptions*
- Focusing on the fiscal impacts at the expense of other impacts
  - *Environmental, social, economic, transportation*
  - *Fiscal zoning*
- Overlap of government entities
  - *What about the School District?*
- Beware of advocacy disguised as analysis!!!!

Councilmember Carr asked Mr. Bise what was meant by the comment related to King's Creek where he stated that instead of retail they were looking at an increased density that produced its own organic increase, and what might Council take away from that? Mr. Bise stated in Arizona the towns and cities rely heavily on sales tax. What is generated in the community stays in the community, so obviously, it is important for them to grow their sales tax base. But when you are a very low-density community that is not likely to capture a Best Buy or Home Depot, then the only way to continue to grow your sales tax revenue is by increasing your density. We encouraged mixed-use because that activity generates its own service and retail uses that serve its residents and still increases their tax base without having to rely on attracting big box stores. Councilmember Carr stated if you increase your density her assumption is that you would also be increasing retail services so that residents don't have to drive 25 miles? Mr. Bise stated that's right. And there are also the efficiencies that come with density. For instance, from a transportation perspective if the density is high enough and there are alternative modes available, you could have higher internal trip capture that reduces transportation and road maintenance costs.

Councilmember Carr stated when she looks at the problems specific to U City, she sees marginal increases as something U City would be more interested in. From her perspective, the University has changed what apparently was the City's goal up until around 2011. Council; which includes herself, was a bit overwhelmed and may not have understood the impacts of buzz words like Transportation District, walkable, bikeable, or sustainable. And quite frankly, some of us are still dealing with whether these were realistic changes. It seems as though the City's biggest fear; at least from her constituent's point of view, is the impact that a tax-exempt institution is imposing on this community. And while she thinks this presentation has just educated everyone on the importance of looking at fiscal impact as opposed to a gut feeling, there are some things she believes are almost intuitive. So her guess is that one remedy for increased taxes as a result of unpaid services is to look at fees or other things that would help equalize the City's revenue stream? Mr. Bise stated since he has not conducted an analysis, he does not have the answer to that question. But it is clear that the University does have an economic impact on this community.

His company has quite a bit of experience in university communities and has completed fiscal and economic analyses of those impacts in places like Chapel Hill, North Carolina, Virginia, Urbana, Evanston, and a few other places.

He stated if U City is getting no direct revenue from the University and they are not voluntarily making payments in lieu of taxes, then the economic impact needs to be cycled through the fiscal model. If they are not giving you direct revenue, you could be getting indirect revenue from their economic spinoff. And so the real questions when you run that through the fiscal model are, is that indirect revenue enough to offset those direct and indirect impacts? Councilmember Carr stated from her prejudiced and very biased point of view, she does not see a lot of indirect revenue. And how she sees this falling out is more as a provider/recipient as opposed to a more equitable situation.

Councilmember Clay asked Mr. Rose if this presentation was related to the Wash U Fiscal Impact Study that Council had expressed an interest in? Mr. Rose stated this is the first step towards educating the Mayor and Council on what a Fiscal Impact Study of Wash U would entail. Councilmember Clay stated although the information did provide a foundation, it was not specific to Council's actual desires with respect to the end product. So, is this simply the first of several presentations? Mr. Rose stated the intent was to provide Council with a very general overview of what this type of study would encompass, and then outline what he sees as being the next steps. So, if Council decides to move forward, this information will assist him with creating a scope of work and calendar outlining the timeframe for each stage. He stated at this point, Mr. Bise has not conducted any analysis of U City.

Mr. Bise stated you simply cannot make a blanket observation or assessment of what the outcome is going to be because it is dependent on so many different factors. For instance; what is the University's enrollment; how much of the enrollment lives on-campus versus off-campus; to what extent are there overlaps between the public safety function and the University. And those things vary from community to community.

Councilmember Cusick asked Mr. Rose if he could explain the relationship of the report prepared in November of 2018 by Mr. Bise's company and provided to Council on September 27th, to today's presentation? Mr. Rose stated the 2018 report was provided to give Council a general sense of the type of services TischlerBise provides. And if it is acceptable to the Mayor and Council, his intent is to develop a very specific scope of services and engage TischlerBise to perform the analysis.

Councilmember Smotherson asked if there was an anticipated timeframe for the completion of a study like this? Mr. Bise stated typically they take around three and a half months.

Mr. Rose stated if it is acceptable, he will move forward with creating a scope of service and calendar for Council's review and approval? *(Council provided both verbal and nonverbal consent to proceed.)*

#### **4. ADJOURNMENT**

Mayor Crow thanked Mr. Bise for his presentation and adjourned the meeting at 6:05 p.m.

LaRette Reese  
City Clerk

DRAFT



MEETING OF THE CITY COUNCIL  
CITY HALL, Fifth Floor  
6801 Delmar Blvd.  
University City, Missouri 63130  
Monday, November 11, 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, November 11, 2019, Mayor Terry Crow called the meeting to order at 6:35 p.m.

Mayor Crow announced that Deanna Burress would be filling in for City Clerk, LaRette Reese.

**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**

Mayor Crow stated during the Study Session Mr. Rose requested that Item K (3) under the City Manager's Report be removed from tonight's agenda.

Councilmember Hales moved to amend the agenda, it was seconded by Councilmember Clay and the motion carried unanimously.

Mayor Crow stated he would like to acknowledge that tonight's meeting is being held on a very important Federal Holiday known as Veteran's Day. It is a day where everyone should take a little time to pay homage to the folks who have sacrificed their time, and oftentimes their lives, to defend and protect our freedom, so to all of our veterans, thank you very much for your service to our country.

**D. PROCLAMATIONS**

1. Honoring Arts and Letters Returning Artist – A signed Proclamation recognizing the accomplishments of Christopher J. Watkins.
2. Celebrating Small Business Saturday - A signed Proclamation commemorating the 10th year of supporting small businesses.

**E. APPROVAL OF MINUTES**

1. October 14, 2019, Joint Study Session Meeting Minutes; Senior Commission, were moved by Councilmember Smotherson, it was seconded by Councilmember Carr and the motion carried unanimously.

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2. October 28, 2019, Regular Meeting Minutes were moved by Councilmember Carr, it was seconded by Councilmember McMahon and the motion carried unanimously.

**F. APPOINTMENTS TO BOARDS & COMMISSIONS**

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

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

**Mayor Kate Hatfield, 10555 Clayton Road, Frontenac, MO**

Mayor Hatfield stated the City of Frontenac, its elected officials, and residents, believe that libraries are an essential part of the fabric of our communities and typically, would welcome the new library being proposed by the St. Louis County Library Board of Directors. However, the \$32 million dollar project for a warehouse/office complex, and \$18 million dollars to expand their Headquarters in Frontenac by using a third straw party to purchase land using \$6.1 million dollars of County taxpayer's money for a property with a value of less than a \$2 million dollars, just does not make any sense. This not only contradicts the Library's Master Plan associated with its Headquarters, but it utilizes 36 percent of the entire Prop L budget on 1.2 percent of the County's population. And only 3 percent of the proposed 80,000 square foot buildings will have any public use. The Library's current site sits adjacent to a four-lane Missouri highway and consists of 9,800 square feet on 8 acres of land. However, the 54,000 square foot addition, where they plan to house 170 employees, 50-foot bookmobiles and service trucks, will be located on a two-lane residential street.

Frontenac has met with the Library's Director and Board President on several occasions and those meetings established that;

- The Library's Board is not elected, reports to no one, has no oversight, has an ongoing flow of Prop L funds, and thus, maintains that they can do whatever they want pursuant to provisions of the Missouri Statutes.
- They have no requirements to be responsive to local ordinances, building codes, tree preservation plans, or even common sense building practices.
- That flash flooding related to overbuilding and the size of the proposed structure is not their concern.
- That the removal of 113 trees, clear-cutting 5 acres of property that will take at least 40 years to restore, is not their concern.
- That the addition of a significant impact on what has been described in the *Post Dispatch* and *Business Journal* as the State's fourth most dangerous intersection by volume of accidents is not their concern.

Mayor Hatfield stated the one person who can change this dynamic is the County Executive, by replacing the current Board of Trustees whose terms have been expired for more than five years. And Frontenac is asking for U City's support of its Resolution seeking the replacement of these Board Members. The hope is that another Board would review this project and see that this is a waste of taxpayer money, and perhaps, see the need for oversight on all projects going forward that seek to utilize Prop L funds. *(Mayor Hatfield provided Council with a copy of Frontenac's Position Statement and Resolution.)*

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

Ms. Ginsberg stated in the past two weeks U City TNR volunteers trapped, neutered, vaccinated, and returned two adult cats from the 3rd Ward at no cost to taxpayers.

In two weeks, the Executive Director of OpSpot will meet with Mr. Dunkle at the Heman Park Community Center to answer any questions staff may have, with the ultimate goal of bringing OpSpot's low-cost veterinary services to U City in the spring.

TNR volunteers look forward to the day when U City adopts a TNR Ordinance to protect community cats and their colony caretakers.

**Jerrold Tiers, 7345 Chamberlain, University City, MO**

Mr. Tiers stated at a previous meeting, Council suggested that any party interested in developing a proposal to replace the Human Relations Commission; which has now been eliminated, was welcome to do so. As a result, the hope is that his proposal for a replacement entitled *The Civil Rights Commission of U City* will meet Council's approval. The language for this Commission should be similar to the language used to establish other commissions and presented in the general form that appears in the Code. That language specifically states that the non-voting members; which include the Council liaison, are to be allowed to speak on the same basis as voting members. *(Mr. Tiers asked that a copy of his written comments be made a part of the record.)*

**I. PUBLIC HEARINGS**

**J. CONSENT AGENDA – Vote Required**

1. Purchase (2) Zoll Cardiac Monitors
2. Lease Listing Agreement with CBRE for City-Owned Property at 6321-6325 Delmar Blvd.

Councilmember Smotherson moved to approve Items 1 and 2, it was seconded by Councilmember Hales and the motion carried unanimously.

**K. CITYMANAGER'S REPORT**

1. Presentation - i5Group RE: Economic Development Strategic Plan

Mr. Rose introduced Stephen Ibendahl, Principal of The i5Group, who was awarded the contract to implement the City's Economic Development Strategic Plan.

Mr. Ibendahl stated tonight's presentation is designed to kick-start the development process. The visible work involving the Steering Committee and stakeholder meetings will commence in January, and it is recommended that the Committee; which is anticipated to meet once every other month, for a total of five meetings, should consist of between twelve to fifteen people. The EDRST Board has been identified as the core faction of the Committee and tonight he would like to provide several options in order to get Council's feedback on how to go about selecting the remaining members.

**Formation of the Steering Committee**

- An ad hoc committee and sounding board to help guide the process
- Final adoption of the committee's recommendation to be made by the EDRST Board and Council
- Option 1 - Members of Council to recruit one or two representatives from each Ward
- Option 2 - Staff & Mayor to recruit six representatives from the community, with final approval by Council

Councilmember Carr asked how long it would take to complete the entire process? Mr. Ibendahi stated they have outlined a nine-month process.

Their first deliverable; The Market Assessment, is scheduled to be released sometime in March, with the Draft Plan to follow in mid-summer. Councilmember Carr stated since the nine members of the EDRST Board are citizen representatives appointed by the Mayor, she would like to get a clear understanding of the type of stakeholders The I5Group believes would be suitable to fill the remaining seats on the committee. Mr. Ibendahl stated the ideal committee would be more reflective of the City's business population, i.e., a mix of business owners, property owners, local developers, et cetera.

Councilmember Clay stated in his mind, it would be great to have a document that articulates exactly what Council should be looking for in these stakeholders, as well as talking points that could be used when trying to recruit individuals, i.e., the duration, expectations, et cetera. Mr. Ibendahl stated while some of these themes are mentioned in their scope of work, there is no formal document. However, he would be willing to work with staff and provide a one-page overview of the roles, responsibilities, and expectations. He stated in terms of this process, it's also important to remember that the forthcoming upgrades to the Comprehensive Plan will provide a wider spectrum of community input.

Mayor Crow stated in the past, Council has not always been in sync with a Board whose members are appointed solely by the Mayor. And while he thinks the EDRST Board is a pretty diverse group, he would urge his colleagues to consider Option 1. From his perspective, this option allows everyone an opportunity to work together and ensure that the Steering Committee consists of an appropriate mix of diversification that will represent the entire community.

**2. Conditional Use Permit (CUP) – 7547 Olive - PC 19-08 – Upgrading of equipment at their existing telecommunications monopole facility**

Mr. Rose stated staff is recommending that Council approve a Conditional Use Permit to upgrade the existing equipment at this telecommunications monopole facility.

Clifford Cross, the Director of Planning & Development, stated the addition of new equipment to an existing monopole tower is kind of a unique request. This is a rather large flagpole that already has some existing co-locates that are camouflaged within the pole. However, new regulations now require Sprint to put the antennas on the exterior of the pole; which under Section 400-1395 of the City's Ordinance compels the party to obtain a CUP prior to the issuance of a Building Permit because that addition represents a nonconforming use.

A Public Hearing was conducted by the Planning Commission on October 23rd, and thereafter, the Commission recommended that the request be approved with the following conditions:

1. That there shall be no advertising on the site
2. That any paint used on the new equipment must be the same color as all existing equipment

Councilmember Smotherson asked if the existing flag would be impacted by this upgrade? Mr. Cross stated the Commission also made it very clear that the flag should remain intact, and that the triangular antennas should be limited to a certain height to ensure they did not distract from the flag. Of course, Council can certainly add this to the conditions, but he thinks Sprint has done the best they can to comply with the Commission's request.

Councilmember Carr moved to approve, seconded by Councilmember Smotherson and the motion carried unanimously. E - 2 - 4

3. Conditional Use Permit (CUP) – 8550 Olive - PC 19-06 – Establishment and operation of a Vehicle Service Facility with Used Vehicle Sales; (Removed)
4. Olive/170 Project Update

Mr. Rose stated staff met with the attorneys for NOVUS today who informed them that they are continuing to seek financing for land acquisitions and construction. NOVUS has also mailed letters out to residents in RPA-1 indicating that they are looking at relocation assistance and residents should contact the City's office for additional information. Mr. Rose stated while his intent is to have the Director of Economic Development inform residents in RPA-1 about the City's objective to ask for authorization to establish such an office, he will not be seeking authorization from Council until all of the issues associated with financing have been resolved.

**L. UNFINISHED BUSINESS**

**M. NEW BUSINESS**

*RESOLUTIONS*

*BILLS*

**N. COUNCIL REPORTS/BUSINESS**

1. Boards and Commission appointments needed

2. Council liaison reports on Boards and Commissions

Councilmember Carr stated that the Stormwater Task Force voted to accept the report, which she is feeling really positive about. The report will be bound and presented to Council for review and a formal presentation will be made during a Study Session sometime after the first of the year.

Councilmember Smotherson reminded everyone that the Arts & Letters Commission's Annual Reception for Returning Artists will be held on Wednesday, November 13th at 7 p.m. at U City High School's Pruitt Library. This year's award recipient is Christopher J. Watkins, a St. Louis-based songwriter, producer, and Music Director.

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

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

**P. COUNCIL COMMENTS**

Councilmember Hales moved to adjourn the meeting, it was seconded by Councilmember McMahon and the motion carried unanimously.

**Q. ADJOURNMENT**

Mayor Crow encouraged everyone to drive home safely and adjourned the meeting at 7:04 p.m.

Deanna Burress, Acting City Clerk  
LaRette Reese, City Clerk

DRAFT

**Jerrold Tiers 7345 Chamberlain**

**At a previous Council meeting, Council requested proposals to replace the "Human relations Commission" which was eliminated at that meeting.**

**I am here to present to you a proposal for a new commission to replace that disbanded commission. I have titled it the "Civil Rights Commission of University City", and the proposal is presented in the general form that it might appear in the code, similar to the language establishing other commissions.**

**You will note that the language specifically states that the non-voting members, which would include the Council member acting as liaison to the commission, are to be allowed to speak on the same basis as voting members.**

**I hope that this meets with your approval, and I would like to have it put into the record.**

**Civil Rights Commission of University City**

**Proposed general form of City Code Section (proposal from Jerrold Tiers)**

(There is established) the Civil Rights Commission of University City which shall consist of 10 persons, seven of whom shall be citizens of the City not otherwise associated with City government, one a member of the City Council, one the City Attorney, and one a City official or employee designated by the City Manager and approved by the City Council.

**Powers and Duties:**

The Civil Rights Commission shall act in an advisory capacity to the City Council and City manager. It shall make a continuing study of civil rights issues in the City and shall have the following powers and duties, which enumeration shall not be deemed to be exclusive:

1. From time to time, as requested or as deemed by the Commission to be needed, to advise the City Council and City Manager on issues regarding civil rights particularly with respect to City government. Said civil rights issues or alleged issues may be brought to the commission for investigation by:
  - a. the City Council
  - b. the City Manager
  - c. a member or members of the commission
  - d. members of the general public.
2. To carry on educational activities with regard to civil rights issues.
3. To receive and investigate complaints having to do with civil rights, particularly with regard to City ordinances, lack of ordinances, policies, practices, actions or lack of actions by the City Council, city administration, or city workers, which do, are alleged to, or may appear to, result in discriminatory or inequitable treatment of individuals, groups, or areas of the City, due to location, race, religion, skin color, disability, gender, gender identification, sexual orientation, economic status, or other such basis established by Missouri and Federal constitutions, legislation, or court decisions.
4. To recommend to the City Council and City manager ways and means of remedying problems concerning civil rights issues.
5. To perform other duties consistent with the City Charter, with respect to civil rights, as requested by the City Council.
6. The Commission shall have the power to request, with reasonable notice, the presence and co-operation of any City Official at commission meetings as may be considered necessary to its investigative duties, but any such request shall not be considered as having the power to compel appearance.



**Qualifications, appointments, terms of members - Filling vacancies - officers and procedure:**

On the first (1st) day of the month following the adoption of an ordinance according to this proposal, the Council shall appoint seven (7) members of the Civil Rights Commission. Such members shall be residents of the City and shall hold no other office in the City Government. Two voting members shall be appointed from each Ward, and the remaining seventh voting member shall be appointed from each Ward in turn on a rotating basis as that member's term expires.

Of those first (1st) appointed, three (3), one (1) from each Ward, shall be appointed for a term of one (1) year, three (3), one (1) from each Ward, for a term of two (2) years, and the rotating member shall be appointed from the third Ward for a term of one (1) year. Thereafter, appointments of the six shall be for terms of two (2) years, and the rotating member for a term of one (1) year, with the next rotating appointment being from the Second Ward. Vacancies on the Commission shall be filled by the Council by appointment for the unexpired portion of a term or a full term, and members may not serve more than two and a half full terms successively, except that the rotating member may serve two terms as a non-rotating member from his or her Ward immediately following a full or partial term as rotating member.

At the same time, the Council shall appoint as non-voting members of the Commission one (1) from the city administration recommended by the City Manager, and the city attorney or an assistant to the attorney. The Council shall also appoint one (1) of its own members as a non-voting member of the Commission.

The commission shall nominally meet once per month, and in any event not less than once per quarter on a regular published meeting date. Additional meetings if needed may be requested by commission members with commission approval, or by the City Council.

The City Council shall have the power to replace at will any appointed voting commissioners who have not participated in at least one (1) regularly scheduled meeting in each of two successive quarters.

One (1) of the citizen members shall be appointed Chairperson of the Commission by the Council for the first (1st) year, and thereafter the Commission shall elect one (1) of its members Chairperson and one (1) shall be elected Secretary.

The Commission shall establish its own rules of procedure, save that the non voting members of the commission shall be allowed to speak on the same basis as voting members, that the city representatives may present other city personnel as needed who shall likewise be allowed to speak, and that members of the public shall be allowed to speak at meetings upon proper application to the chairperson to do so. Furthermore, four (4) voting members including at least one (1) member from each Ward shall be required to be present to constitute a quorum.

Reports and recommendations shall be furnished in written form to the City Council as needed or requested by the Council, however at least one (1) such report shall be furnished per year concerning commission activities. All reports shall be furnished to the Council at regularly scheduled Council meetings as part of the public record unless prohibited by law.

- The City of Frontenac elected officials & residents, like most Americans, believe that libraries are an essential part of the fabric of our community. A Library and its services in the community are not what the issue in Frontenac is about. We would welcome a typical library branch on the residential property the library purchased. But this is not what the library is proposing.
- Frontenac has met with the Library in regard to their proposed development. Once, more than 6 months after the purchase of the property and many, many emails, letters and phone call requests and a 2<sup>nd</sup> time, only after the urging of members of the County Council, including Tim Fitch and Sam Page's Chief of Staff, Winston Calvert.
- **Why should you care about this? In both meetings the Library Director & Board President maintained that the library is going to do what they believe the MO Statutes allow them to do anywhere they want in St. Louis County using County Tax-payer dollars.** This Library Board is not elected and they are answering to *no one*. They have an ongoing flow of Prop L county taxpayer funds to spend with no oversight, no requirement for transparency and therefore no need to respond to local ordinances, building codes, tree preservation plans or even common-sense business practices.
  - The \$32 million dollar project planned in Frontenac is counter to the Library's Master's Plan, which does not call for the purchase of any land related to HQ, much less a land purchase done using a third straw party to pay \$6.1MM without an appraisal to build an 82,000 sq ft warehouse and office complex, a History and Genealogy or a banquet and gathering center
  - **The library appears to not be required to follow any municipality's ordinances or building codes. As they have informed Frontenac and the press, Public safety is not the concern of this library Board.**
    - -Flash flooding related to overbuilding relative to the size of the property - not their concern;
    - -an inability to meet set-back requirements, # of parking spaces or even the minimum size of a single parking space for any one car, not their concern; -the consequences of taking down over 113 trees, clear-cutting 5+acres which will take at least 40 years of growth to repair, not their concern.
    - -Adding a significant negative impact to what has been described in the Post and Business Journal as the State's 4<sup>th</sup> most dangerous intersections by volume of accidents (Douglas, Haun, Heidman) and by CBB and Lochmueller with a "service level F" is not the library's concern.
- **This Library Board of Trustees has trivialized essential health and safety considerations. They have treated their fiduciary duty, as well as City ordinances and building codes with disdain.** For example;
  - The current HQ branch, less than a mile away ~9,830sq. ft as compared to the proposed unbudgeted warehouse office complex at 82,000 sq ft, plus a plan for an additional 54,000 sq ft at the current HQ site – the Frontenac site alone is 8x's larger than current operations and twice the 37,000 sq ft. the Master plan called for.
  - Current site is 8.0 acres on a 4-lane Mo DOT highway (US 61), much like most library branches vs the Frontenac proposal, 5.9 acres on a 2-lane residential street – 25% smaller site for a building that is 8Xs larger
  - The library Board is proposing to spend \$32 million for a warehouse office complex w/ only 3% for public
    - 23% of the total Proposition L budget is going to Administration vs public use.
    - where the mean or ave. spent on each of 18 other branches is \$4.8million, this Board of Trustees is proposing to spend \$32 million in Frontenac and another \$18 million on HQ. That's 36% of all County Tax payer Prop L dollars being spent where 1.2% of the county population live.
- **All Library Board of Trustees terms are expired- some, for longer than 5 years. While the legal argument is about the powers bestowed on the library by MO Statutes, the real question is about what is needed for the Library Board of Trustees to do what is right to assure collaboration with local municipalities on all library projects, so that municipalities, can assure public safety, fiscal accountability and transparency for the benefit of all residents. While clearly not the concerns of this library Board, these are concerns for all municipalities and their elected officials.**

I hope we can count on your support of Frontenac's resolution to Sam Page and the County Council, seeking improved oversight of county taxpayer Prop I. funds through the appointment of new Library Board Trustees who will work to achieve a collaborative and predictable outcome to this project and a more transparent and accountable future for all Prop L funded projects throughout St. Louis County.



## Council Agenda Item Cover

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**MEETING DATE:** November 25, 2019

- a. **AGENDA ITEM TITLE:** Zoning Code Text Amendment - Zoning Code Section 400.2130 of Article VII of Chapter 400 Relating to Off-Street Parking and Loading Requirements.

**AGENDA SECTION:** Public Hearing

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

### **BACKGROUND REVIEW:**

The following proposed amendment to the University City Zoning Code was reviewed by the Planning Commission along with City Staff. The Plan Commission reviewed the changes and made comments during their regularly scheduled meeting on October 23, 2019 at the Heman Park Community Center. The code revision is a proposed solution to address concerns to appropriately regulate new development parking requirements within the Core Commercial (CC) zoning district. The intent, of this proposed amendment, is to effectively address the negative impacts of excessive on street parking demands that result from new developments that do not provide the appropriate number of approved on-site or off-site parking spaces.

This agenda item requires a public hearing at the City Council level and passage of an ordinance. The first reading and introduction of Bill 9395 took place on October 28, 2019. The Public Hearing and second and third readings, along with the passage of the ordinance, is to occur at the November 25, 2019 meeting.





## Council Agenda Item Cover

**MEETING DATE:** November 25, 2019

**AGENDA ITEM TITLE:** Liquor License for **Original J's Tex-Mex Barbecue, 7359 Forsyth Ave.**

**AGENDA SECTION:** Public Hearing

**CAN THIS ITEM BE RESCHEDULED?** No

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**BACKGROUND REVIEW:** Original J's Tex-Mex Barbecue has applied for All Kinds of Intoxicating Liquor, by the Drink, Retail liquor license including Sunday Liquor License.

The Applicant / Managing Officer is Elizabeth Randolph.

- A background check / investigation by the Police Department revealed no disqualifying information.
- Department Approval was granted from all necessary departments.
- Recommendations from University City citizens are included.
- Petition from business owners within a radius of 200 feet are included.
- A current Certificate of No Sales Tax Due issued by the Missouri Department of Revenue was received relative to the business.
- 2018 personal property tax record for the applicant indicates payment of taxes.
- Current voter registration documentation for the applicant was provided.





## Council Agenda Item Cover

**MEETING DATE:** November 25, 2019

**AGENDA ITEM TITLE:** Golf Course – Cart Lease

**AGENDA SECTION:** Consent Agenda

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

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**BACKGROUND:** The City currently leases Club Car golf carts for use at the Ruth Park Golf Course from M & M Golf Cars, LLC on a five year lease agreement for twenty-six (26) carts at a price of \$595.00 per cart per year and lease an addition two (2) carts at \$750.00 per year per cart. This current contract will expire on June 30, 2019; however, M & M Golf Cars, LLC is currently offering us the opportunity to replace the carts early and enter into a new lease contract at a cost of \$605.00 per cart per year, plus the option of an annual service contract in the amount of \$100.00 per cart per year. If the City were to agree to these terms, M & M Golf Cars, LLC would deliver the new carts in early January 2020, with the first annual payment due on June 1, 2020.

Per the proposed agreement, the City would be able to lease the carts with a joint cooperative purchasing agreement through Omni Partners government/municipal pricing and piggybacking on the City of Kansas City, Mo. Contract No. EV2024-02.

**RECOMMENDATION:** The City Manager recommendeds that the City Council approve the award for the Golf Cart Lease Program to M & M Golf Cars, LLC in the amount of \$19,740.00 per year for the next five years.

Attachment 1: Contract



PROPOSAL

## M&M Golf Cars LLC

131 North Central  
O'Fallon, MO 63366

November 7, 2019

Ruth Park Golf Course  
Mr. Doug Castellari, PGA  
8211 Groby Rd.  
St. Louis, MO 63132

Dear Doug:

On behalf of M&M Golf Cars, LLC, thank you for the opportunity to present this proposal to you and Ruth Park Golf Course based on using Omni Partners/U S Communities Government/Municipal pricing and piggybacking on the City of Kansas City, MO Contract No: EV2024-02. We appreciate all of your past business and I/we look forward to working with you and your team for many years to come.

M&M Golf Cars LLC and Club Car takes pride in not only our products, but also our commitment to customer service and satisfaction. It is this combination of uncompromising quality, reliability and service that has made M & M Golf Cars, LLC and Club Car the most respected companies in the golf industry and a valued partner with golf clubs in Missouri, Kansas, Iowa and Illinois. M & M Golf Cars has been in the golf car/utility business for 41 years and has received numerous awards recognizing its exemplary business performance and customer service.

If you have questions about any aspect of this proposal or if you would like to discuss additional ways we might meet your needs, please call me at 573-721-5449, or send an e-mail to [rluedloff@mmgolfcars.com](mailto:rluedloff@mmgolfcars.com). I look forward to serving you.

Sincerely,

  
Russ Luedloff, PGA  
M&M Golf Cars, LLC





PROPOSAL

We are pleased to present the following quotation for your consideration.

28, 2020 Club Car Tempo Gas Golf Cars with the 429 CC, 14 Hp. Kohler "Command Pro" Electronic Fuel Injected Engine along with the following:

- |                              |                        |
|------------------------------|------------------------|
| -Standard Body Color*        | -Standard Canopy Top** |
| -Standard Seats***           | -Sweater Basket        |
| -4 Ply, Premium Turf Tires   | -Wheel Covers          |
| -Clear, Fold-Down Windshield | -2 Numbers Per Car     |
| -1, Information Holder       | -1 Logo on Front Cowl  |
| -\$2.00/Rental Car Discount  | -Delivery              |

*\*Standard Body Color Includes: White, Beige, Cashmere, Green, Platinum & Sapphire*

*\*\*Standard Canopy Top Colors Includes: White, Beige or Black*

*\*\*\*Standard Seat Colors Includes: White, Beige, Gray or Black*

Lease Option:

-5 Year, Fair Market Value Lease with 1 Payment Per Year (June 1<sup>st</sup> each year) with your first payment due 6/1/2020. Delivery of your cars would be early January, 2020.

**28 Cars @ \$605.00/Car/Payment/Year = \$16,940.00/Payment**

**Note: Currently paying \$595.00/Car/Year on your current golf car lease and \$750.00/year on the two, additional seasonal golf cars that you lease.**

Annual Service Contract Option:

This Annual Service Contract includes all service and maintenance on your vehicles at no charge. This does not include any damages or abuse to the vehicles, which would be the responsibility of the facility. This will include weekly calls/visits by our On-Road Service Tech.

**\$100.00/Car/Year @ 28 Cars = \$2,800.00/Year.**

VGM Club Rebate: You would be eligible for a one-time, VGM Club rebate of \$250.00 provided that you are a current VGM Member.



**PROPOSAL**

No applicable taxes are included in the above numbers.

Signature below is acceptance of this quote:

\_\_\_\_\_

**Russ Luedloff  
M & M Golf Cars, LLC**

\_\_\_\_\_

**Signature of Representative For  
Ruth Park Golf Course/  
City of University City, Missouri**

\_\_\_\_\_

**Printed Name of Representative**



## **Council Agenda Item Cover**

**MEETING DATE:** November 25, 2019

**AGENDA ITEM TITLE:** Internal Audit Proposal

**AGENDA SECTION:** Consent Agenda

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

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### **BACKGROUND REVIEW:**

This agenda item asks the Mayor and Council to authorize the City Manager to sign the proposal submitted by Brown, Smith, Wallace for internal auditing services, and to authorize \$57,750 for Year One Plan. As reflected in the proposal, the year one plan fund the auditing of purchasing/payable disbursements, Solid Waste billing, and Grants Management. An internal audit of these areas would involve a detailed review of the respective operations, submit findings, and provide recommendations for any corrective action that is required and/or suggested. A Contract for services consistent with the proposal would be prepared by the City Attorney and signed by the City Manager.

**RECOMMENDATION:** The City Manager recommends Approval.

### **ATTACHMENTS:**

**Professional Services Proposal to Provide Internal Audit Services to  
The City Manager**

**PROFESSIONAL SERVICES  
PROPOSAL TO PROVIDE  
INTERNAL AUDIT SERVICES TO  
THE CITY MANAGER**

November 20, 2019



**University City**

**BROWN  
SMITH  
WALLACE** 

THE FIRM FOR GROWTH.™

**Ron P. Steinkamp, CPA, CIA,  
CFE, CRMA, CGMA, CCA, CCP**  
[rsteinkamp@bswllc.com](mailto:rsteinkamp@bswllc.com)  
314.983.1238



THE FIRM FOR GROWTH.®

November 20, 2019

**Mr. Gregory Rose**  
City Manager  
University City  
6801 Delmar Blvd.  
University City, MO 63130

Dear Mr. Rose:

On behalf of Brown Smith Wallace, LLP, we are pleased to submit our Professional Services Proposal (Proposal) to provide Internal Audit Services to the City Manager at University City (City). This Proposal outlines the Objectives and Scope of our Relationship, Professional Fees, and Standard Terms and Conditions.

## Objectives and Scope of our Relationship

The City is engaging Brown Smith Wallace to provide Internal Audit Services to the City Manager of the City. Brown Smith Wallace will work with and report to the City Manager, who will provide direction and supervision for this arrangement. This agreement is for the period January 1, 2020 through June 30, 2020 with an option to renew as agreed to by the City and Brown Smith Wallace.

As part of the development of the Audit Plan, we will work with the City Manager to refine the scope of our assistance, audit programs, expected timeline and deliverables, and budgetary estimates.

Throughout the year, if changes occur in the scope of an engagement, we will discuss this with the City Manager and obtain approval. We will provide periodic status updates, which will describe the assignments and budgeted hours as of the date of the status update.

Brown Smith Wallace will execute its responsibilities by performing the identified project assignments. Reports will be developed as part of this effort and these will serve as the deliverables for this engagement. Deliverables will be prepared in accordance with an agreed upon format and these will become the property of the City. Though the City owns these deliverables, Brown Smith Wallace has developed similar deliverables for other clients and no limitations on use of similar programs for other clients or situations are allowed. Work papers produced to support our deliverables and procedures will be the property of Brown Smith Wallace and maintained under normal Brown Smith Wallace retention policies. Copies will be provided to the City if requested.

The City will be responsible for:

- Establishing and maintaining an effective internal control structure. Brown Smith Wallace will not undertake to perform any obligations of the City, whether regulatory or contractual; form part of the City's internal control structure; or act or appear to act in a capacity equivalent to that of a member of management or an employee of the City.
- Designating an individual or individuals, who possess suitable skill, knowledge, and/or experience, preferably within senior management, to be responsible for the internal audit department and for overseeing the services provided by Brown Smith Wallace.
- Determining the scope, risk, and frequency of activities, including those to be performed by Brown Smith Wallace.
- Evaluating the findings and results arising from our activities.
- Evaluating the adequacy of the procedures performed and the findings resulting from the performance of those procedures by, among other things, obtaining reports from Brown Smith Wallace.
- Providing complete and accurate data and/or files to perform the project assignments.

It should be noted that all documents and draft reports prepared by Brown Smith Wallace are intended solely for the information and internal use by City management. The documents and reports should not be used by or distributed to others for any other purposes, except as may be necessary by reason of the regulatory requirements applicable to the City's business.

## Professional Fees

Brown Smith Wallace is committed to continuing its successful relationship with the City. Our fees will be charged on a time and materials basis, so the City will only pay for hours incurred at your direction. We have provided a proposed blended rate and fee estimate based upon the budgeted hours provided for those areas within Finance that were identified as moderate or high risk.

### YEAR ONE PLAN:

Projects	Timing	Estimated Hours	Blended Rate/Hour	Fees
Purchasing/Payables/Disbursements	1st quarter	120	\$175	\$21,000
Billings (Solid Waste)	2nd quarter	120	\$175	\$21,000
Grants Management	2nd quarter	70	\$175	\$12,250
Administration*		20	\$175	\$3,500
<b>TOTALS</b>		<b>330</b>		<b>\$57,750</b>

\*Administration includes general status update meetings, presentation of audit reports to City Council (if required), and other similar tasks that may not be directly attributed to a specific audit engagement.

**YEAR TWO PLAN (OPTIONAL):**

Projects	Timing	Estimated Hours	Blended Rate/Hour	Fees
Accounting Recording & Financial Reporting	1st quarter	120	\$180	\$21,600
Billings (Ambulance Services)	2nd quarter	120	\$180	\$21,600
Fleet Operations	3rd quarter	120	\$180	\$21,600
Loop Special Business District Reconcillations & Reporting	4th quarter	60	\$180	\$10,800
Payroll Processing and Disbursements	4th quarter	120	\$180	\$21,600
Administration*		20	\$180	\$3,600
<b>TOTALS</b>		<b>560</b>		<b>\$100,600</b>

**YEAR THREE PLAN (OPTIONAL):**

Projects	Timing	Estimated Hours	Blended Rate/Hour	Fees
Business License Issuance & Billing	1st quarter	120	\$185	\$22,200
Liquor License Issuance & Billing	2nd quarter	120	\$185	\$22,200
Credit Card Administration	3 <sup>rd</sup> quarter	120	\$185	\$22,200
Fixed Assets Review	4 <sup>th</sup> quarter	120	\$185	\$22,200
Administration*		20	\$185	\$3,700
<b>TOTALS</b>		<b>500</b>		<b>\$92,500</b>

Should circumstances arise that are not contemplated by this arrangement (e.g., significant changes in scope of an assignment; such as reviews of other departments, identification of fraud), we will provide you with an estimate of the impact on our hour and fee estimates. At the beginning of the engagement and on an on-going basis, we will meet with you to update you on the status of the engagement and the corresponding fee estimate.

For other assignments or assistance provided throughout the year, we will document these arrangements and fee estimates in a statement of work that will be provided to the Internal Audit Coordinator. Throughout our engagement, we will meet with you periodically to update you on the status and the corresponding hour and fee estimate.

In addition to our professional fees, we are reimbursed for normal and customary out-of-pocket expenses such as hotels, meals, and travel. However, we do not anticipate any out-of-pocket expenses for these engagements.

# Proposal Acceptance

If these arrangements are acceptable and the services are in accordance with your requirements, please sign and return a copy of this letter.

We would like to thank you for your consideration and the opportunity to work with you. Should you have any questions, please do not hesitate to contact Ron Steinkamp at 314.983.1238.

Very truly yours,

BROWN SMITH WALLACE, LLP



Ron Steinkamp, CPA, CIA, CFE, CRMA, CGMA, CCA, CCP  
Partner – Advisory Services

## AGREED TO AND ACCEPTED BY:

This Professional Services Proposal to provide internal audit services, dated November 20, 2019, and the attached Standard Terms and Conditions, correctly set forth the understanding of University City.

\_\_\_\_\_  
*Printed Name*

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Title*

\_\_\_\_\_  
*Date*





## Standard Terms and Conditions

University City (City) will commit senior level sponsorship to assume overall responsibility for the scope of the engagement and will designate a management-level individual to maintain responsibility for the overall management of the project and related risk management. Management of the City is responsible for establishing and maintaining an effective internal control structure. Brown Smith Wallace will not undertake to perform any obligations of the City, whether regulatory or contractual; form part of the City's internal control structure; or act or appear to act in a capacity equivalent to that of a member of management or an employee of the City.

Brown Smith Wallace will execute its responsibilities by performing the identified project assignments. Reports developed as part of this effort will serve as the deliverables for this engagement (deliverables will be more specifically identified as project assignments and scopes are agreed upon).


Work papers supporting the engagement will be the property of Brown Smith Wallace and maintained under normal Brown Smith Wallace retention policies. Copies will be provided to the City if so desired. Work papers and reports will be prepared in accordance with an agreed upon format. Brown Smith Wallace's services will be performed in accordance with Consulting Standards established by the American Institute of Certified Public Accountants and Standards established by the Institute of Internal Auditors.

All work products will become the sole property of the City. It should be noted that all documents and reports prepared by Brown Smith Wallace are intended solely for the information and internal use by City management. The documents and reports should not be used by or distributed to others for any other purposes, except as may be necessary by reason of the regulatory requirements applicable to the City's business, without the express permission of Brown Smith Wallace.

City changes, deletions, or additions to the project definitions may affect the fee estimate, if and when provided. Brown Smith Wallace will review any requested modifications and will provide an estimate of their impact on estimated cost and time. Projects can be scheduled to start upon acceptance of this proposal. The acceptance date and availability of your personnel will determine the actual completion date.

Consultant assignments are based on the project requirements and the skills required. This proposal reflects our judgment of the best consultants to perform specific tasks. All personnel assignments are subject to change.

The City agrees to not solicit or attempt to hire our professionals assigned to this engagement, and we provide the same courtesy.



All charges for professional services are due upon presentation. We assess a service charge of 1½% per month on accounts not paid when due. Any other special expenses must be approved in advance and will be billed at cost. Invoices are prepared monthly. In accordance with our firm policies, work may be suspended if your account becomes 30 days or more overdue and will not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket expenses through the date of termination.

Our liability for damages, with respect to the services provided, shall in no event exceed the charges previously paid to us by the City for these services. We offer no warranties, expressed or implied.

We will not disclose any personal information about our clients or former clients to anyone, except as directed by you or permitted by law. Upon your written request, we will disclose information about you. In rare circumstances, we may be required by law to disclose personal information about you, such as in response to a subpoena or other court order. Within our institution, we provide access to your personal information only to those employees who need to know the information to provide you with our services. We also regularly utilize our firm's local, national, and international resources. These resources include employees, independent contractors, and third-party organizations. In some cases, we may transfer information about you to them to effectively provide you with professional service. We maintain physical, electronic, and procedural safeguards to guard your personal information; and we take measures to obtain reasonable assurance that the other parties we work with maintain appropriate safeguards. We do not share your personal information with companies that perform marketing services.

Brown Smith Wallace personnel will adhere to professional standards of confidentiality and provide you with our best efforts. You may cancel this engagement at any time by notifying us in writing and paying for any time and expenses incurred prior to such notification.

# BROWN SMITH WALLACE



THE FIRM FOR GROWTH.

## ST. LOUIS

6 CityPlace Drive, Suite 800  
St. Louis, Missouri 63141  
314.983.1200  
1.888.279.2792 toll free

## ST. CHARLES

1520 S. Fifth Street, Suite 309  
St. Charles, Missouri 63303  
636.255.3000

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Edwardsville, Illinois 62025  
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[BROWNSMITHWALLACE.COM](http://BROWNSMITHWALLACE.COM)

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## **Council Agenda Item Cover**

**MEETING DATE:** November 25, 2019  
**AGENDA ITEM TITLE:** Fiscal Impact Analysis  
**AGENDA SECTION:** Consent Agenda  
**CAN THIS ITEM BE RESCHEDULED? :** Yes

---

### **BACKGROUND REVIEW:**

This agenda item asks the Mayor and Council to approve the proposal submitted by TishlerBise to Conduct a fiscal impact study, and to authorize the City Manager to sign an agreement for services prepared by the City Attorney. The total cost for the study as outlined on page 24 of the proposal is \$45,060. Funding for the study was budgeted in the Annual Operating Budget.

**RECOMMENDATION:** The City Manager recommends Approval.

### **ATTACHMENTS:**

Proposal for Fiscal Impact Analysis Consultant Services



**PROPOSAL FOR  
FISCAL IMPACT ANALYSIS  
CONSULTANT SERVICES**

*Prepared for*  
University City, Missouri  
November 12, 2019

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November 12, 2019

Mr. Gregory Rose, City Manager  
City of University City  
6801 Delmar Boulevard  
University City, MO 63130

**Re: TischlerBise Proposal for Fiscal Impact Consultant Services**

Mr. Rose:

TischlerBise is pleased to submit the following proposal for Fiscal Impact Analysis Consultant Services for University City. We bring several distinct advantages to this important assignment:

- 1. No other firm has the depth of practical experience that TischlerBise brings to this assignment.** TischlerBise is the leading fiscal/economic impact, impact fee and infrastructure financing consulting firm. We have advised over 2,000 communities on issues related to fiscal sustainability, tax policy, and equitable allocation of public costs.
- 2. TischlerBise's key personnel on this assignment are recognized experts in the areas of fiscal/economic impact analysis.** Carson Bise, who will serve as Principal In Charge for this assignment, has developed and implemented more fiscal impact models than any planner in the United States and is widely considered to be the leading North American practitioner in the field. Mr. Bise has authored several publications related to fiscal impact analysis and has lectured extensively on the subject. Julie Herlands has substantial fiscal impact analysis experience related to annexation and extraterritorial jurisdiction analysis and is recognized as a national expert.
- 3. Realistic and Feasible Work Plan.** Our extensive experience consulting with government agencies across the United States provides us with the knowledge and skills to obtain data efficiently and put it to use immediately. Our detailed approach, proven methodologies, and comprehensive—yet accessible—products make TischlerBise a national leader in economic and fiscal analysis.
- 4. As a small firm, we have the flexibility and responsiveness to meet all deadlines of your project.** We offer you the level of service and commitment that the larger firms save for their largest clients.



TischlerBise looks forward to the possibility of working on this assignment and is committed to providing University City with top-quality support.

Sincerely,



L. Carson Bise II, AICP, President  
TischlerBise  
4701 Sangamore Road, Suite S240  
Bethesda, MD 20816  
Phone: 301-320-6900  
E-mail: [carson@tischlerbise.com](mailto:carson@tischlerbise.com)



## Section 1: Project Approach

### Project Understanding

University City is seeking consulting services to determine the fiscal impact of Washington University on University City services and facilities. A fiscal impact analysis will determine the operating and capital costs and non-property tax revenues resulting from Washington University, which will enable the City, University and interested stakeholders to understand the net surplus or deficit generated to the City associated with students, visitors and employees of the University.

### Project Approach

Informed land use decisions require different types of information and the balancing of multiple objectives, including the fiscal impacts. Because the revenue structures, tax rates, and local government level of service vary from one local government to another, the results of one jurisdiction's cost of land uses fiscal analysis cannot be applied to another jurisdiction without empirical validation.

Our project approach for evaluating Washington University's fiscal impact on the City of University City is what we refer to as a Cost of Land Uses Fiscal Analysis. In this type of fiscal evaluation, the characteristics of various residential (dormitory) and nonresidential/institutional (administration, classroom space, other university uses) "prototypes" are defined and the annual costs and revenues associated with each prototype are determined, for a total University impact. Factors used to define these prototypes typically include persons per household, equivalent dwelling units, road frontage, employment per 1,000 square feet, vehicle trips, and other appropriate demand indicators depending on revenue sources and public services provided.

The fiscal impact analysis conducted by TischlerBise will be tailored to University City and Washington University. Our project plan will ensure the following items:

- Constant collaboration with City staff to ensure a consensus approach while minimizing staff resources during the data collection tasks of the study;
- Determination of the appropriate indicators of demand generated by the potential development projects and the relevant cost, revenue, and level-of-service factors; and
- Results that are easy to understand and explain to stakeholders.

### Work Scope

The following is our suggested Scope of Work for this assignment.

#### **TASK 1: PROJECT INITIATION / DATA ACQUISITION**

During this task, we will meet with City staff to establish lines of communication, review and discuss project goals and expectations related to the project, review the project schedule (and revise if necessary), and to request data and documentation related to the project. The purpose of this initial discussion is outlined below:

- Review and refine work plan and schedule;
- Assess additional information needs and required staff support;

- Identify and collect data and documents relevant to the analysis; and
- Identify any major relevant policy issues.

**Meetings:**

One on-site visit with City staff.

**Deliverable:**

Data Request Memorandum.

## **TASK 2: DEFINE UNIVERSITY LAND USE PROTOTYPES TO BE EVALUATED**

In this task, TischlerBise will work with City/University staff to define the individual land uses that comprise the Washington University campus for inclusion in the evaluation. The land use prototypes can include various residential types (dormitory) and nonresidential/institutional (administration, classroom space, other university uses).

**Development of Land Use Prototype Assumptions.** TischlerBise will develop specific assumptions for each land use prototype. These factors include persons per household, street frontage, vehicle trip and trip adjustment factors, and average trip length. From a nonresidential/institutional perspective this will include employment densities, vehicle trip generation rates and adjustment factors, trip lengths, street frontage, etc. These factors will serve to refine the cost and revenue factors by land use prototype and geographic location.

**Meetings:**

One (1) onsite meeting with City Project Management.

**Deliverables:**

Technical Memorandum on Land Use Prototypes.

## **TASK 3: DEVELOP COST, REVENUE, & LEVEL-OF-SERVICE FACTORS**

In this task, we will conduct onsite interviews with City personnel to confirm our understanding of the departmental structure and scope of operations, discuss facility and geographic-related variable costs and other operating expenses, and discuss and finalize methodologies for determining costs related to serving Washington University. We will also determine the major demand indicators for each land use type within University (e.g., dormitories, administrative facilities, athletic facilities, etc.), discuss and determine levels of service for each City department or service, and determine the service relationship to each University land use type in terms of costs and revenue factors. Based on the information obtained during these meetings, TischlerBise will prepare a draft Level of Service, Cost & Revenue Factors Technical Memorandum. This Memorandum will show the different cost components for the various service providers, including both facility- and non-facility-related operating expenses, methodologies for allocating capital facility costs, and associated operating expenses. The Memorandum will also cover revenue sources and associated projection methodologies. After mutually agreed upon changes are made, TischlerBise will issue a final document.

**Meetings:**

Two (2) on-site visits to meet with various City departments.

***Deliverables:***

See Task 4.

**TASK 4: DEVELOP COST OF LAND USES FISCAL MODEL AND DEVELOPMENT OF INITIAL RESULTS**

Based on the methodologies and factors developed as part of the previous task, we will develop the cost of land uses fiscal model for this assignment. This will include University City revenue and service/facility costs.

**Calculate Preliminary Cost of Land Use Results.** Based on the above tasks TischlerBise will develop a cost of land use fiscal impact model specific to this assignment and will calculate the fiscal impact results for Washington University. These results will be provided in digital format to the Project Manager and Project Advisory Team.

***Meetings:***

Meeting with Project Manager and Project Advisory Team to discuss initial results and comments.

***Deliverables:***

Initial Cost of Land Uses Fiscal Results.

**TASK 5: PREPARE DRAFT COST OF LAND USES FISCAL IMPACT REPORT**

TischlerBise will prepare a draft Cost of Land Uses Fiscal Impact Report that describes in a succinct fashion the findings from our analysis of the fiscal impact Washington University on University City. It is anticipated the report will have the following sections:

- Executive Summary
- Annual Fiscal Results
- Major Revenue Findings
- Major Capital Cost Findings
- Major Operating Expense Findings
- Level of Service, Cost & Revenue Assumptions Appendix

The report will be a stand-alone document, which will be clearly understood by all interested parties. The report will present all of the major findings by City tax-supported fund area and the reasons for the results.

***Meetings:***

One (1) meeting with Project Team to discuss the Draft Report.

***Deliverables:***

Draft Cost of Land Uses Fiscal Impact Report.

**TASK 6: FINALIZE COST OF LAND USES FISCAL IMPACT REPORT AND PRESENTATION**

Based on comments received on the Draft Cost of Land Uses Fiscal Impact Report, TischlerBise will prepare a Final Cost of Land Uses Fiscal Impact Report. We will also present the findings at a public workshop of the City's choosing.





**Meetings:**

One (1) presentation to discuss the findings from our analysis.

**Deliverables:**

Final Cost of Land Uses Fiscal Impact Report. Presentation materials as appropriate.



## Section 2: Firm Overview and Qualifications

TischlerBise is a fiscal, economic, and planning consulting firm specializing in fiscal/economic impact analysis, impact fees/development charges, infrastructure financing studies, and related revenue strategies. The firm was founded in 1977 as Tischler, Montasser & Associates. The firm became Tischler & Associates, Inc., in 1980 and TischlerBise, Inc., in 2005. The firm is a Subchapter (S) corporation, is incorporated in Washington, D.C., and maintains offices in Bethesda, Maryland, and Sandpoint, Idaho. The firm employs seven fiscal/economic analysts and one administrative professional. The firm's legal address is:

### Principal Office

L. Carson Bise, AICP, President

4701 Sangamore Rd, Suite 240

Bethesda, MD 20816

301.320.6900 x12 (w) | 301.320.4860 (f) [carson@tischlerbise.com](mailto:carson@tischlerbise.com)

Our firm has been providing consulting services to public agencies in the United States and Canada for over almost 40 years. In this time, **we have prepared over 800 fiscal/economic impact evaluations and over 1,000 impact fee/infrastructure financing studies – more than any other firm.** Through our detailed approach, proven methodology, and comprehensive product, we have established TischlerBise as the leading expert on fiscal and economic analysis, revenue enhancement and cost of growth strategies.

As our Proposal demonstrates, no other firm can match the depth of our experience in the area of local government fiscal/economic impact analysis and fiscal/economic sustainability. Our Principal in Charge, Carson Bise, AICP, is widely considered the leading national fiscal impact practitioner in the United States. And our Project Manager, Julie Herlands, AICP, is a leading national practitioner and has managed dozens of complex fiscal evaluations in the State of Maryland and throughout the United States. The core services provided by TischlerBise all involve:

- Determining existing and projected residential and nonresidential growth for 10-, 20-, and 30-year periods.
- An examination of local government budgets to determine fixed and variable costs and revenues as well as the true costs of service.
- Evaluations of departmental operating structures and determination of existing levels of service as well as the most appropriate method of projecting future costs (including staff) and revenues.
- Developing meaningful and realistic capital improvement plans.
- Evaluation of implementation strategies that lead to fiscal sustainability.

The following table illustrates our vast fiscal/economic impact analysis experience.

State	Client	State	Client
AB	Lethbridge	MN	Minneapolis
AK	Anchorage	MN	Plymouth
AK	Matanuska-Susitna Borough	MN	Roseville
AR	Little Rock	MN	Shakopee
AZ	Casa Grande	MN	St. Paul
AZ	Payson	MN	State of Minnesota Dept. of Revenue
AZ	Peoria	MO	Lee's Summit
AZ	Pima County	NC	Cary
AZ	Queen Creek	NC	Chatham County
AZ	Sahuarita	NC	Cornelius
AZ	Scottsdale	NC	Currifuck County
AZ	Surprise	NC	Davie County
AZ	Winslow	NC	Gulford County
CA	Carlsbad	NC	Holly Springs
CA	Clovis	NC	UNC-Chapel Hill
CA	Imperial County	NC	Wake County
CA	Napa County	NC	Wilmington-New Hanover County
CA	Oceanside	NC	Wilson
CA	Pasadena	NE	Lincoln
CA	San Diego	NH	Salem
CO	Aurora	NJ	Edison
CO	Centennial	NJ	Englewood
CO	Lone Tree	NJ	Old Bridge
CO	Mesa County	NJ	West Windsor
CO	Steamboat Springs	NM	Albuquerque
CO	Westminster	NM	Bernalillo County
CT	Groton	NV	Lincoln County
DE	New Castle County	NV	North Las Vegas
FL	Hernando County	NV	Nye County/Pahrump
FL	Hillsborough County	NV	Reno
FL	Kissimmee	NV	Washoe County
FL	Lake County Schools	NY	Hampstead
FL	Miami-Dade County	OH	Dublin
FL	Plant City	OH	Grandview Heights



State	Client	State	Client
FL	Sarasota County	OH	Marysville
FL	Sebastian	OH	Pickerington
GA	Atlanta	OK	Oklahoma City
GA	Columbus	PA	Lancaster
GA	Garden City	PA	Montgomery County
GA	Suwanee	SC	Beaufort County
IA	Ankeny	SC	Horry County
ID	Hailey	SC	North Myrtle Beach
ID	Post Falls	SC	Rock Hill
ID	SE Idaho Council of Governments	TN	Germantown
ID	Twin Falls	TN	Knox County
IL	Champaign	TN	Nashville-Davidson County
KS	Lawrence	TX	Bexar County
KS	Lenexa	TX	Coppell
KS	Olathe	TX	Denton
KY	Georgetown	TX	Georgetown
KY	Lexington	TX	San Antonio
LA	Shreveport-MPC of Caddo Parish	TX	Tyler
MA	Barnstable	UT	Bluffdale
MA	Mashpee Commons	UT	Draper
MD	Anne Arundel County	VA	Alexandria
MD	Calvert County	VA	Amherst County
MD	Carroll County	VA	Augusta County
MD	Charles County	VA	Charles County
MD	Frederick	VA	Chesapeake
MD	Frederick County	VA	Fairfax
MD	Howard County	VA	Falls Church
MD	Montgomery County	VA	Frederick County
MD	Ocean City	VA	Henrico County
MD	Prince George's County	VA	Isle of Wight County
MD	Queen Anne's County	VA	Leesburg
MD	Rockville	VA	Norfolk
MD	Rouse Company/Howard County	VA	Portsmouth
MD	Snow Hill	VA	Prince William County
MD	St. Mary's County	VA	Pulaski
MD	Sykesville	VA	Purcellville

State	Client	State	Client
MD	Washington County	VA	Stafford County
MD	Worcester County	VA	Suffolk
MN	Apple Valley	WA	King County
MN	Coon Rapids	WI	Sun Prairie
MN	Cottage Grove	WV	McDowell County & Wyoming County



## Section 3: Personnel Overview and Qualifications

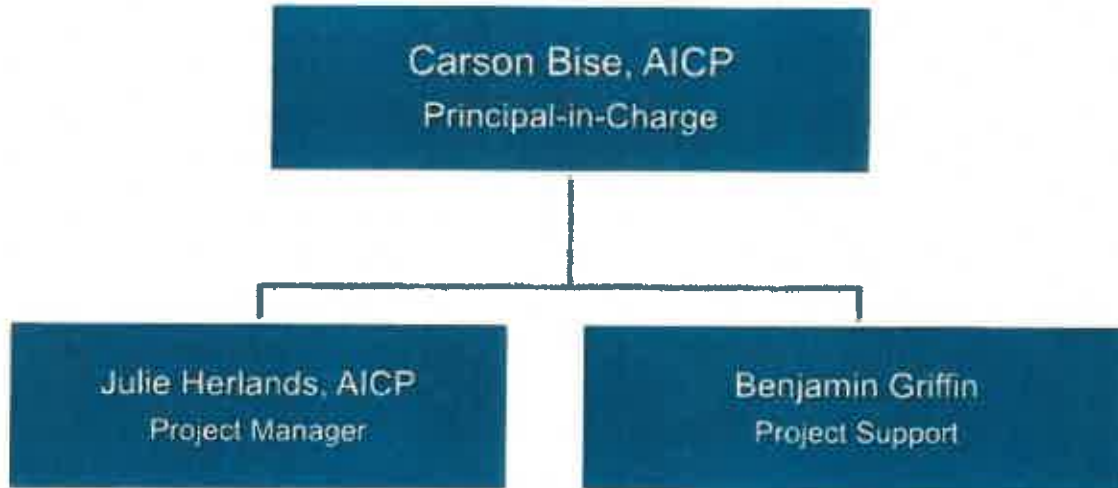
### Overview of Project Team Staff

To successfully navigate through any analysis of this type, the consultant and their team must possess specific, detailed, and customized knowledge, not only of the technical aspects of the analysis, but also of the context of the analysis in achieving the City's policy goals. Two of TischlerBise project team members are national leaders in the field of fiscal/economic impact analysis. Mr. Bise and Ms. Herlands frequently deliver presentations at national, international, regional, and state conferences and served as organizers and presenters at a half-day American Institute of Certified Planners (AICP) Training Workshop entitled *"Fiscal Impact Assessment"* at the American Planning Association (APA) National Planning Conference in 2008 and 2009. Mr. Bise is featured in the APA/AICP education and training series workshops: *"The Economics of Density"*, *"From Soup to Nuts: Paying for Growth"*, and *"Fiscal Assessment."* Our project team of Carson Bise, AICP and Julie Herlands, AICP will provide seamless support to this assignment. Mr. Bise's recent book on fiscal impact analysis, *Fiscal Impact Analysis: Methodologies for Planners*, published by the American Planning Association, is required reading in several graduate programs in urban planning, urban studies and governance, both in the United States and the United Kingdom.

Our project team of Carson Bise, AICP, Julie Herlands, AICP, and Benjamin Griffin, will provide seamless support to this assignment. Mr. Bise and Ms. Herlands of TischlerBise have successfully prepared and assisted with the implementation of fiscal analyses for over 350 communities throughout their careers. The majority of these assignments included the evaluation of multiple scenarios reflecting differences in absorption and phasing, geographic service areas/growth boundaries, variations in levels of service, and density and physical development patterns (including infill, refill, and redevelopment), and cost of land use analyses, all of which affect the factors that need to be assessed as part of this assignment.



Figure 1. Project Organizational Chart



**Carson Bise, AICP**, President of TischlerBise, will serve as Principal-in-Charge for this assignment and will coordinate our Project Team’s interaction with the City to ensure that all work is completed properly, on time, and within budget. Mr. Bise, who has unsurpassed fiscal impact analysis and Infrastructure financing credentials, will have a major role in all consulting activities. Mr. Bise, who is widely considered the leading fiscal impact practitioner in the United States, will play a large role in the development of scenarios, policy issues, public presentations, as well as the development of assumptions for the fiscal impact model.

**Julie Herlands**, Principal at TischlerBise, will be the Project Manager on this assignment. Ms. Herlands has eighteen years of relevant experience and has prepared fiscal analyses and revenue strategies for local governments in over fifteen states. She has been the project manager on several growth strategy assignments including fiscal analyses of comprehensive plans with multiple growth scenarios include City of Shreveport, Louisiana; Anne Arundel County, Maryland; Henrico County, Virginia; and Corpus Christi, Texas. She has led fiscal impact analysis projects on major large-scale development projects in Howard County, Maryland; Colorado Springs, Colorado; Windsor, Connecticut; and the University of North Carolina -Chapel Hill. She is a frequent presenter at national and regional conferences on fiscal and economic impact analysis.

**Benjamin Griffin**, Senior Fiscal and Economic Analyst at TischlerBise, specializes in fiscal and economic impact analyses and will be providing expert analysis on this project. Mr. Griffin has conducted impact fee assignments and has provided analysis on fiscal and economic impact analyses in numerous states.

Complete staff resumes are provided below.



## L. Carson Bise, II, AICP, President

Carson Bise has 28 years of fiscal, economic and planning experience and **has conducted fiscal and infrastructure finance evaluations in 37 states**. Mr. Bise has developed and implemented more fiscal impact models than any consultant in the country. The applications which Mr. Bise has developed have been used for evaluating multiple land use scenarios, specific development projects, annexations, urban service provision, tax-increment financing, and concurrency/adequate public facilities monitoring. Mr. Bise is also a leading national figure in the calculation of impact fees, having completed over 250 impact fees for the following categories: parks and recreation, open space, police, fire, schools, water, sewer, roads, municipal power, and general government facilities. Mr. Bise has also written and lectured extensively on fiscal impact analysis and infrastructure financing. **His most recent publications are *Fiscal Impact Analysis: Methodologies for Planners*, published by the American Planning Association, a chapter on fiscal impact analysis in the book *Planning and Urban Design Standards*, also published by the American Planning Association, and the ICMA IQ Report, *Fiscal Impact Analysis: How Today's Decisions Affect Tomorrow's Budgets*.** Mr. Bise was also the principal author of the fiscal impact analysis component for the Atlanta Regional Commission's Smart Growth Toolkit and is featured in the recently released AICP CD-ROM Training Package entitled *The Economics of Density*. Mr. Bise is currently on the Board of Directors of the Growth and Infrastructure Finance Consortium and **recently Chaired the American Planning Association's Paying for Growth Task Force**. He was also recently named an Affiliate of the National Center for Smart Growth Research & Education.



### EDUCATION

M.B.A., Economics, Shenandoah University

B.S., Geography/Urban Planning, East Tennessee State University

B.S., Political Science/Urban Studies, East Tennessee State University

### SELECTED FISCAL/ECONOMIC IMPACT ANALYSIS EXPERIENCE

- ✱ Anchorage, Alaska – *Fiscal Impact Analysis of General Plan Alternatives*
- ✱ Matsu Borough, Alaska – *Fiscal Impact Analysis*
- ✱ Sahuarita, Arizona – *Fiscal Impact Model*
- ✱ Clovis, California – *Fiscal Impact Analysis of Annexation Alternatives*
- ✱ Napa County, California – *Fiscal Equity Study*
- ✱ Pasadena, California – *Cost of Land Uses Fiscal and Economic Analysis*
- ✱ Aurora, Colorado – *Feasibility Study of City-County Formation*
- ✱ Mesa County, Colorado – *Fiscal Impact Analysis of Growth Scenarios*
- ✱ Louisville, Colorado – *Fiscal Impact Model*
- ✱ Westminster, Colorado – *Fiscal Impact Model*
- ✱ Windsor, Connecticut – *Fiscal Impact Analysis of Great Pond Village*
- ✱ Kissimmee, Florida – *Fiscal Impact Analysis of Annexation Areas*
- ✱ Hillsborough County, Florida – *Fiscal Impact Analysis of Current Land Use Trend*



- **Manatee County, Florida – *How Will We Grow? Funding Strategies***
- **Miami-Dade County, Florida – *Fiscal and Economic Analysis of Rural and Agricultural Areas***
- **Sarasota County, Florida – *Fiscal and Economic Analysis of Development Prototypes***
- **Champaign, Illinois – *Fiscal Impact Analysis of Two Growth Scenarios***
- **Lawrence, Kansas – *Fiscal Impact Analysis of Growth Scenarios; Cost of Land Uses Study***
- **Shreveport Metropolitan Planning Commission of Caddo Parish, Louisiana – *Fiscal and Economic Impact Analysis of Growth Scenarios***
- **Rockville, Maryland – *Fiscal Impact Model***
- **Calvert County, Maryland – *Fiscal Impact Analysis of Growth Scenarios***
- **Carroll County, Maryland – *Fiscal Impact Analysis of Growth Scenarios***
- **Charles County, Maryland – *Cost of Land Uses Fiscal Analysis***
- **Frederick County, Maryland – *Fiscal Impact Analysis of Growth Scenarios***
- **Howard County, Maryland – *Fiscal Impact Analysis of General Plan***
- **Prince George's County, Maryland – *Fiscal Impact Analysis of Growth Scenarios***
- **Washington County, Maryland – *Fiscal Impact Analysis of Growth Scenarios***
- **Coon Rapids, Minnesota – *Fiscal Impact Analysis of Growth Scenarios (Metro Council Study)***
- **Cottage Grove, Minnesota – *Fiscal Impact Analysis of Growth Scenarios (Metro Council Study)***
- **Minneapolis, Minnesota – *Fiscal Impact Analysis of Growth Scenarios (Metro Council Study)***
- **St. Paul, Minnesota – *Fiscal Impact Analysis of Growth Scenarios (Metro Council Study)***
- **State of Minnesota – *Fiscal Disparities Program Study***
- **Gallatin Canyon/Big Sky, Montana – *Review and Update of CIP/Infrastructure Finance Options***
- **Salem, New Hampshire – *Fiscal Impact Model***
- **West Windsor, New Jersey – *Fiscal Impact Analysis of T.O.D. Project and TIF Analysis***
- **Edison, New Jersey – *Fiscal Impact Analysis of T.O.D. Project and TIF Analysis***
- **Wilson, North Carolina – *Cost of Land Use Analysis and Revenue Strategies***
- **Wilmington, North Carolina – *Fiscal Impact Analysis of Urban Services Provision***
- **Guilford County, North Carolina – *Fiscal Impact Analysis of Growth Scenarios***
- **New Hanover County, North Carolina – *Fiscal Impact Analysis of Urban Services Provision***
- **University of North Carolina-Chapel Hill – *Fiscal and Economic Impact Analysis of Development Project; Fiscal Model; Multijurisdictional Study***
- **Dublin, Ohio – *Fiscal Impact Analysis of Land Use Scenarios***
- **Grandview Heights, Ohio – *Fiscal Impact Analysis of Grandview Yard Development***
- **Oklahoma City, Oklahoma – *Fiscal Impact Analysis of Growth Scenarios; Fiscal Impact Model***
- **Beaufort County, South Carolina – *Fiscal Impact Analysis of North Beaufort Plan***
- **Shelby County, Tennessee – *Fiscal Equity Study***
- **Germantown, Tennessee – *Fiscal Impact Analysis of Annexation Alternatives***
- **Bexar County, Texas – *Service Delivery and Fiscal Sustainability Recommendations; Fiscal Impact of Annexation and Incorporation; Policy and Legal Research***
- **Draper City, Utah – *Fiscal Analysis of SunCrest Development***
- **Chesapeake, Virginia – *Fiscal Impact Model***



## PUBLICATIONS

- "Next Generation Transportation Impact Fees," American Planning Association Planners Advisory Memo
- *Fiscal Impact Analysis: Methodologies for Planners*, American Planning Association.
- *Planning and Urban Design Standards*, American Planning Association, Contributing Author on Fiscal Impact Analysis.
- "Fiscal Impact Analysis: How Today's Decisions Affect Tomorrow's Budgets," ICMA Press.
- "The Cost/Contribution of Residential Development," Mid-Atlantic Builder.
- "Are Subsidies Worth It?" Economic Development News & Views.
- "Smart Growth and Fiscal Realities," ICMA Getting Smart! Newsletter.
- "The Economics of Density," AICP Training Series, 2005, Training CD-ROM (APA).

## Julie Herlands, AICP, Principal

Julie Herlands is a Principal with TischlerBise and has 18 years of planning, fiscal, and economic development experience. Prior to joining TischlerBise, Ms. Herlands worked in the public sector in Fairfax County, Virginia, for the Office of Community Revitalization and for the private sector for the International Economic Development Council (IEDC), Advisory Services and Research Department. Her economic and fiscal impact experience includes a wide-range of assignments in over fifteen states. She is a frequent presenter at national and regional conferences including serving as co-organizer and co-presenter at a half-day AICP Training Workshop entitled Fiscal Impact Assessment at the APA National Planning Conference. A session on impact fees and cash proffers presented at the APA National Conference is available through the APA training series, *Best of Contemporary Community Planning*. She is the immediate past Chair of the Economic Development Division of the APA and **chaired the APA Task Force on Planning and Economic Development**.

## EDUCATION

M.C.P., University of Maryland

B.A., Political Science, University of Buffalo

## SELECTED FISCAL/ECONOMIC IMPACT ANALYSIS EXPERIENCE

- Queen Creek, Arizona – *Fiscal Impact Analysis of Growth Scenarios; Fiscal Impact Analysis of Development Project*
- Napa County, California – *Fiscal Equity Study*
- Aurora, Colorado – *Feasibility Study of City-County Formation*
- Windsor, Connecticut – *Fiscal Impact Analysis of Great Pond Village*
- Lake County Schools, Florida – *Cost of Land Use Study; Revenue Strategies*
- Shreveport Metropolitan Planning Commission of Caddo Parish, Louisiana – *Fiscal and Economic Impact Analysis of Growth Scenarios*
- Anne Arundel County, Maryland – *Fiscal Impact Analysis of Growth Scenarios; Revenue Strategies; Fiscal Model*
- Montgomery County, Maryland – *Fiscal and Economic Impact Model*

- Rouse Company/Howard County (Columbia), Maryland – *Fiscal Impact Analysis of Development Project*
- Snow Hill, Maryland – *Fiscal Impact Analysis of Development Project*
- Worcester County, Maryland – *Tax Differential Study*
- State of Minnesota – *Fiscal Disparities Program Study*
- Lincoln County, Nevada – *Cost of Land Use Study; Revenue Strategies; Fiscal Model*
- North Las Vegas, Nevada – *Cost of Land Use Study*
- Nye County/Town of Pahrump/Nye County Schools, Nevada – *Cost of Land Use Study; Fiscal Impact Analysis of Growth Scenarios*
- University of North Carolina-Chapel Hill, North Carolina – *Fiscal and Economic Impact Analysis of Development Project; Fiscal Model; Multijurisdictional Study*
- Bexar County, Texas – *Service Delivery and Fiscal Sustainability Recommendations; Fiscal Impact of Annexation and Incorporation; Policy and Legal Research*
- Coppell, Texas – *Fiscal Impact Analysis of Development Project*
- Bluffdale, Utah – *Fiscal Impact Analysis of Development Project*
- Henrico County, Virginia – *Fiscal Impact Analysis of Growth Scenarios; Fiscal Model*  
Leesburg, Virginia – *Fiscal Impact Analysis of Growth Scenarios; Fiscal Impact Analysis of Annexation; Fiscal Model*
- Somerset Homes/King George County, Virginia – *Fiscal Impact Analysis of Development Project*

## **PUBLICATIONS**

- "Should Impact Fees Be Reduced In a Recession?" *Economic Development Now*, 2009, IEDC.
- "Agreements, Fees, and CIP," *The Best of Contemporary Community Planning*, 2005, Training CD-ROM, APA and Lincoln Institute of Land Policy.

## **Benjamin Griffin, Senior Fiscal and Economic Analyst**

Benjamin Griffin is a Senior Fiscal/Economic Analyst at TischlerBise with specialties in finance and economic development planning. Prior to joining TischlerBise, Mr. Griffin worked for the New Orleans Business Alliance (NOLABA)—the non-profit agency tasked with leading economic development initiatives for the City of New Orleans. During his time with NOLABA, he conducted field surveys to determine the economic health of key retail corridors and researched economic development initiatives. Prior to working for NOLABA, Mr. Griffin worked for the Jefferson Parish Planning Department where he gained experience in the short-range planning division. This provided practical experience in planning and zoning while also providing insight into the daily operations of a public sector planning department. Mr. Griffin also worked for the Preservation Resource Center of New Orleans where he helped guide the historic preservation staff through subdivision processes. This involved working with the New Orleans' planning and real estate departments, conducting public outreach, and representing the non-profit at council meetings. Finally, Mr. Griffin served as a facilitator during community meetings for the Livable Claiborne Communities study and worked with the New Orleans Redevelopment Authority to identify alternative sources of funding and redevelopment strategies to support the agency's mission of reducing blight and revitalizing the City of New Orleans.



## **EDUCATION**

**M.A., Urban and Regional Planning, University of New Orleans**

**B.B.A., Finance, University of Mississippi**

## **SELECTED FISCAL IMPACT ANALYSIS EXPERIENCE**

- ◻ **Madison, Alabama – *Cost of Land Uses Fiscal Impact Analysis***
- ▣ **Lethbridge, Alberta – *Fiscal Impact Analysis of South East Structure Plan***
- ▣ **Castle Pines, Colorado – *Fiscal Impact Model***
- ✖ **Louisville, Colorado – *Fiscal Impact Model***
- ▣ **Windsor, Connecticut – *Fiscal Impact Analysis of Great Pond Village***
- ▣ **Corpus Christi, Texas – *Utility Finance Plan***
- ◻ **Chesapeake, Virginia – *Fiscal Impact Model***
- ✖ **Fairfax, Virginia – *Fiscal Impact Model***

## Section 4: Similar Assignments/Experience

Below are project examples/references for previous work similar to what is being requested by the City.

### *City of Champaign, IL – Fiscal Impact Analysis of Two Growth Scenarios (2008)*

Project Contacts: Bruce Knight, FAICP, Planning Director; Rob Kowalski, Assistant Planning & Development Director

(217) 403-8800

Email: [bruce.knight@ci.champaign.il.us](mailto:bruce.knight@ci.champaign.il.us); [rob.kowalski@ci.champaign.il.us](mailto:rob.kowalski@ci.champaign.il.us)

Project Staff: Carson Blise, Project Manager

TischlerBlise recently completed a two-phase fiscal impact study for the City of Champaign. **The first phase involved a Cost of Land Uses Study, which provides an understanding of how discrete land use categories impact the City's finances.** Specifically, the City was interested to know what existing development types in the City generated in terms of revenue versus the commensurate service and facility costs. In Phase II, TischlerBlise **evaluated the cost to serve new development in the future, particularly as growth occurs near the City fringe areas.** TischlerBlise evaluated the fiscal impact analysis of two scenarios:

- Scenario 1: **Growth Within the Service Area**—all growth occurs within the current sanitary sewer service area.
- Scenario 2: **Growth Beyond the Service Area**—growth occurs both within and outside of the current sanitary sewer service area.

Growth within each of two scenarios allocated to seven different fiscal analysis zones (FAZs) in the City.

### *Henrico County, Virginia – Fiscal Impact Analysis and Fiscal Impact Models (2008, 2010, 2012)*

Project Contact: Joe Emerson, Assistant Director of Planning


Phone: (804) 501-4605

Email: [eme@co.henrico.va.us](mailto:eme@co.henrico.va.us)

Project Staff: Carson Blise, Principal in Charge; Julie Herlands, Project Manager

TischlerBlise completed a fiscal impact analysis in conjunction with the development of the Henrico County 2026 Comprehensive Plan, prepared by McBrideDaleClarion. TischlerBlise employed a case study-marginal cost approach to evaluate the fiscal impact of various growth scenarios developed through the comprehensive planning process. The analysis evaluated the fiscal impacts by sub-area based on location, density/intensity, and timing of growth. The results were provided to the County as a stand-alone analysis as well as incorporated into the final Comprehensive Plan. In addition, TischlerBlise developed and implemented a customized fiscal impact model for use by the County to analyze individual development proposals. The model allows the County to vary land use and financial assumptions to reflect changing conditions.

TischlerBlise was subsequently retained by Henrico County to update both of the Fiscal Impact Models developed as part of the previous Fiscal Impact assignment (Countywide Growth scenarios and



Development Projects) to reflect current conditions and to assist in analysis of several major mixed-use projects being proposed in the County.

**City of Centennial, Colorado – Cost to Serve Fiscal Impact Analysis and Fiscal Impact Model (2013)**

**Project Contact:** Corin Splegel, CECD (former Economic Development Manager) (now City Administrator, City of Davenport, IA)

**Phone:** 563-888-3384

**E-mail:** csplegel@ci.davenport.ia.us

**Project Staff:** Julie Herlands, Project Manager

The City of Centennial, Colorado, contracted with TischlerBise to conduct a “cost to serve” fiscal impact analysis and fiscal impact model for use by the City in analyzing development projects. TischlerBise worked with City staff to identify ten land use categories—three residential and seven nonresidential—to evaluate for this analysis. The land use prototypes selected were meant to provide a representative sample of a variety of land uses in the City to compare and contrast. Delivery and presentation of the cost to serve findings occurred in July 2013. As a second part of the project, TischlerBise developed a fiscal impact model for use by the City in evaluating development proposals. The tool is a flexible application that allows for the testing of three scenarios at a time as well as varying development assumptions such as values (property and construction), absorption rates, vehicle trip rates, household sizes, etc. Delivery of the model and training occurred in October 2013. Ongoing technical assistance and annual updates have been available to the City.

**City of Wilson, North Carolina – Cost of Land Use Fiscal Analysis (2007)**

**Project Contact:** Rodger Lentz, AICP, Director of Planning and Development Services

**Phone:** (252) 399-2210

**E-mail:** rlentz@wilsonnc.org

**Project Staff:** Carson Bise, Project Manager

In 2007, the City of Wilson was experiencing significant residential growth pressures and disinvestment in the downtown core. To better understand the fiscal implications of different land uses, the City retained TischlerBise to conduct a Cost of Land Use Fiscal Analysis. In this type of analysis, a “snapshot” approach is used that determines the costs and revenues for various land use prototypes in order to understand the fiscal effect each land use has independently on the City’s budget. In other words, the analysis seeks to answer the question, “What type of growth pays for itself?” For the City of Wilson, TischlerBise evaluated a total of eleven land use categories: six residential and five nonresidential. The findings revealed that over half of the land uses generated net deficits to the City. However, residential infill units produced significant surpluses.

**Minnesota Department of Revenue— Evaluation of Fiscal Disparities Act (2012)**

**Project Contacts:** Eric Willette, Director of Property Tax Research; Steve Hinze, Legislative Analyst

**Research Department, Minnesota House of Representatives**

**Email:** eric.willette@state.mn.us; steve.hinze@house.mn

**Phone:** (651) 556-6100 (Willette); (651) 296-8956 (Hinze)



**Project Staff: Carson Bise, Principal in Charge; Julie Herlands, Project Manager**

TischlerBise was retained by the Minnesota Department of Revenue to analyze the Twin Cities Metropolitan Area Fiscal Disparities Program. The "Charles R. Weaver Metropolitan Revenue Distribution Act" enacted in 1971, commonly referred to as the Metropolitan Fiscal Disparities program, was an attempt to address growing fiscal concerns within the seven-county Minneapolis-St. Paul region, home to over 180 cities and townships, over 80 school districts, and dozens of other taxing authorities. The law requires all communities in the seven-county area to contribute 40 percent of the growth in their commercial/industrial tax base (from 1971) to a regional pool. The original objectives of this unique program are commonly summarized as follows:

- ❑ *To promote more orderly regional development.*
- ❑ *To improve equity in the distribution of fiscal resources.*
- ❑ *To provide a way for local governments to share in the resources generated by the growth of the area, without removing any resources that local governments already have.*
- ❑ *To increase the likelihood of orderly urban development by reducing the impact of fiscal considerations on the location of business and residential growth and of highways, transit facilities, and airports.*
- ❑ *To establish incentives for all parts of the area to work for the growth of the area as a whole.*
- ❑ *To provide a way whereby the area's resources can be made available within and through the existing system of local governments and local decision making.*
- ❑ *To help communities in different stages of development by making resources increasingly available to communities at those early stages of development and redevelopment when financial pressures on them are the greatest.*
- ❑ *To encourage protection of the environment by reducing the impact of fiscal considerations so that flood plains can be protected and land for parks and open space can be preserved.*

The study conducted by TischlerBise was the first extensive study of the Fiscal Disparities Program in its 40-year history. The study was a comprehensive analysis of the following:

- ❑ Growth trends in the Twin Cities seven-county metro region looking at population and employment growth over the past 40 years;
- ❑ Fiscal and economic conditions and trends in the region including changes in incomes, tax base composition, and residential tax burdens;
- ❑ The complexities of the Fiscal Disparities program including what has been said about it in the past and today, what the trends have been regarding tax capacity, tax rates, and residential homestead burden, and what the changes would be if the program were eliminated particularly on tax rates, taxes paid, and residential homestead burden;
- ❑ The potential "overburden" on jurisdictions—including the major local taxing jurisdictions (city, county, school)—from different types of land uses both under the current taxation system (with Fiscal Disparities) and a hypothetical scenario if the program were eliminated; and
- ❑ Major policy considerations addressing criticisms, issues, and praise for the program.



The “overburden” question was analyzed through a “cost of land use” fiscal impact analysis that looked at direct revenues and costs generated by different types of land uses at different levels of government for four case studies. Major findings from this research are that:

- The existence of an “overburden” depends on type of development and level of government
- Results differ depending on one’s perspective:
  - For an affected level of government, some types of land uses do not pay their way but are subsidized by other land uses.
  - A resident paying taxes to a city, county, and school district would see the “overburden” question differently.
- In general, residential and some types of nonresidential development are an overburden—*under current system and with elimination of the Fiscal Disparities Program*
- The Fiscal Disparities Program equalizes tax base and tax rates and without it more jurisdictions would see an increase in their tax rates than would see a decrease.

**TischlerBise staff testified before Minnesota State Legislative Committees on the results of the study.**

**California Strategic Growth Council – *Infill Development and Fiscal Impact Analysis Outreach and Technical Assistance (2016)***

Project Contacts: Elizabeth Grassi, Deputy Director

Phone: (916) 327-5362

Email: [elizabeth.grassi@sgc.ca.gov](mailto:elizabeth.grassi@sgc.ca.gov)

Project Staff: Carson Bise, Principal in Charge; Julie Herlands, Project Manager

The California Strategic Growth Council (SGC) seeks to support communities in their efforts to make sustainable land use decisions. Communities need analytical tools and technical support to assess and balance multiple priorities when making land use and development decisions. For many communities, priorities to be considered with regard to land use decisions include resource conservation and climate adaptation, economic development, investing in new versus existing communities, and maintaining fiscal responsibility.

TischlerBise has been retained by the SGC to conduct several public workshops on fiscal impact analysis for communities in California, and to provide direct technical assistance to Sustainable Community Planning Grant and Incentives Program (SCPGIP) grantee communities as they identify and implement community-specific sustainable development strategies. These tasks are preceded by the delivery of a Technical Report on available tools, resources, and methodologies for fiscal impact analysis and recommendations for using these tools and communicating the results.

The goals for the project are to enable California communities to:

- Better understand and use fiscal impact methodologies to evaluate the fiscal impacts (benefits and costs) of a proposed project or plan.



- **Better understand and implement strategies to catalyze infill development with an understanding of the market, which is essential for the viability of intervention strategies in light of local and regional conditions.**
- **Provide direct technical assistance to communities that are facing questions of fiscal sustainability in light of land use decisions and policies.**
- **Disseminate the results of the efforts broadly to California communities using various means including presentations at conferences, webinars, publications, and cross-promotions with other stakeholders.**

### **Manatee County, Florida – *How Will We Grow? Funding Strategies (2014)***

**Project Contacts: John Osborne, Planning Official**

**Phone: (941) 748-4501 Ext. 6825**

**Email: john.osborne@mymanatee.org**

**Project Staff: Carson Bise, Project Manager**

In June 2013, the Manatee County Board of Commissioners set a course for future development in Manatee County by deciding to combine alternatives known as the West County Focus and Activity Centers (i.e. Alternatives 2 and 3). The How-Will-We-Grow (HWWG) legislative policy decision includes a charge to implement what TischlerBise has branded as "smart governance." The intent of smart governance is to improve decision-making processes and daily operations for the common good of all residents and workers in Manatee County. As part of this assignment, TischlerBise prepared a series of Technical Memorandums on various elements related to implementing the HWWG strategy. The first Technical Memorandum offers a general evaluation of the County's Capital Improvements Program (CIP), which is the key document that encapsulates Manatee County's infrastructure funding strategy. It also evaluates the County's current impact fee program used to fund the growth-related share of general government infrastructure, such as parks, law enforcement, public safety, and roads. The final section addresses the County's current Facilities Investment Fees intended to pay for the growth-related cost of water and wastewater facilities.



## Section 5: Project Schedule and Cost

### Project Schedule

The table below outlines our project schedule for this assignment. We will commit the staffing resources required to meet this project schedule.

Project Schedule for Washington University Fiscal Impact Analysis		
Tasks	Target Completion Date	Meetings/Deliverables
Task 1: Project Initiation/Data Collection	Month 1	Technical Memorandum on Suggested Absorption Schedule and Associated Assumptions
Task 2: Define University Land Use Prototypes to be Evaluated	Months 1 and 2	See Task 3
Task 3: Develop Cost, Revenue and LOS Factors	Months 2 and 3	Memorandum Outlining Cost to Serve and Level-of-Service Factors
Task 4: Develop Cost of Land Uses Fiscal Model and Development of Initial Results	Month 3	See Task 5
Task 5: Prepare Draft Cost of Land Uses Fiscal Impact Report	Months 3 and 4	Draft and Final Fiscal Impact Analysis Report
Task 6: Finalize Cost of Land Uses Fiscal Impact Report and Presentation	Month 4	Technical Memorandum Discussing the Review of CSU Financial Analysis

### Project Management/Communication Plan

TischlerBise utilizes a project management process which ensures our projects are completed on time and within budget, and, most importantly, they yield results that match our clients' expectations. Our project management plan employs the following principles for successful projects:

**Project Management Approach.** TischlerBise utilizes a project management process which ensures that our projects are completed on time and within budget, and most importantly, that they yield results that match our clients' expectations. Our project management plan utilizes the following principles common to successful projects:

- First, **we begin by defining the project to be completed.** Based on discussions that occur as part of our Project Initiation task, Carson Bise and Julie Herlands will identify the final project goals and objectives in collaboration with City staff, list potential challenges to the process, and develop a plan to ensure successful outcomes and effective communication.
- Second, **we will plan the project schedule.** As part of the Project Initiation task, Mr. Bise will work with City staff to create an agreed-upon timetable to meet the project schedule. Prior to beginning the project, Mr. Bise will assign roles that will ensure that the project schedule is met on time and within budget.
- Third, **we will actively manage the project process.** Mr. Bise and Ms. Herlands have a long history of strong project management skills that are supported by past project successes (we encourage you to contact our references in this regard). Mr. Bise will manage the work in progress, provide guidance and oversight to staff, and will be accountable to the City for meeting the schedule, budget, and technical requirements of the project.

- Finally, we will review all project deliverables and communication through a formal quality assurance process that requires review at the peer level, project manager level, and executive officer level. Prior to the delivery of work product to City staff, deliverables will go through a structured quality assurance process involving up to three levels of review and utilizing a formal checklist tool. The first level involves a peer-to-peer review of work products and computer models. Mr. Bise will also be responsible for the second set of reviews comparing the work product to the completed quality checklist form.

## Project Cost

The fixed fee costs for this assignment are shown in the table below. TischlerBise invoices on a monthly, based on the percentage complete for each task.

Proposed Fee Schedule for Washington University Fiscal Impact Study					
Project Team Member:	Bise	Herlands	Griffin	Total	
Hourly Rate*	\$219	\$195	\$180	Hours	Cost
Task 1: Project Initiation/Data Collection	4	4	0	8	\$1,820
Task 2: Define University Land Use Prototypes to be Evaluated	4	16	4	24	\$4,680
Task 3: Develop Cost, Revenue and LOS Factors	8	40	16	64	\$12,360
Task 4: Develop Cost of Land Uses Fiscal Model and Development of Initial Results	4	40	8	52	\$10,080
Task 5: Prepare Draft Cost of Land Uses Fiscal Impact Report	12	32	16	60	\$11,640
Task 6: Finalize Cost of Land Uses Fiscal Impact Report and Presentation	4	16	4	24	\$4,980
<b>TOTAL</b>	<b>36</b>	<b>148</b>	<b>48</b>	<b>232</b>	<b>\$45,080</b>

# TischlerBise

FISCAL | ECONOMIC | PLANNING

**Principal Office**

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[carson@tischlerbise.com](mailto:carson@tischlerbise.com)



## Council Agenda Item Cover

**MEETING DATE:** November 25, 2019

**AGENDA ITEM TITLE:** Emerald Ash Borer – Tree Replacement Program

**AGENDA SECTION:** Consent Agenda

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

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**BACKGROUND:** The Emerald Ash Borer poses an eminent threat to the Ash trees in University City. The City has been pro-active in removing Ash trees utilizing in-house personnel. Unfortunately, this effort goes beyond the Cities resources and additional assistance is necessary. To support these efforts the city bid out services for outside help in the removal effort. The contractor will be responsible for removing and replacing the Ash trees throughout the City. The funds for this contract come from the Capital Improvement Program (Tree Replacement Program) – P&R 20/23-01, \$75,000.00.

The City advertised for bids for the Emerald Ash Borer Project on the City's website as well as emailed the information to several companies. Five (5) companies responded to the bid request and agreed to provide services per the specifications. The tabulation of bid proposals is as follows:

Contractor	Base Bid	Alternate Bid
Omni Tree Service	\$71,284	\$8,504
Timberline Professional Tree Care	\$84,156	\$7,000
Gamma Tree Experts	\$93,600	\$10,800
Arbor Masters	\$107,920	\$16,720
Reliable Tree Care	\$111,472	\$13,244

**RECOMMENDATION:** The City Manager recommends that the City Council approve the award for the Emerald Ash Borer Contract to the lowest responsible bidder Omni Tree Service for the Base Bid (71 trees) and selected Alternates (3 trees) in an amount not to exceed \$74,473.00.

Attachment 1: Contract

**CONTRACT**

THIS AGREEMENT, made as of the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between The City of University City, MISSOURI (here in after called the CITY) and Omni Tree Service ,a Missouri Corporation with offices at 55 Old State Road, Ellisville, MO 63021 (herein after called the CONTRACTOR), WITNESSETH, that whereas the CITY intends to proceed with Emerald Ash Borer Contract, hereinafter called the PROJECT, in accordance with the Specifications and Contract Documents prepared by the City of University City.

NOW, THEREFORE, The CITY and CONTRACTOR for the considerations hereinafter set forth, agree as follows:

THE CONTRACTOR AGREES to furnish all the necessary labor, materials, equipment, tools and services necessary to perform and complete in a workmanlike manner all work required for the PROJECT, in strict compliance with the Contract Documents herein mentioned, which are hereby made a part of the Contract.

- a. Contract Time: Work under this Agreement shall be commenced upon written Notice to Proceed and shall be completed within one hundred and twenty (120) calendar days of the authorization date in the Notice to Proceed.
- b. Liquidated Damages: The Contractor hereby expressly agrees to pay the City the sum of two hundred dollars (\$200.00) per day for each and every day, Sundays and legal holidays only excepted, after calendar days have expired during or upon which said work, or any part thereof remains incomplete and unfinished.
- c. Subcontractors: The Contractor agrees to bind every subcontractor by the terms of the Contract Documents. The Contract Documents shall not be construed as creating any contractual relation between any subcontractor and the City. No subcontractor shall further subcontract any of their work.

THE CITY AGREES to pay, and the Contractor agrees to accept, in full payment for the performance of this Contract, the amount as stipulated in the Proposal, which is:

Seventy-Four Thousand Four Hundred Seventy-Three Dollars and No Cents (\$74,473.00).

Final dollar amount will be computed from actual quantities/services provided as verified by the Director of Parks, Recreation and Forestry and in accordance with the unit prices set out in the Proposal.

CONTRACT DOCUMENTS:

The Contract comprises the Contract Documents as bound herein. In the event that any provision of one Contract Document conflicts with the provision of another Contract Document, the provision in that Contract Document first listed below shall govern, except as otherwise specifically stated:

- A. Contract (This Instrument)
- B. Addenda to Contract Documents
- C. Conditions of the Contract
- D. Remaining Legal and Procedural Documents

**CITY OF UNIVERSITY CITY, MISSOURI**

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- 1. Proposal
- 2. Instruction to Bidders
- 3. Invitation for Bids
- E. Job Special Provisions
- F. Bonds/Attachments
  - 1. Performance/Payment Bond
  - 2. Bid Bond

**AUTHORITY AND RESPONSIBILITY OF THE PARKS, RECREATION AND FORESTRY DIRECTOR:**

All work shall be done under the general inspection of the Director of Parks, Recreation and Forestry or his designee. The Director of Parks, Recreation and Forestry or his designee shall decide any and all questions which may arise as to the quality and acceptability of materials furnished, work performed, and rate of progress of work, interpretations of specifications and all questions as to the acceptable fulfillment of the Contract on the part of the Contractor.

**SUCCESSORS AND ASSIGNS:**

This Agreement and all of the covenants hereof shall insure to the benefit of and be binding upon the City and Contractor respectively and their partners, successors, assigns and legal representatives. Neither the Owner nor the Contractor shall have the right to assign, transfer, or sublet their interests or obligation hereunder without consent of the other party.

The Contract contains a binding arbitration provision that may be enforced by the parties.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement:

(SEAL)

Attest:

Title: \_\_\_\_\_

By (signature): \_\_\_\_\_

Contractor (print): \_\_\_\_\_

Date: \_\_\_\_\_

(SEAL)

Attest:

**CITY OF UNIVERSITY CITY, MISSOURI**

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By: \_\_\_\_\_  
City Clerk

Date: \_\_\_\_\_

CITY OF UNIVERSITY CITY

CITY OF UNIVERSITY CITY

By: \_\_\_\_\_  
City Attorney

By: \_\_\_\_\_  
City Manager

Date: \_\_\_\_\_

Date: \_\_\_\_\_





## Council Agenda Item Cover

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**MEETING DATE:** November 25, 2019  
**AGENDA ITEM TITLE:** City Space Needs Assessment  
**AGENDA SECTION:** Consent Agenda  
**CAN THIS ITEM BE RESCHEDULED?:** Yes

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### **BACKGROUND:**

On September 9, 2019 at a Study Session, Trivers Associates reported to City Council the results of their findings from the City Hall Annex Assessment. A City Space Needs Assessment to further analyze the space needs of University City's organization and most effectively house its various departments, employees, equipment and resources was discussed at the end of the session and the budgeted funds for the project were proposed to be moved into the current fiscal year for this purpose.

Staff obtained a proposal to amend the Annex Assessment contract with Trivers Associates to retain the firm for also performing the City Space Needs Assessment. The attached proposal not only provides for a review of the physical facilities and matching them to the current day demands of the organization but also determines a master plan and program for University City's facilities into the future. In this regard, a visioning process is also included in the scope of work that will enable the employees in their respective departments to give input into the space analysis for their most effectively performing their day-to-day work activities and interaction with our citizens. The visioning process also includes a brief public engagement survey (utilizing the resource "Survey Monkey") to obtain public feedback in order to highlight areas for improvement in the public experience with City Departments related to such aspects as location, access, wayfinding.

The professional services agreement for this project provides for a compensation not to exceed \$141,900. The funding for the project is proposed to come from the Police Station Construction project item #PD22-01 for \$111,900, as well as the City-Wide Space Needs Study project item #PW20-02 for \$30,000.

### **RECOMMENDATION:**

City Manager recommends City Council's approval to sign and enter into the amended professional services agreement with Trivers Associates for the University City – Space Needs Study in the amount of \$141,900.

**ATTACHMENT:** 1) Draft amended agreement for professional services  
2) Sample survey work products

Trivers

Trivers

November 7, 2019

Gregory Rose  
University City – City Manager  
6801 Delmar Boulevard  
University City, Missouri 63130

RE: Proposal and Agreement between Trivers and University City (“Owner”) for Professional Design Services in connection with University City Space Needs Study (Amendment 01 to the University City – City Hall Annex scope) (“Project”).

Dear Mr. Rose,

We are looking forward to continuing our work together toward best solutions for University City departments. We believe the current project will be an excellent tool to assist University City in determining the best path forward for all of your facilities. We greatly appreciate Sinan and Chris taking the time to give us a tour of the buildings so that we could be in a better position to prepare this proposal.

This letter proposal will amend the already in place contract which focused specifically on the City Hall Annex and Police and Courts program. The enclosed scope expands upon this work to include additional departments and facilities. The result of this amended scope will be a complete analysis of all relevant facilities and departments to determine a master plan and program for University City departments.

I understand that the budget for this effort may differ from what we have outlined within. Please know that we are ready and willing to collaborate with you and your team to adjust scope as necessary to meet whatever your budget constraints may be. We can work together to determine the highest and best use of available funding for this study.

Trivers and HOK look forward to continuing our partnership with University City.

Kind regards,



Amy Gilbertson, AIA  
*Principal*

mobile 314 488 9237  
direct dial 314 446 5028

## UNIVERSITY CITY – SPACE NEEDS STUDY

### PROJECT DESCRIPTION

*The following summary descriptions reflect our current understanding. This information will evolve throughout the design process.*

Trivers

#### BUILDINGS:

University City owns and operates 15 buildings. Approximate square footages are included with each building's listing.

1. City Hall (23,400 sf)
2. City Hall Annex (37,400 sf)
3. Trinity Building (14,000 sf)
4. Modular Police Facility (temporary)
5. Sign Shop – Public Works Yard (2,200 sf)
6. Central Garage – Public Works Yard (13,000 sf)
7. Transfer Station – Public Works Yard (9,500 sf)
8. Heman Community Center (9,200 sf)
9. Centennial Commons (approximately 3,000 sf admin area)
10. Pool House
11. Pro Shop (Golf Course)
12. Maintenance Building (Golf Course)
13. Engine House #1
14. Engine House #2
15. Parking Garage

#### DEPARTMENTS:

There are 10 primary departments operating under the University City leadership of the City Manager. They are as follows:

1. City Management
  - a. Administrative Support
  - b. Human Resources
  - c. Communications
  - d. Economic Development
2. Planning & Development
3. Parks, Recreation & Forestry
4. Public Works
5. Finance
6. City Clerk
7. City Attorney
8. Police Department
9. Municipal Court
10. Fire Department

The library is an additional asset owned and operated by University City but it is not included in this Space Needs Study. Departments 1-9 above will be included in this study.

## PRESS & PUBLICATION

The completed Project may only be published with acknowledgement of Trivers. Any publication of imagery created by Trivers must include our logo and/or imagery credit. In addition, Trivers will include reference to Client for press initiated by Trivers.

## SCOPE OF SERVICES

As part of its services, Trivers shall provide Project Management, Programming, Conceptual Design, and Schematic Design services. Consultants included in this proposal include HOK for Justice Facility Programming and Planning – specifically for police and courts.

- Buildings 1-8 from the list above will be included in this study. In addition, our team will study the administrative area within Building 9 (Centennial Commons).
- Departments 1-9 from the list above will be included in this study.

Trivers will provide the following professional services:

## EXISTING CONDITIONS DOCUMENTATION

1. University City has provided original drawings for the City Hall, City Hall Annex, Trinity Building, Sign Shop, and Central Garage. Design team will create model of floor plan for programming and space planning studies based on these drawings. No field measuring will be completed and drawings will be assumed to be accurate unless notified otherwise by University City.
2. No original drawings have been located to date for Central Garage or Heman Community Center. Design team will field measure these facilities and create background model for programming and space planning studies.
3. Existing conditions for each of the buildings/areas listed above will be modeled either in 2d or 3d in order to facilitate space planning studies.

## PROGRAMMING

1. Develop ideal space use program based on interviews with the 8 departments. Proposed space program will include considerations for telework where feasible.
2. Police Department program developed for the previous Annex study will be reused.
3. Documenting space requirements such as special HVAC, plumbing, power, lighting, acoustics, furnishings, equipment or security needs to aid in cost estimating.

## CONCEPTUAL DESIGN

Design team will develop 2 master planning options for consideration by University City.

- Option 1: ideal workplace and departmental locations and associated space plans
- Option 2: ideal workplace and departmental distribution moving as few departments as possible

## SCHEMATIC DESIGN

1. Preferred option from Conceptual Design phase will be developed to a schematic design level including partitions and doors.
2. Site planning studies/primary entrance concepts will be developed if applicable.
3. Cost estimate of approved final schematic design solution.

VISIONING

Trivers and HOK propose that we facilitate a survey of all departments included within this scope. The survey will highlight greatest opportunities and challenges enabling more focused conversations in the programming phase. We believe this approach will help ensure employees voices are included within our proposed solutions.

1. Trivers and HOK will propose a set of survey questions for review and consensus by the client contact team.
2. Utilizing the services of WPA (see attached qualifications), the survey will be conducted and results summarized.
3. Conduct a debrief meeting with client team via conference call.
4. Conduct a (4) hour visioning session with department leaders. The intent of this session will be to share results of the survey and prioritize goals for proposed space planning efforts.

In addition, our team will also prepare a brief public engagement survey. 5-10 questions will be crafted together with the client to ensure we are getting useful feedback. We will create questions with the intention of highlighting areas for improvement in the public experience with City Departments related to location, access, wayfinding, etc. Our intent is to utilize the resource "Survey Monkey" to conduct the public survey.

SCHEDULE

For reference and planning purposes, we have estimated our time to complete the project as follows (estimated completion dates assume a November 12<sup>th</sup> start date):

1. Existing Conditions Documentation	4 weeks	estimated completion 12.06.19
2. Surveys & Visioning	5-7 weeks	estimated completion 01.24.19
3. Programming	6-8 weeks	estimated completion 03.20.19
4. Conceptual Design	4-5 weeks	estimated completion 04.24.19
* Verify Schematic Design Scope/Fee		
Based on preferred Conceptual Design	1 week	estimated completion 05.01.19
5. Schematic Design	3-4 weeks	estimated completion 05.29.19
6. Cost Estimate	2 weeks	estimated completion 06.12.19

Trivers will provide the services described in the Scope of Services of this Agreement as expeditiously as is consistent with reasonable skill and care and the orderly progress of the Project. Procession into subsequent phases will commence after Owner sign-off.

COMPENSATION

For conceptual design architectural services #1, 2, and 3 above, Trivers shall be compensated for its services hereunder in the lump sum amount of INSERT TEXT NUMBER dollars (\$X) plus reimbursable costs as set forth in Appendix A, attached to and made a part of this Agreement.

CONCEPTUAL DESIGN

Existing Conditions Documentation	\$3,600
Visioning	\$22,200
Programming	\$16,500
<u>Conceptual Design</u>	<u>\$27,400</u>
<b>Total (Conceptual Design Base Services)</b>	<b>\$69,700</b>

Trivers

**SCHEMATIC DESIGN (estimated design fees)**

The following fees are provided as an **estimate** for item #5 and 6 above. Once a preferred option is selected in Conceptual Design, our team will better understand how much planning work will need to be completed and can finalize the required design fee. As an example, if it is determined that the police will still plan to move to the Annex, our Schematic Design fee would be reduced because we've already begun that planning effort. The below estimate assumes schematic design plans will need to be created for Buildings 1-8 above and a portion of building 9 (Centennial Commons).

Schematic Design	\$57,200
<u>Cost Estimate</u>	<u>\$15,000</u>
<b>Total (Schematic Design Estimated Services)</b>	<b>\$72,200</b>

**GENERAL PROVISIONS**

This Proposal and Agreement for Professional Services includes Appendix B – General Provisions, attached to and made a part of this Agreement.

If this Proposal meets with your approval, please indicate your agreement to the foregoing by signing below and returning one copy to me, which will serve as our Agreement and Authorization to Proceed. It is our intention to subsequently execute a standard form AIA agreement, which would incorporate the primary terms outlined in this Proposal.

We look forward to working with you on this project!

Submitted for:

Accepted and Agreed by Owner:

Trivers

University City

Amy Gilbertson, AIA  
Principal

By: Gregory Rose

Date: 11.06.19

Date: \_\_\_\_\_

APPENDIX A  
COMPENSATION

1. RATES OF COMPENSATION

Any services performed on a cost reimbursable basis under this Agreement shall be billed according to hourly service outlined below.

The following represents 2019 hourly service rates as follows:

- Principal ..... 200.00/hour
- Project Manager ..... 175.00/hour
- Senior Architect/Designer ..... 165.00/hour
- Project Architect ..... 145.00/hour
- Architectural Designer ..... 120.00/hour
- Professional..... 100.00/hour

2. TERMS OF PAYMENT

- A. Trivers will submit an invoice for its services on monthly intervals.
- B. Owner shall not withhold amounts from Trivers' compensation to impose a penalty or liquidated damages on Trivers, or to offset sums requested by or paid to contractors for the cost of changes in the Work unless Trivers agrees or has been found liable for the amounts in a binding dispute resolution proceeding.
- C. Payment of invoices will be due and payable upon presentation. Payments due, but unpaid, more than 30 days after presentation of the invoice will bear interest at two and a half percent (2.5%) per month (or any lesser legal limit applicable) until paid. Trivers reserves the right to withhold documentation for delivery to Owner if not paid for work completed.

3. REIMBURSABLE COSTS

- A. Trivers shall be reimbursed for the following invoiced costs approved by Owner in writing prior to such costs being incurred in the performance of its services, plus an amount equal to 10% thereof, except that in-house document reproduction will be reimbursed without markup as provided in subparagraph 10 below:
  - 1. Reasonable travel, subsistence, and incidental expenses of personnel while traveling in connection with the Project. Transportation by passenger automobile at the then current IRS allowable rate per mile or actual invoiced cost of rental vehicles plus fuel.
  - 2. Renderings, models, mock-ups, professional photography, and presentation materials requested by Owner.



# Trivers

3. Incremental expense of communication services, including teleconferences, web meetings, and project websites dedicated to this Project.
4. Fees paid for securing approval of authorities having jurisdiction over the Project.
5. Any Consultants or Consultant's additional services, as approved by Owner, required in the performance of the Project and not specifically included in the Project's base compensation and associated Scope of Work.
6. All taxes levied on professional services and on reimbursable expenses.
7. Postage, handling and delivery.
8. Reproduction and/or binding of drawings, plots, photographs, maps, charts and reports required in the course of project delivery.
9. In-house document reproduction will be reimbursed at the following rates:
  - \* Black & White Prints 8.5"x11" ..... \$0.15/page  
8.5"x14" and 11"x17" count as 2
  - \* Color Prints 8.5"x11" ..... \$1.00/page  
8.5"x14" and 11"x17" count as 2
  - \* Translucent Bond Blacklines ..... \$0.75/sf
  - \* Translucent bond Redlines ..... \$1.50/sf
  - \* Color Bond ..... \$5.00/sf
  - \* Color Matte/Satin/Glossy ..... \$9.00/sf
  - \* Foamcore mounting ..... Additional \$4.00/sf
  - \* Gatorboard mounting ..... Additional \$5.00/sf

sf = square foot

## 4. ADDITIONAL SERVICES

- A. Trivers' Scope of Services does not include the following within the proposal. If Owner desires these services, Trivers shall prepare an Additional Services scope and establish a mutually agreeable fee based thereon.
  - Green roof or other potential alternate use of garage top level
  - Renderings other than those outlined in proposal
  - Irrigation Design
  - Phone/Data/Technology Design
  - MSD BMP Calculations
  - Roof Consultant
  - Energy Modeling
  - Code Consultant
  - Elevator Consultant
  - Special inspections
  - Signage Design
  - Third Party Sustainability (LEED) or WELL certification.
  - Fitwel Certification
  - Structural design to replace existing substandard structure

## Trivers

- Invasive structural analysis of existing structure or façade and details for remedy
- Rezoning, variance or similar hearings – production of additional materials only, time spent at meetings is included in base services.
- Traffic, noise, or light studies
- Public utility extensions
- Easement legal descriptions and exhibits
- Changing or editing previously prepared documents necessitated by the discovery of previously unforeseen conditions
- Services necessitated by decisions of the Owner not rendered in a timely manner.
- Preparing for and attending a dispute resolution proceeding or legal proceeding, except where Trivers is a party thereto
- Post-Occupancy services requested by Owner

B. Trivers' Scope of Services does not include the following within the proposed fee, but will assist the Owner with identifying potential providers.

- Geotechnical engineering
- Environmental engineering or abatement documents

APPENDIX B  
GENERAL PROVISIONS

Trivers

1. TRIVERS' RESPONSIBILITIES

- A. Trivers shall perform its services consistent with the professional skill and care ordinarily provided by architects practicing in the same or similar locality under the same or similar circumstances.
- B. Trivers shall identify a representative authorized to act on its behalf with respect to the Project.
- C. Trivers shall coordinate its services with those services provided by Owner and Owner's consultants. Trivers shall be entitled to rely on the accuracy and completeness of services and information provided by Owner and Owner's consultants, and will provide prompt written notice to Owner if Trivers becomes aware of any error or omission in such services or information.

2. OWNER'S RESPONSIBILITIES

- A. Owner shall use its best efforts to provide in a timely manner all criteria and information as to Owner's requirements for the Project, and any information reasonably required by Trivers for the services to be performed, all of which Trivers may use and rely upon in performing its services. Failure of Owner to do such may result in an adjustment in Trivers' fees or schedule, or both.
- B. Owner shall establish and periodically update Owner's budget for the Project. If the Owner significantly increases or decreases the budget for the Project, Owner shall notify Trivers, at which time Owner and Trivers will determine a corresponding change in the Project's scope or quality.
- C. Owner shall give Trivers prompt written notice if Owner becomes aware of any fault or defect in the project, including errors, omissions or inconsistencies in Trivers' documents.
- D. Owner shall furnish all legal, insurance and accounting services that may be reasonably necessary at any time for the Project to meet the Owner's needs and interests.
- F. Owner shall provide Trivers access to the Project site prior to the commencement of construction, and shall obligate the Contractor to provide access to the Work wherever it is in preparation or progress.

3. COPYRIGHTS AND LICENSES

- A. Trivers and its consultants shall be deemed the authors and owners of their respective Instruments of Service, including Drawings and Specifications, and shall retain all common law, statutory and other reserved rights, including copyrights.
- B. Trivers grants to Owner a nonexclusive license to use Trivers' instruments (includes all documents or written materials, whether paper or electronic format) of Service solely and exclusively for the Project, provided that the Owner substantially performs its obligations, including prompt payment of all sums when due.
- C. In the event Owner uses the Instruments of Service without retaining the author of the Instruments of Service, Owner releases Trivers and its consultants from all claims and causes of action arising from such uses.

4. CLAIMS AND DISPUTES

- A. Owner and Trivers shall commence all claims against the other arising out of or related to this Agreement, in accordance with the requirements of this Agreement, within a period specified by applicable law, but in any case not more than 10 years after the date of Substantial Completion of the Work.
- B. To the extent that the entire cost of damages are covered by property and/or other insurance, Owner and Trivers waive all rights against each other and against contractors and consultants of the other, except such rights as they may have to the proceeds of such insurance.
- C. Trivers and Owner agree to waive consequential damages for claims, disputes or other matters in question arising out of or relating to this Agreement. This mutual waiver is applicable, without limitation, to all consequential damages due to either party's termination of this Agreement. Parties agree that to the fullest extent permitted by law, either party's total liability to the other for any and all damages shall not exceed the amount of insurance coverage paid.
- D. Any claim dispute or other matter in question arising out of or related to this Agreement shall be subject to mediation as a precedent to binding dispute resolution.

5. SUSPENSION OR TERMINATION

- A. In the event Owner fails make payments to Trivers in accordance with this Agreement, Trivers may, at its option, suspend or terminate its services upon seven (7) days written notice. In the event of a suspension of services, Trivers

## Trivers

shall have no liability to the Owner for delay or damage caused by such suspension. Prior to resuming services, Trivers shall be paid all sums due prior to suspension, and Trivers fees and schedule for its remaining services shall be equitably adjusted.

- B. If Owner suspends the Project, Trivers shall be compensated for services performed prior to notice of such suspension. When the Project is resumed, Trivers fees and schedule for its remaining services shall be equitably adjusted. If Owner suspends the Project for more than 90 days for reasons other than the fault of Trivers, Trivers may terminate this Agreement upon seven (7) days written notice and waive all claims for damages resulting from the termination.
- C. Either party may terminate this Agreement upon seven (7) days written notice should the other party fail to substantially perform in accordance with the terms of this Agreement through no fault of the initiating party. Owner may terminate this Agreement upon seven (7) days written notice for Owner's convenience and without cause.

### 6. GENERAL PROVISIONS

- A. If Trivers or Owner receives information specifically designated by the other party as "confidential" or "proprietary", the receiving party shall keep such information strictly confidential and shall only disclose it to persons who need to know in order to perform services or construction solely and exclusively for the Project.
- B. Notwithstanding the foregoing, the project and all information provided to Trivers shall be deemed "confidential" and shall not be disclosed to any person other than Trivers personnel involved in the performance of the scope of work, until Owner authorizes or discloses in writing.





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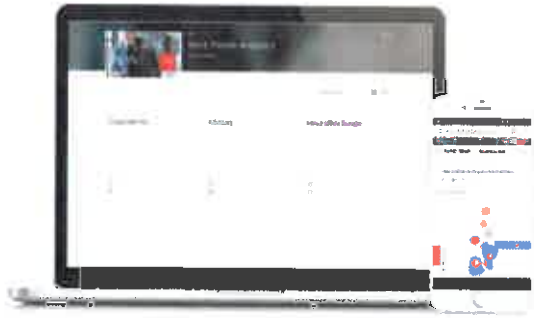
**CONTACT:**

Kevin Schlueter | [kevin@wpa.works](mailto:kevin@wpa.works) | +1.515.864.8132

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### **WPA CLIENT REPORT:**

WPA's analytics revealed 26,000 hours each year of "Administrative" work activities that had little or no value to creating revenue.

WPA proved how mobile we were becoming, so we needed training on mobility, communications and how to support and lead distributed workers.

WPA's Culture Scan showed us that everyone was excited for change, except for 2 departments. We were able to work with them to understand why and bring them forward with us.

When I saw how our work plotted out in terms of collaboration and complexity, we instantly knew why we had to evolve workplace, training and technologies. It is pretty easy to see the ROI.

We are able to bring our employees along with WPA. The information is perfect to see how we work, so we can change it. It makes us more nimble in becoming more digital



"WPA quickly *bridged the gap* between personalities and points of view,

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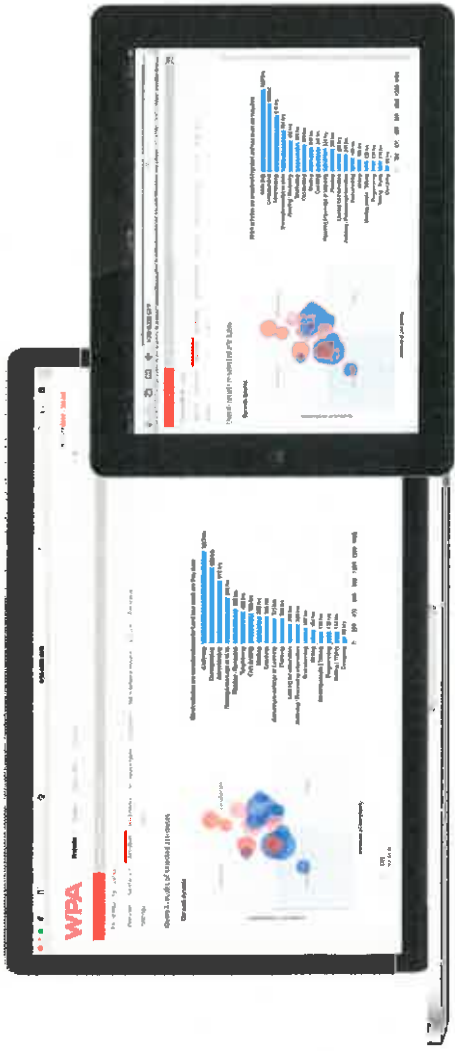
***People & work  
Organizational development  
Business performance***

***and want to evolve their value.***

COIT/5-T/15

Kevin Schlueter | kevin@wpa.works | +1.515.864.8132





**WPA**

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# *Digital Interview Questions*

# Introduction Page

## Work Environment Interview

Dear,

Thank you for responding to this brief interview. It should take 15-20 minutes to complete and it consists of four parts:

- 1) The first part asks about who you work with.
- 2) The second asks about where you spend your time, and how you get your work done.
- 3) The third asks about what matters most to you in the work environment.
- 4) The last section asks you about the current and desired culture of the Brockville Office.

If you get interrupted part way through your interview, no problem. You can return right where you left off by clicking on the original link in your email invitation.

Your time is greatly appreciated, thank you for helping to create an understanding about a better working environment!

W/PA

If you have any questions about this interview you can contact WPA support: [support@brockville.ca](mailto:support@brockville.ca)

Your information helps!



# Value Networks

## Section 1: Who do you work with?

Which teams do you frequently work with?

Feel free to choose more than one.

- Administration: Other
- Commercial: Beef
- Commercial: Dairy
- Commercial: Formulation
- Commercial: Internal Formulation
- Commercial: Micro Nutrition
- Commercial: Other
- None of the above
- Commercial: Poultry
- Commercial: SMT
- Commercial: Swine
- Finance: Finance/BI/Credit
- Operations: Customer Service
- Operations: Ingredient Sales
- Operations: IT
- Operations: Other
- Operations: Pricing
- Operations: RMS
- Operations: Supply Chain
- Operations: Transportation & Logistics
- CAN
- Remote

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# Network Prioritization & Interaction

\* Rank how valuable these connections are to you meeting your individual goals by clicking on the most valuable team first.

- Commercial: Internal Formulation
- Finance: Finance/Credit
- Operations: RMS

- CAN
- Remote

\* Now, please rate how you share information with each of these teams.

Choose mainly physical interaction. If you share information primarily face-to-face (meetings, in-person conversations).

Choose mainly virtual interaction if you share information primarily through technology (telephone, e-mail, video, internet or other systems).

	1	2	3	4	5
Mainly physical interaction					
Commercial: Internal Formulation	1	2	3	4	5
Finance: Finance/Credit	1	2	3	4	5
Operations: RMS	1	2	3	4	5
CAN	1	2	3	4	5
Remote	1	2	3	4	5

# Work Week Questions

## Section 2: About your work week

This section is about where you work, what activities you perform and how valuable those activities are.

It may help to take a moment to think about your function or role to answer these questions easily. What are your responsibilities? It may help to visualize your work week or to take a look at your calendar and time-sheet while answering the following questions.

### Where do you work from?

Please assign a percentage to the estimated time you work at various locations during a typical week. Make sure your answers total "100" so the remaining value is zero.

The office at my desk

Somewhere else in the office

Plant or other Cargill location

At a client's office

At a supplier / partner's office

Home or elsewhere

100 Remaining value

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# Core Activities Selection

## Your core activities

**Please select the top five (5) main activities you perform during a typical week.**

The chosen activities form the 'core' of your work.

Each activity has a small explanation. Hover over an information icon ⓘ to read it.

- Administering ⓘ
- Analyzing ⓘ
- Archiving ⓘ
- Brainstorming ⓘ
- Coaching ⓘ
- Coordinating ⓘ
- Corresponding ⓘ
- Designing ⓘ
- Formal meeting ⓘ
- Informal meetings ⓘ
- Learning ⓘ
- Making phone calls ⓘ
- Planning ⓘ
- Programming ⓘ
- Reviewing ⓘ
- Searching for information ⓘ
- Sharing knowledge ⓘ
- Testing ⓘ
- Writing ⓘ

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# Core Activities Prioritization

## Details about your core activities

Thanks. Now, we will ask you some questions about the activities you have chosen. If you have trouble making estimates about these activities, perhaps looking at your calendar might help.

### How would you rank your core activities in order of the value they provide to your work?

Click on the most important activity first and the least important one last.

Each time you click on an activity, you assign a number to it. 1 is most important. 5 is least important.

Planning ⓘ

Testing ⓘ

Formal meeting ⓘ

Coordinating ⓘ

Sharing knowledge ⓘ

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# Core Activities Hours Per Week

Although these core activities might not fill your entire week, about how many hours do you spend on each of these activities during a typical work week?

Coordinating ⓘ

---

Sharing knowledge ⓘ

---

Planning ⓘ

---

Testing ⓘ

---

Formal meeting ⓘ

---

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# Core Activities Complexity & Collaboration

## "How complex would you rate these activities?"

- An activity that is repetitive or easy to do is considered not complex.
- An activity that requires a large amount of judgment and interpretation is considered complex.



## "How much collaboration do you typically have for these activities?"

The level of collaboration needed for performing an activity ranges from:

- No collaboration needed, I do it alone
- A lot of collaboration, multiple people are often involved in the activity



# Tools & Technologies

Choose the tools and resources that you frequently use with your core activities.

It is possible you don't use any of these things for a core activity. In which case there is no need to check a box.

	Desktop Monitor	Laptop / Tablet	Desk phone / Soft phone	Mobile / Smartphone	(Video) Conferencing system	Printer / Scanner	Whiteboard / Flip chart
Designing 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Planning 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Programming 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Writing 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Making phone calls 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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# Workforce Characteristics

## Section 3: About your work environment

This is the section about your current work environment. It consists of two parts. One is about the Enbridge office's values, policies and procedures. The second part is about the characteristics of the workplace.

Overall, how satisfied are you with your current work environment?

Not satisfied at all

Very

It is important that my organization:

Select to see characteristics

- demonstrates an appreciation for my time and effort
- provides me the resources that enable me to do my job effectively
- provides me with the opportunities to attend social activities
- provides me with a sense of purpose
- provides me company benefits I value
- provides a safety that equals my performance
- provides me the opportunity for learning and development
- provides me the autonomy to make the decisions necessary to do my job
- provides me with great leadership
- holds appropriate accountability on employee performance
- supports my efforts to balance work and personal responsibilities
- includes me in decisions that affect my work
- makes me proud to work here
- reflects positive teamwork and collaboration

If chosen, these questions branch to follow-up, context questions (on the next page)

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# Workforce Characteristics Feedback

\*Please indicate how satisfied you are with the items you chose.

	-2	-1	0	+1	+2
	Not satisfied at all		Neutral		
Social activities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reflects collaborative team work	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Allows personal development	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Provides great leadership	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Balance work and personal	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Provides benefits	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

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# Workforce Branches (if selected)

**What type of company benefits matters most to you?**  
Feel free to choose more than one.

- Childcare
- Health/wellness
- Retirement benefits
- Disability
- Health insurance
- Sick leave
- Vacation policy
- Other, please specify

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**What kind of social activities does your satisfaction level refer to?**

- Informal (ex. after work social activities with colleagues)
- Formal (ex. Cargill sponsored social events and activities)
- Other, please specify

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**What level of leadership does your satisfaction level refer to?**  
Feel free to choose more than one.

- Executive leader(s) - e.g. Chairman, CEO, CFO
- Senior leader(s) - e.g. department/division leader
- Direct leader(s) - e.g. supervisor
- Project leader(s) - e.g. project manager
- Other, please specify

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**Which methods of learning are most effective for you?**

- Process learning (challenging tasks, stretch assignments, problem-solving)
- Informal learning (peer coaching, mentoring, communities of practice)
- Formal learning (courses and workshops, seminars, E-learning modules)
- Other, please specify

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# Workplace Characteristics

## It is important that my workplace:

Select up to six characteristics

- has enough light (natural or artificial)
- provides me with the tools and technology to do my work effectively **→**
- is in a good location **→**
- supports a healthy lifestyle **→**
- makes it easy to have spontaneous collaboration
- allows me to focus on my work with minimal distractions **→**
- has a variety of spaces that support my work
- provides appropriate meeting space for scheduled meetings
- aesthetics provide me with a positive experience **→**
- has a comfortable temperature for me to work
- provides sufficient storage
- allows me to be mobile so that I can do my work effectively **→**
- reflects our company's brand identity and values
- supports sustainable habits

If chosen, these questions branch to follow-up, context questions (on the next pages)

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# Workplace Characteristics Feedback

**\*Please indicate how satisfied you are in your current work space with the characteristics you chose.**

	Not satisfied at all		Neutral	
Mobility	<input type="radio"/>		<input type="radio"/>	<input type="radio"/>
Distractions	<input type="radio"/>		<input type="radio"/>	<input type="radio"/>
Scheduled meeting space	<input type="radio"/>		<input type="radio"/>	<input type="radio"/>
Healthy lifestyle	<input type="radio"/>		<input type="radio"/>	<input type="radio"/>
Aesthetics	<input type="radio"/>		<input type="radio"/>	<input type="radio"/>
Location	<input type="radio"/>		<input type="radio"/>	<input type="radio"/>

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# Workplace Branches (if selected)

What part of your company location matters most to you?

Feel free to choose more than one

- Parking
- Safety/security
- Proximity to restaurants
- Proximity to childcare
- Proximity to parks/natural space
- Access to public transport
- Proximity to nightlife venues
- Commute time
- Proximity to clients/partners
- Proximity to shopping/retail
- Other, please specify

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How can we best promote health in the workplace?

Feel free to choose more than one

- Furniture support (postures, sit/stand options)
- Access to clean, fresh water
- Access to on-site, healthy food choices
- Mobility/flexibility in the work space
- Clean and inviting space
- Areas to rest/rejuvenate
- Gym availability
- Other, please specify

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Where would you work most effectively in the future?

Please assign a percentage to the alternative that you would prefer to work at various times and your answer need not always summing values to 100%

- The office at my desk
- Somewhere else in the office
- Plant or other Carroll location
- At a client's office
- At a supplier / partner's office
- Home or elsewhere
- 100% Remaining value

What is currently preventing you from working this way?

Feel free to choose more than one

- Management/inability
- Technology/tech
- Culture/signals
- Work space variety/options
- Other, please specify

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# Workplace Branches (if selected)

What primarily distracts you from completing your work?

- Acoustics (loud environment)
- Music
- Messaging (email, phone call, IM)
- Coworker (conversations)
- Other, please specify

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What part of the workplace aesthetics matter most to you?  
Feel free to choose more than one

- Layout/design of the work space
- Look/feel of fixtures and furniture
- Look/design of the external building
- Other, please specify

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What type of tool or technology do you use?

- Hardware (computers or devices)
- Software (programs)
- Resources
- Other, please specify

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# Workplace Branches (goes to all respondents)

\*What size meetings are you having?

Please indicate what percentage of meeting time is spent in the following group sizes:

Small (2 to 4 people)

Medium (5 to 10 people)

Large (11+ people)

100 Remaining value

\*What percentage of time do you meet with these groups?

Make sure your answers total 100 so the remaining value is zero.

Colleagues

Clients

Parents/Suppliers

Other

100 Remaining value

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# Culture – Dominant Characteristics

## Section 4: Company Culture

The following questions are about the culture within the Brookville office. For every question you may divide 100 points over four options.

Answer every question twice—first based on its **current state**, and then as you **would prefer your office to be in five years**. In other words, if your office is to achieve its highest aspirations, what should the culture be like?

### Dominant Characteristics

**\* At this moment the Brookville office is:**

a very personal place. It is like an extended family. People seem to share a lot of themselves.

a very dynamic and entrepreneurial place. People are willing to stick their necks out and take risks.

very results-oriented. A major concern is with getting the job done. People are very competitive and achievement-oriented.

a very controlled and structured place. Formal procedures generally govern what people do.

100 Remaining value

**\* In five years the Brookville office should be:**

a very personal place. It is like an extended family. People seem to share a lot of themselves.

a very dynamic and entrepreneurial place. People are willing to stick their necks out and take risks.

very results-oriented. A major concern is with getting the job done. People are very competitive and achievement-oriented.

a very controlled and structured place. Formal procedures generally govern what people do.

100 Remaining value

What the overall organization is like.

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# Culture – Leadership

## Leadership

At this moment the leadership in the Brookville office is generally:

mentoring, facilitating, or nurturing.

entrepreneurship, innovation, or risk taking.

a no-nonsense, aggressive, results-oriented focus.

coordinating, organizing, or smooth-running efficiency.

100 Remaining value

In five years the leadership in the Brookville office should generally be:

mentoring, facilitating, or nurturing.

entrepreneurship, innovation, or risk taking.

no-nonsense, aggressive, results-oriented focus.

coordinating, organizing, or smooth-running efficiency.

100 Remaining value



The leadership style and approach that permeates the organization.

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# Culture – Management

## Management of Employees

At this moment the management style in the Brookville office values:

teamwork, consensus, participation.

individual risk taking, innovation, freedom, uniqueness.

hard-driving competitiveness, high demands, achievement.

security of employment, conformity, predictability, stability in relationships.

100 Remaining value

In five years the management style in the Brookville office should value:

teamwork, consensus, participation.

individual risk taking, innovation, freedom, uniqueness.

hard-driving competitiveness, high demands, achievement.

security of employment, conformity, predictability, stability in relationships.

100 Remaining value

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The style that characterizes how employees are treated and what the working environment is like.

# Culture – Organizational Glue

## The Binding Element

At this moment the glue that holds the Brookville office together is:

loyalty and mutual trust. Commitment to this organization runs high.

commitment to innovation and development. There is an emphasis on being on the cutting edge.

the emphasis on achievement and goal accomplishment.

formal rules and policies. Maintaining a smooth-running organization is important.

100 Remaining value

In five years the glue that holds the Brookville office together should be:

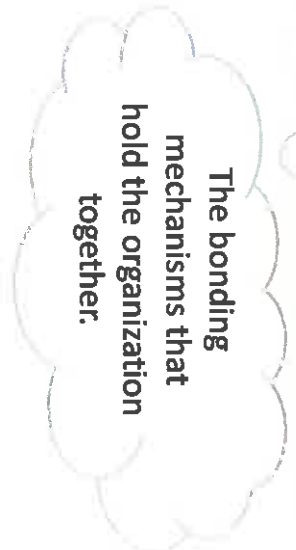
loyalty and mutual trust. Commitment to this organization runs high.

commitment to innovation and development. There is an emphasis on being on the cutting edge.

the emphasis on achievement and goal accomplishment.

formal rules and policies. Maintaining a smooth-running organization is important.

100 Remaining value



The bonding mechanisms that hold the organization together.

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# Culture – Strategic Emphasis

## Strategic Emphasis

What areas of emphasis drive strategies.

### “At this moment the Brookville office emphasizes:

human development. High trust, openness, and participation persist.

acquiring new resources and creating new challenges. Trying new things and prospecting for opportunities are valued.

competitive actions and achievement. Hitting stretch targets and winning in the marketplace are dominant.

permanence and stability. Efficiency, control, and smooth operations are important.

100 Remaining value

### “In five years the Brookville office should emphasize:

human development. High trust, openness, and participation persist.

acquiring new resources and creating new challenges. Trying new things and prospecting for opportunities are valued.

competitive actions and achievement. Hitting stretch targets and winning in the marketplace are dominant.

permanence and stability. Efficiency, control, and smooth operations are important.

100 Remaining value

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# Culture – Performance Criteria

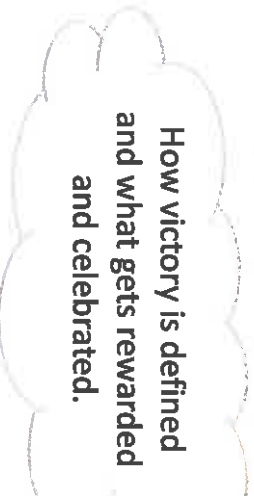
## Criteria of Success

“At this moment the Brookville office defines success on the basis of:

- the development of human resources, teamwork, employee commitment, and concern for people.
  - having the most unique or newest products. It is a product leader and innovator.
  - winning in the marketplace and outpacing the competition. Competitive market leadership is key.
  - efficiency. Dependable delivery, smooth scheduling, and low-cost production are critical.
- 100 Remaining value

“In five years the Brookville office should define success on the basis of:

- the development of human resources, teamwork, employee commitment, and concern for people.
  - having the most unique or newest products. It is a product leader and innovator.
  - winning in the marketplace and outpacing the competition. Competitive market leadership is key.
  - efficiency. Dependable delivery, smooth scheduling, and low-cost production are critical.
- 100 Remaining value





# Closing Page

If you have any ideas, tips or recommendations concerning a better work environment, please indicate here:  
Max. 500 characters.

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Finish

**Your responses have been registered!**

Thank you for taking the time to complete the interview, your input is valuable to us.





## **Council Agenda Item Cover**

**MEETING DATE:** November 25, 2019

**AGENDA ITEM TITLE:** Liquor License for Original J's Tex-Mex Barbecue, 7359 Forsyth Ave.

**AGENDA SECTION:** Consent

**CAN THIS ITEM BE RESCHEDULED?** No

---

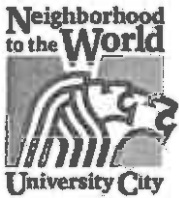
**BACKGROUND REVIEW:** Original J's Tex-Mex Barbecue has applied for All Kinds of Intoxicating Liquor, by the Drink, Retail liquor license including Sunday Liquor License.

The Applicant / Managing Officer is Elizabeth Randolph.

- A background check / investigation by the Police Department revealed no disqualifying information.
- Department Approval was granted from all necessary departments.
- Recommendations from University City citizens are included.
- Petition from business owners within a radius of 200 feet are included.
- A current Certificate of No Sales Tax Due issued by the Missouri Department of Revenue was received relative to the business.
- 2018 personal property tax record for the applicant indicates payment of taxes.
- Current voter registration documentation for the applicant was provided.

**RECOMMENDATION:** City Manager recommends the approval of the Liquor License.

**ATTACHMENT:** Inter-Office Memo Report from Police Department.



**CITY OF UNIVERSITY CITY  
APPLICATION FOR LIQUOR LICENSE**  
University City Municipal Code, Chapter 600 Section 600.060

**INSTRUCTIONS:** Read each question carefully. Make certain that each question is answered completely and correctly before you submit this application. If you need additional space, use the additional sheet provided at the end of this application. If a question does not apply to you, write N/A in the space, do not leave any blank fields. Submit all documents as requested. **PLEASE PRINT CLEARLY.**

**Please note that this application may only be completed and filed by a sole proprietor, corporate officer, managing partner, or managing officer of the business applying for this license.**

◇ AN APPLICANT IS NOT PERMITTED TO OPERATE UNTIL LICENSE IS ISSUED ◇

Applications must be accompanied by a non-refundable application filing fee of \$25.00

Type of license requested- separate license shall be obtained for each of the following classes of sales:  
(Please check each classification that applies)

<input checked="" type="checkbox"/>	2-	All kinds of intoxicating liquor, by the drink, retail . . . . .	\$450.00
<input type="checkbox"/>	4-	CLUB: All kinds of intoxicating liquor, by the drink, retail . . . . .	200.00
<input type="checkbox"/>	5-	Malt liquor not in excess of 5% alcohol wholesaler to wholesaler . . . . .	75.00
<input type="checkbox"/>	6-	Intoxicating liquor not in excess of 22% alcohol wholesaler to wholesaler . . . . .	150.00
<input type="checkbox"/>	7-	Malt liquor not in excess of 5% alcohol wholesaler to retailer . . . . .	150.00
<input type="checkbox"/>	8-	Intoxicating liquor not in excess of 22% alcohol wholesaler to retailer . . . . .	300.00
<input type="checkbox"/>	9-	Malt liquor in excess of 3.2% and not in excess of 5% alcohol, by the package, retail . . . . .	75.00
<input type="checkbox"/>	10-	Malt liquor in excess of 3.2% and not in excess of 5% alcohol, by the drink, retail . . . . .	75.00
<input type="checkbox"/>	11-	Malt liquor not in excess of 5% beer and 14% wine, by the drink, retail . . . . .	75.00
<input type="checkbox"/>	12-	Intoxicating liquor not more than 22%, by the package, retail . . . . .	75.00
<input type="checkbox"/>	13-	Intoxicating liquor of all kinds, wholesaler to wholesaler . . . . .	375.00
<input type="checkbox"/>	14-	Intoxicating liquor of all kinds, wholesaler to retailer . . . . .	750.00
<input type="checkbox"/>	15-	Intoxicating liquor of all kinds, by the package, retail . . . . .	150.00
<input checked="" type="checkbox"/>		Sunday Liquor License . . . . .	300.00

<b>I. BUSINESS APPLYING FOR LICENSE:</b>		
<b>A. BUSINESS NAME AND TYPE</b> Original J's Tex-Mex Barbecue Restaurant w/bar		<input type="checkbox"/> Sole Owner <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input checked="" type="checkbox"/> Limited Liability Company
<b>B. DESCRIPTION OF PREMISES AND ADDRESS:</b> DESCRIPTION: <u>1st floor of a one story building in commercial strip mall</u> ADDRESS: <u>7359 Forsyth Ave, 63130</u> HOURS OF OPERATION: <u>Mon-Sun, 10am-10pm</u>		<b>C. PHONE:</b> 314-378-9376 (cell)
<b>II. MANAGING OFFICER:</b>		
<b>A. NAME: (LAST)</b> Randolph	<b>(FIRST)</b> Elizabeth	<b>(MIDDLE INITIAL)</b> D
<b>B. ADDRESS, CITY &amp; ZIP CODE:</b> 31 Arundel Pl, St. Louis, MO 63105		<b>C. PHONE:</b> 314-378-9376
<b>D. DATE OF BIRTH:</b>	<b>F. BUSINESS PHONE: (IF DIFFERENT FROM ABOVE)</b>	
<b>G. PREVIOUS ADDRESS: (IF NOT AT PRESENT ADDRESS FOR 5 YEARS OR MORE)</b> N/A		
<b>H. IF FOREIGN BORN, PLEASE STATE COUNTRY, PLACE AND STATE OF NATURALIZATION:</b> N/A		
<b>I. MISSOURI RESIDENT SINCE: (MONTH &amp; YR)</b> 05/1980	<b>K. TOWNSHIP:</b> Clayton, MO	<b>L. COUNTY:</b> St. Louis County
<b>M. CURRENT BUSINESS OR OCCUPATION OF APPLICANT:</b> Co-owner of Half & Half in Clayton; former owner of Privado, Randolph's and Publico		
<b>N. NAME OF CORPORATION, PARTNERSHIP OR CLUB: (IF APPLICABLE)</b> Patricia LLC		
<b>FOR PARTNERSHIP OR LIMITED PARTNERSHIP</b>		<b>NUMBER OF MEMBERS:</b>
<b>A2. STATE NAMES, ADDRESSES, PHONE NUMBERS AND DATES OF BIRTH OF ALL PARTNERS: (USE PAGE 7 IF NECESSARY)</b>		
<b>FOR CORPORATION OR LIMITED LIABILITY COMPANY</b>		<b>NUMBER OF MEMBERS: 2</b>
<b>A3. STATE NAMES, ADDRESSES, PHONE NUMBERS AND DATES OF BIRTH OF ALL OFFICERS, DIRECTORS AND STOCKHOLDERS OWNING 1% OR MORE INTEREST IN THE CORPORATION OR MEMBERS OF A LIMITED LIABILITY COMPANY. (USE PAGE 7 IF NECESSARY)</b>		
Michael Randolph, 31 Arundel Pl, St. Louis, MO 63105, (314-973-0446) dob: 07/30/1980		
Elizabeth Randolph, 31 Arundel Pl, St. Louis, MO 63105, (314-378-9376) dob: 5/10/1980		
<b>OTHER PERSONS</b>		<b>NUMBER OF MEMBERS:</b>
<b>A4. LIST NAMES, ADDRESSES, PHONE NUMBERS AND DATES OF BIRTH FOR ALL OTHER PERSONS WHO HAVE AN INTEREST IN THE BUSINESS FOR WHICH LICENSE IS REQUESTED. (USE PAGE 7 IF NECESSARY)</b>		
<b>B4. IN WHAT TYPE OF BUSINESS IS EACH OF THE ABOVE PERSONS ENGAGED: (USE PAGE 7 IF NECESSARY)</b>		

**III. OTHER INFORMATION**

A. IS APPLICANT A QUALIFIED VOTER IN THE STATE OF MISSOURI? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	B. IS APPLICANT AN ASSESSED, TAX PAYING CITIZEN IN THE STATE OF MISSOURI? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
--	---

C. HAS APPLICANT PREVIOUSLY HELD A LIQUOR LICENSE OF ANY TYPE?  <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO (IF YES, EXPLAIN, SEE ITEM D)	D. EXPLAIN (WHEN, WHERE?) see section II, M
---	--

E. HAS APPLICANT, OR ANY EMPLOYEE, OR PROPOSED EMPLOYEES, EVER BEEN DENIED A LIQUOR LICENSE, OR HAD A LICENSE TO SELL LIQUOR REVOKED?  <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO (IF YES, EXPLAIN, SEE ITEM F)	F. EXPLAIN (WHEN, WHERE?)
--	---------------------------

G. HAS APPLICANT EVER BEEN EMPLOYED IN ANY CAPACITY BY A BUSINESS WITH A BEER, WINE OR LIQUOR LICENSE?  <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO (IF YES, EXPLAIN, SEE ITEM H)	H. EXPLAIN (WHEN, WHERE?) see section II, M
---	--

I. HAS THE APPLICANT, EMPLOYEE, OR PROPOSED EMPLOYEE EVER BEEN CONVICTED OF A VIOLATION OF ANY LAW REGULATING, CONTROLLING, OR PROHIBITING THE SALES OR MANUFACTURING OF INTOXICATING LIQUOR?  
 YES    NO (IF YES, EXPLAIN. USE PAGE 7 IF NECESSARY)

J. HAS ANY DISTILLER, WHOLESALER, WINE MAKER, BREWER OR ANY EMPLOYEE, OR AGENT THEREOF, HAVE OR PROPOSE TO HAVE, ANY FINANCIAL INTEREST IN THE BUSINESS TO WHICH THIS APPLICATION APPLIES?  
 YES    NO (IF YES, EXPLAIN. USE PAGE 7 IF NECESSARY)

K. INDICATE THE TYPE OF BUSINESS, IF ANY, APPLICANT PROPOSES TO CONDUCT ON PREMISES IN ADDITION TO SALE OF INTOXICATING LIQUOR:

RESTAURANT   \_\_\_\_\_  
 HOTEL DINING ROOM   \_\_\_\_\_  
 OTHER (PLEASE EXPLAIN)   \_\_\_\_\_

L. STATE ESTIMATE OF ANNUAL SALES VALUE:    FOOD \$ \_\_\_\_\_    OTHER (INCLUDING LIQUOR) \$ \_\_\_\_\_

M. IS THERE A SCHOOL, CHURCH, SYNAGOGUE, PUBLIC PARK OR PLAYGROUND WITHIN ONE HUNDRED FIFTY (150) FEET OF THE PROPOSED BUSINESS?    YES    NO (IF YES, STATE THE NAME AND APPROXIMATE DISTANCES):

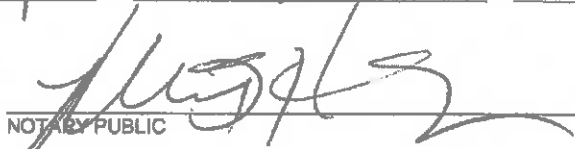
N. IS THE APPLICANT INDEBTED TO ANY PERSON FOR MONEY OR PROPERTY, TO BE USED IN THE LICENSED BUSINESS? (IF YES, STATE AMOUNT OF INDEBTEDNESS AND TO WHOM IT IS OWED.)  <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	AMOUNT OWED: \$ _____	NAME: _____	ADDRESS, CITY, STATE, & ZIP: _____
	PHONE: _____	OCCUPATION: _____	

STATE OF MISSOURI )  
 ) SS.  
COUNTY OF ST. LOUIS )

Comes now Elizabeth Randolph of lawful age, being first duly sworn upon oath, deposes and says that he or she: (1) is the sole proprietor, corporate officer, managing partner, or managing officer of the business applying for this license, (2) is authorized to make this application, (3) has read this application and understands same, (4) knows the contents of this application, (5) swears that the answers and statements contained in this application are true and correct, and (6) on behalf of the applicant, agrees to comply with all laws of the City of University City and the State of Missouri relevant to the applicant's business.

  
SIGNATURE OF APPLICANT/MANAGING OFFICER

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS DAY 4 OF NOVEMBER, 20 19.

  
NOTARY PUBLIC

MY COMMISSION EXPIRES: 8/20/2021



THIS SECTION FOR CITY USE ONLY

APPROVALS:

<b>Police Chief</b> _____	<b>Date:</b> _____
<b>Comments:</b>	
<b>Community Development</b> _____	<b>Date:</b> _____
<b>Comments:</b>	
<b>City Manager</b> _____	<b>Date:</b> _____
<b>Comments:</b>	

**IV. SUNDAY LIQUOR LICENSE**

If application is for Sunday liquor license, complete the following section:

Under the provisions of Chapter 600, Section 600.260 of the Municipal code of the City of University City, application is hereby made for a license to sell intoxicating liquor between the hours of 9:00 A.M. and midnight on Sundays.

A. APPLICANT NAME: (LAST) (FIRST) (MIDDLE INITIAL)  
Randolph Elizabeth D

B. BUSINESS NAME: PHONE NUMBER:  
Original J's Tex-Mex Barbecue 314-378-9376

Type of Liquor License held or applied for:

- 1-2 All kinds of intoxicating liquor, by the drink, retail
- 9 Malt liquor in excess of 3.2% not in excess 5% alcohol, by the package, retail
- 10 Malt liquor in excess of 3.2% not in excess 5% alcohol, by the drink, retail
- 11 Malt liquor not in excess of 5% beer and 14% wine, by the drink, retail
- 12 Intoxicating liquor not more than 22%, by the package, retail
- 15 Intoxicating liquor of all kinds, by the package, retail

For the purpose of obtaining said Sunday Liquor license: applicant states that at least fifty percent (50%) of the gross income of the restaurant bar at the above location is derived from the sale of prepared meals or food consumed on the premises, or which has an annual gross income of at least two hundred seventy-five thousand dollars (\$275,000.00) from the sale of prepared meals or food.

  
Signature of Applicant

member  
Title of Applicant

11/4/19  
Date



V. RECOMMENDATIONS- COMPLETE IF APPLYING FOR LICENSE TYPE 2, 10, OR 11

Five recommendations are required for Applicants petitioning for a license to sell intoxicating liquor by the drink at retail under section 600.060 of University City Municipal Code.

Each of the following recommendations is to be filled in and signed by a credible resident citizen of University City, vouching for the character of the applicant.

- 1) Date: 7/23/19 Name: Joe Goldberg  
Location of University City real property taxed in your name: 7431 Washington Ave  
How long have you known applicant? 30 Are you related? NO  
Are you aware of any reason to refuse applicant a license to sell intoxicating liquor? NO  
Do you vouch for applicant's moral character and reputation? YES  
Phone Number: 314-440-9772 Signature: [Signature]
- 2) Date: 7/31/19 Name: Abigail Sharp  
Location of University City real property taxed in your name: 7335 Kingsbury, 63130  
How long have you known applicant? 10 Are you related? NO  
Are you aware of any reason to refuse applicant a license to sell intoxicating liquor? NO  
Do you vouch for applicant's moral character and reputation? YES  
Phone Number: 314-974-4123 Signature: [Signature]
- 3) Date: 6/10/10 Name: Luka Colusa  
Location of University City real property taxed in your name: 7305 DARTmouth  
How long have you known applicant? 5 years Are you related? NO  
Are you aware of any reason to refuse applicant a license to sell intoxicating liquor? NO  
Do you vouch for applicant's moral character and reputation? YES  
Phone Number: 314-369-2440 Signature: [Signature]
- 4) Date: 9/10/19 Name: Brian Levine  
Location of University City real property taxed in your name: 6645 Winterman Ave  
How long have you known applicant? 30 years Are you related? NO  
Are you aware of any reason to refuse applicant a license to sell intoxicating liquor? NO  
Do you vouch for applicant's moral character and reputation? YES  
Phone Number: 801-598-4789 Signature: [Signature]
- 5) Date: 9/10/19 Name: Kristina Richards  
Location of University City real property taxed in your name: 7398 STRATFORD AVE  
How long have you known applicant? 64 Are you related? NO  
Are you aware of any reason to refuse applicant a license to sell intoxicating liquor? NO  
Do you vouch for applicant's moral character and reputation? YES  
Phone Number: 314-489-4668 Signature: [Signature]



6801 Delmar Blvd  
 University City, MO 63130  
 Tel: (314) 505-8544  
 Fax: (314) 863-0921

**VI. PETITION- COMPLETE IF APPLYING FOR LICENSE TYPE 2, 10, OR 11**

Under Chapter 600, Section 600.080, a petition must be submitted in favor of the license. **Please Note:** In the absence of valid petitions, the city council must have a five-sevenths vote to approve the license.

The undersigned taxpaying citizens, record owners of property within a radius of 200 feet of the primary public entrance of the premises in which the applicant proposes to sell intoxicating liquor, and owners occupying or conducting a business on the main or surface floor of buildings within such radius, hereby approve the foregoing application, and consent to the issuance to the applicant of a license to sell intoxicating liquor by the drink, to be consumed on the premises where sold:

NAME	ADDRESS
Jim Notestine	Inverstone 7361 Forsyth
[Signature]	Colleen's 7337 Forsyth
Louis Mayrhan	Living Green 7352 Forsyth
Dennis Woodard	Woodards Bl 7360 Forsyth Blvd
Jillie Jordan	evolv.hairdsh 7355 Forsyth Blvd. St. Louis Mo 63105
Dave Rosenthal	Kneegar's Bar 7346 Forsyth 63105
Kristina Hamefrost	7338 Forsyth, 105

(Attach additional sheet if necessary)

TAXATION DIVISION  
PO BOX 3300  
JEFFERSON CITY, MO 65105-3300



Missouri  
DEPARTMENT OF REVENUE

Telephone: 573-751-5800  
Fax: 573-522-1722  
E-mail: [businesstaxregister@dor.mo.gov](mailto:businesstaxregister@dor.mo.gov)

PATRICIA LLC  
31 ARUNDEL PL  
SAINT LOUIS, MO 63105-2264

October 30, 2019

**CERTIFICATE OF NO TAX DUE**

RE: MISSOURI ID 25694251  
Notice Number 2009675658

To Supervisor of Liquor Control: The Department of Revenue, State of Missouri, certifies that the above listed taxpayer has filed all required returns and paid all SALES TAX due, including penalties and interest, or does not owe any SALES TAX, according to the records of the Missouri Department of Revenue, as of October 30, 2019, except for the period(s) that are under bankruptcy proceedings. These records do not include returns that are not required to be filed as of October 30, 2019 for taxes previously collected or that have been filed but not yet processed by the Department.

This statement only applies to SALES TAX due and is not to be construed as limiting the authority of the Director of Revenue to assess, or pursue collection of liabilities resulting from final litigation, default in payment of any installment agreement entered into with the Director of Revenue, any successor liability that may become due in the future, or audits or reviews of the taxpayer's records as provided by law.

This certificate is only for the purpose of obtaining a liquor license and is not pursuant to Section 144.150, RSMo.

**THIS CERTIFICATE REMAINS VALID FOR 90 DAYS FROM THE ISSUANCE DATE.**

TAXATION DIVISION

ST. LOUIS COUNTY, MISSOURI



Personal Property Tax Receipt

This information reflects the tax status for the account and tax year indicated.

This receipt serves as proof of paid personal property taxes and must be submitted when applying for an annual permit or license from St. Louis County.

No Taxes Are Due

Effective 7/18/2019.

**Tax Year:** 2018  
**Account Number:** I00399032  
**Account Status:** Active  
**Name:** Randolph Elizabeth M  
**Taxing Address:** 31 Arundel Pl  
 Saint Louis, MO 63105  
**School Sub Code:** 106F  
**City Code:** 014  
**Site Code:** 0362  
**Total Assessed Value:** 2,330  
**Tax Rate:** 7.5965  
**Personal Property Declaration:** 2018 declaration has been received.

Office Use: YTP0203803989P380003I8EPA 7/18/2019 8:54:28 AM



Personal Property Tax Paid: I00399032

Tax Year	Tax	Interest	Penalties	Other Charges	Total Tax	Amount Paid	Date Paid
2018	\$177.01	\$0.00	\$0.00	\$0.00	\$177.01	\$177.01	12/28/2018

Vehicles Detail: I00399032 - 2018

Line Number	Reference Number	Description	Year	Make	Model	Product Code	Total Units	Assessed Value Per Unit	Total Assessed Value
1	20	Auto	2009	Toyot	Highlander	779955	1	2,330	2,330
<b>Total &gt;&gt;</b>									<b>2,330</b>

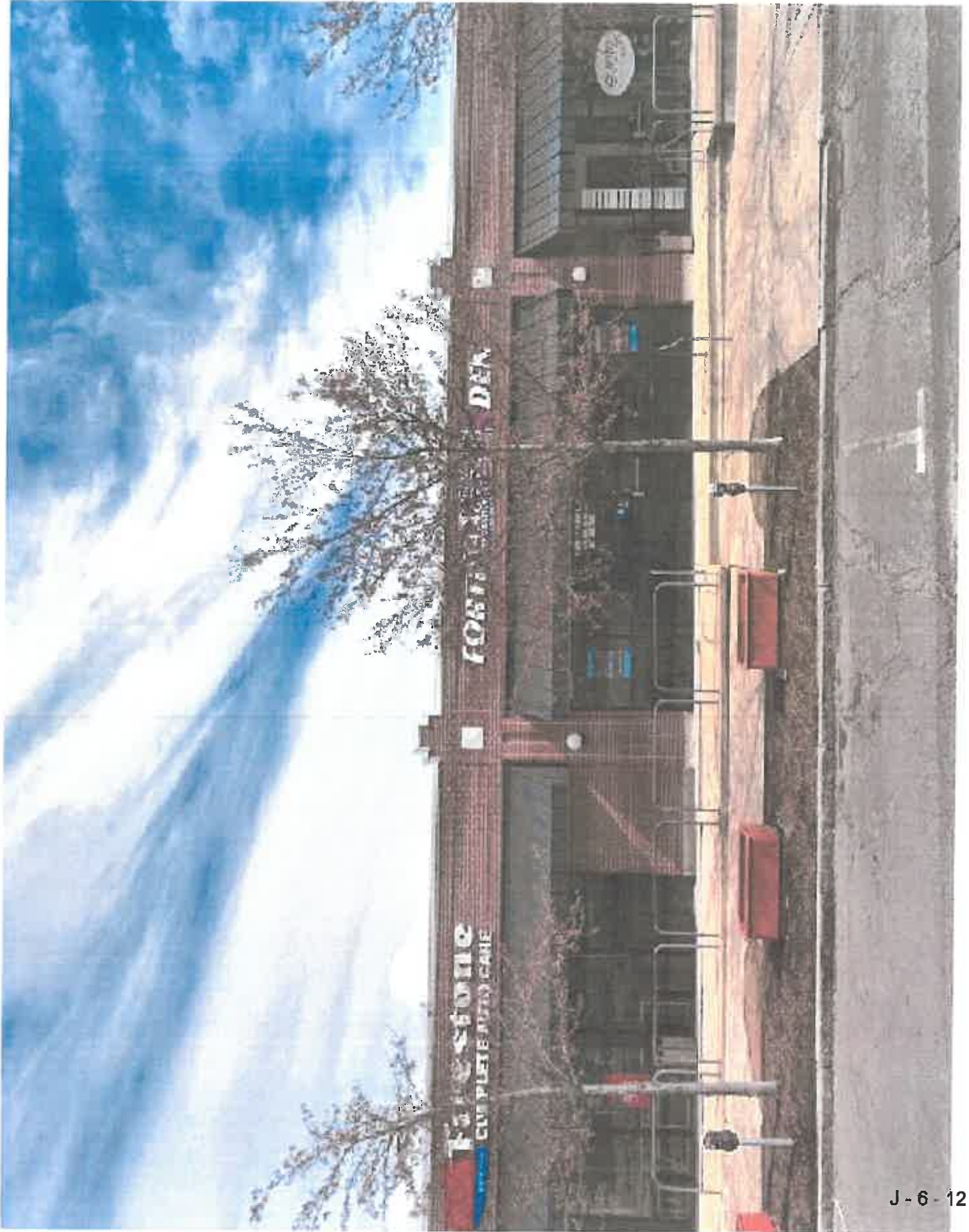
If you have any questions, please contact the Collection Division at (314)615-5500.

Close Window

## Check Your Voter Registration

Yes, elizabeth randolph is registered at 31 ARUNDEL PL ST LOUIS, 63105

Your precinct is HAD.HAD.014. To view your polling place and a listing of candidates and issues on the next ballot, please visit our [Voter Outreach Portal](#)



WORKSHEET  
 A. IN THE WORKING  
 1/2" & 1/4" S.C. IN  
 THE SCHEDULE AND  
 DRAWING  
 (BY OWNER)  
 (BY OWNER)

FIRE RATED

1/2" S.C.  
 1/4" S.C.  
 1/2" S.C.  
 1/4" S.C.  
 1/2" S.C.

1/2" S.C.  
 1/4" S.C.  
 1/2" S.C.

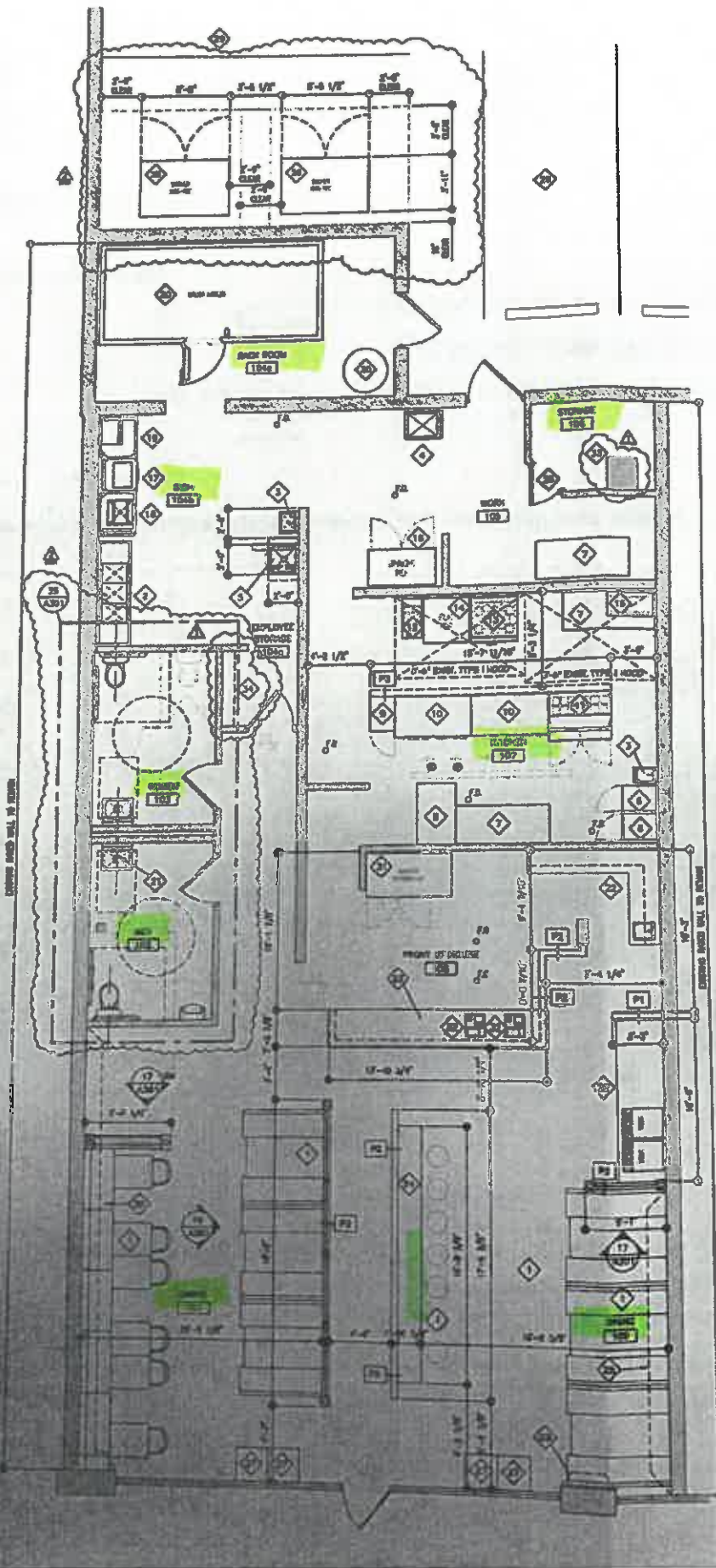
FIRE RATED

1/2" S.C.  
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1/2" S.C.  
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 1/2" S.C.

FIRE RATED

1/2" S.C.  
 1/4" S.C.



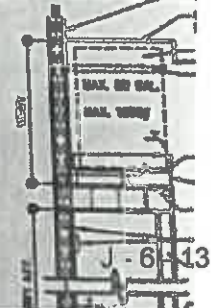
- 1. ALL PARTITIONS SHALL BE "1/2" WALLS OF THE PARTITION TYPES FOR ALL TYPICAL PARTITIONS
- 2. ALL ANGLES SHALL BE 90 DEGREE ANGLES
- 3. ALL OPENINGS TO BE 2'-0" WIDE CLEAR UNLESS NOTED TO ALLOW WITH TOP OF DOOR FRAME READY
- 4. ALL EQUIPMENT AND APPLIANCES ARE SHOWN OTHERWISE ON PLAN.
- 5. PROVIDE AND INSTALL FIRE RESISTANT W/LLWORK, TYPICAL. SEE SCHEDULES SECTION
- 6. ALL FINISHES SHALL BE SELECTED BY THE CHAPTER 5 FINISH SCHEDULES. REFER TO FINISH SCHEDULES FOR OTHER. COORDINA SELECTED.

**FLOOR PLAN**

- 1. FINISHES SHOWN IN S.C. AND FOR BE
- 2. THREE COMPARTMENT SINK, VERIFY EXIST PASSAGE.
- 3. PROVIDE AND COMPLANT WITH THE VERY EXISTING FINISH
- 4. VEGE PREP SINK, VERIFY EXISTING PLUMB
- 5. HOT SINK WITH WATER HEATER ABOVE.
- 6. CHOP COOK/HOLD CABINETS W/FS: WEST
- 7. 72" STAINLESS STEEL WORKSURFACE.
- 8. 48" STAINLESS STEEL WORKSURFACE.
- 9. CHOP COOK/HOLD CABINETS W/FS: WEST
- 10. UNDERCOUNTER REFRIGERATOR W/FS: BE
- 11. DEEPFREEZER W/FS: WEST W/FS: WEST
- 12. FRYER W/FS: WEST MODEL BRASS SHV
- 13. BAKE W/FS: CONVECTION-CATLE STOVE
- 14. GAS FLAT TOP W/FS: WHITE
- 15. GAS INFRARED CHEESE MELTER W/FS:
- 16. TWO DOOR UPRIGHT COOLER W/FS: BE
- 17. DISH MACHINE W/FS: PINK FINISH AND PLUMBING CONNECTIONS AND BE
- 18. COLDEN DIN TABLE W/FS: ELKLY WOOD
- 19. CLEAN DIN TABLE W/FS: ELKLY WOOD
- 20. 18"-2" X 7'-2" WALK-IN COOLER W
- 21. HOT SINK
- 22. EXISTING CASEWORK TO REMAIN. PRC
- 23. NEW CONVECTION. SEE BEING 24/2
- 24. NEW BAR MOUNTY COUNTER. SEE BE
- 25. PLATE BAR, AT 8'-0" A.F.S. WITH 10
- 26. REMOVE EXISTING DOOR, HARDWARE
- 27. TRASH/TRAY CABINETS BY OWNER.
- 28. (1) TWO UTILITY SINKS WITH GAS CONNECTIONS AS SHOWN IN SCHEDULES
- 29. EXISTING PARTITION TO REMAIN
- 30. EXISTING HOT WATER HEATER TO I
- 31. BACK BAR UNDER COUNTER REFR
- 32. PUB SYSTEM BY OTHERS
- 33. CHEMICAL STORAGE
- 34. EMPLOYEE STORAGE

**ROOM FINISH SCHEDULE**

ROOM #	FINISH	WALL	FLOOR	CEILING
101	WOOD	WOOD	WOOD	WOOD
102	WOOD	WOOD	WOOD	WOOD
103	WOOD	WOOD	WOOD	WOOD
104	WOOD	WOOD	WOOD	WOOD
105	WOOD	WOOD	WOOD	WOOD
106	WOOD	WOOD	WOOD	WOOD
107	WOOD	WOOD	WOOD	WOOD
108	WOOD	WOOD	WOOD	WOOD
109	WOOD	WOOD	WOOD	WOOD
110	WOOD	WOOD	WOOD	WOOD
111	WOOD	WOOD	WOOD	WOOD
112	WOOD	WOOD	WOOD	WOOD
113	WOOD	WOOD	WOOD	WOOD
114	WOOD	WOOD	WOOD	WOOD
115	WOOD	WOOD	WOOD	WOOD
116	WOOD	WOOD	WOOD	WOOD
117	WOOD	WOOD	WOOD	WOOD
118	WOOD	WOOD	WOOD	WOOD
119	WOOD	WOOD	WOOD	WOOD
120	WOOD	WOOD	WOOD	WOOD





*Inter-office Memo*



Date: 11/21/19

TO: Colonel Hampton, Chief of Police DSN 391  
FROM: Lieutenant Shawn Whitley DSN 372  
SUBJECT: Original J's text-Mex Barbeque (Liquor License Application)  
CC:

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Business

Original J's Tex-Mex Barbeque Liquor License  
7359 Forsyth Blvd  
University City MO. 63130

Applicant/Owner

Applicant: Elizabeth Randolph  
Home Address: 31 Arundel, St. Louis MO 63105  
D.O.B.  
SSN:  
Phone: 314-378-9376

Sir,

I have reviewed the findings of the investigation completed by Detective Simpson concerning the liquor license application submitted by, Elizabeth Randolph (Business: Original J's Tex-Mex Barbeque 7359 Forsyth Blvd, St. Louis MO. 63105). Det. Simpson's investigation was thorough and revealed that Elizabeth Randolph is in compliance with all state and municipal codes and there is no reason that she should not be granted a liquor license by the City of University City.

Respectfully Submitted,

  
Lieutenant Shawn Whitley DSN 372

Chief Larry Hampton DSN 391







## Council Agenda Item Cover

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**MEETING DATE:** November 25, 2019

**AGENDA ITEM TITLE:** Army Corps – River Des Peres Study - Update

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

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

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### BACKGROUND:

On September 9, 2019 City Council approved to enter into an amended design agreement with the Army Corps to complete a General Reevaluation Report for Flood Risk Reduction on the University City Branch of the River Des Peres. On September 26, 2019 the partially-executed agreement was returned to the Army Corps’ office.

The Army Corps reported on November 12 that the design agreement was in their Division office with the review of that office scheduled to be completed to obtain the Commanding General’s approval, at which time the document will be returned to University City for execution. The Army Corps further reports the following timeline for the next steps in this project agreement approval up to a project kick-off date: (A- Actual, S- Scheduled)

Army Corps St. Louis District office submittal to Division office:	23 Oct 2019 (A)
Army Corps Division office review:	25 Nov 2019 (S)
Army Corps St. Louis District office response to comments:	29 Nov 2019 (S)
Army Corps Division office backcheck:	5 Dec 2019 (S)
Army Corps Division office approval:	19 Dec 2019 (S)
University City signature and date:	Jan 2020 (S)
Army Corps St. Louis District office execution of agreement:	Jan 2020 (S)
Project design team kick-off meeting:	Feb 2020 (S)

### RECOMMENDATION:

City Manager recommends acceptance of the update, and continued tracking of the above timeline to deliver the next progress update in 90 days.





## Council Agenda Item Cover

**MEETING DATE:** November 25, 2019

- a. **AGENDA ITEM TITLE:** Zoning Code Text Amendment - Zoning Code Section 400.2130 of Article VII of Chapter 400 Relating to Off-Street Parking and Loading Requirements.

**AGENDA SECTION:** Unfinished Business

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

### **BACKGROUND REVIEW:**

The following proposed amendment to the University City Zoning Code was reviewed by the Planning Commission along with City Staff. The Plan Commission reviewed the changes and made comments during their regularly scheduled meeting on October 23, 2019 at the Heman Park Community Center. The code revision is a proposed solution to address concerns to appropriately regulate new development parking requirements within the Core Commercial (CC) zoning district. The intent, of this proposed amendment, is to effectively address the negative impacts of excessive on street parking demands that result from new developments that do not provide the appropriate number of approved on-site or off-site parking spaces.

This agenda item requires a public hearing at the City Council level and passage of an ordinance. The first reading and introduction of the bill took place on October 28, 2019. The Public Hearing and second and third readings, along with the passage of the ordinance, should occur at the November 25, 2019 meeting.

### **RECOMMENDATION:**

City Manager recommends approval.

### **Attachments:**

- 1: Transmittal Letter from Plan Commission (October 23, 2019)
- 2: Memo (October 24, 2019)
- 2: Draft Ordinance



**Plan Commission**

6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 862-6767, Fax: (314) 862-3168

**(DUPLICATE)**

October 23, 2019

Ms. LaRette Reese  
City Clerk  
City of University City  
6801 Delmar Boulevard  
University City, MO 63130

RE: Zoning Code Text Amendment to Article VII - Off-Street Parking and Loading Requirements.

Dear Ms. Reese,

At its regular meeting on October 23, 2019 at 6:30 pm in the Heman Park Community Center, 975 Pennsylvania Avenue, University City, Missouri, 63130, the Plan Commission reviewed proposed changes to Chapter 400 Article VII - Off-Street Parking and Loading Requirements of the municipal code of the City of University City.

By a vote of 6 to 0, the Plan Commission recommended approval of the proposed text amendment to Article VII – Off-Street Parking and Loading Requirements.

Sincerely,

Cirri Moran, Chairperson  
University City Plan Commission



**Department of Planning and Development**

6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 862-6767, Fax: (314) 862-3168

**MEMORANDUM**

**TO:** Gregory Rose, City Manager  
**FROM:** Clifford Cross, Director of Planning & Development  
**DATE:** October 24, 2019  
**SUBJECT:** City Council meeting – Proposed Text Amendment relating to off-street parking requirements (*SECTION 400.2130 of Article VII of the Zoning Code – Off-Street Parking and Loading Requirements*)  
**CC:** John Mulligan, City Attorney

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At the upcoming City Council meeting, members will consider a bill introducing a text amendment to the zoning code pertaining to exceptions associated with off-street parking requirements *SECTION 400.2130 - Exceptions to minimum off-street parking and loading space*.

This code revision is a proposed solution to address concerns to appropriately regulate new development parking requirements within the Core Commercial zoning district. Specifically, the revision is intended to better meet the Zoning Code's intent that all new development, within the Core Commercial District, shall be required to meet on-site or shared parking requirements. The intent, of this proposed amendment, is to effectively address the negative impacts of excessive on street parking demands that result from new developments that do not provide the appropriate number of approved on-site or off-site parking spaces. Staff believes this amendment appropriately removes the current exception that could contribute to detrimental impacts associated with increased on-street parking resulting from new developments that do not provide an appropriate number of approved on-site or off-site parking. The proposed amendment was presented to the Planning Commission on October 23, 2019 and was recommended for approval by a 6-0 vote. The proposed amendment is as follows;

**Summary of Amendment #1.** The Zoning Code currently allows for an exception to meeting the current parking requirements identified within Section 400.2140 of the Code. This section eliminated the requirement to meet current parking requirements for new construction, reconstruction or additions within the Core Commercial District. This proposed amendment eliminates that exception. The remaining amendments reorganize the letters associated with the "Exceptions" based upon removal of letter "A" in its entirety.

~~A. Parking Exception For The "CC" District. Division 4 of this Article shall not apply to any re-occupancy or redevelopment of existing buildings or structures, whether or not the new use is similar to the previously permitted use, when located within the "CC" Core Commercial District as indicated on the official Zoning Map of University City. For the purposes of this Section, the term "redevelopment" shall mean:~~

~~1. The construction of a new building, or~~

~~2. An addition to an existing building that increases the gross floor area of that building by more than ten percent (10%) of the original gross floor area.~~

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

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

BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING CHAPTER 400 OF THE MUNICIPAL CODE OF THE CITY OF UNIVERSITY CITY, RELATING TO ZONING, BY AMENDING SECTION 400.2130 THEREOF, RELATING TO OFF-STREET PARKING AND LOADING REGULATIONS; CONTAINING A SAVINGS CLAUSE AND PROVIDING A PENALTY.**

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

**WHEREAS**, Chapter 400 of the Municipal Code of the City of University City, Missouri divides the City into several zoning districts and regulates the uses and off-street parking on which the premises located therein may be put; and

**WHEREAS**, the City Plan Commission in a meeting held at the Heman Park Community Center located at 975 Pennsylvania Avenue, University City, Missouri on October 23, 2019, at 6:30 pm recommended an amendment of Section 400.2130 of the University City Zoning Code, and

**WHEREAS**, due notice of a public hearing to be held by the City Council in the 5<sup>th</sup> Floor City Council Chambers at City Hall at 6:30 pm, November 25, 2019, was duly published in the St. Louis Countian, a newspaper of general circulation within said City on November 7, 2019; and

**WHEREAS**, said public hearing was held at the time and place specified in said notice, and all suggestions or objections concerning said amendment of the Zoning Code were duly heard and considered by the City Council.

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

**Section 1.** Chapter 400 of the Municipal Code of the City of University City, Missouri, relating to zoning, is hereby amended by amending Section 400.2130 – Off-Street Parking and Loading Regulations, which as so amended shall read as follows (where applicable, underlined text is added text and stricken text is removed):

**Article 7, Division 4, Section 400.2130**

Exceptions To The Minimum Off-Street Parking and Loading Space Requirements.

~~A. Parking Exception For The "CC" District. Division 4 of this Article shall not apply to any re-occupancy or redevelopment of existing buildings or structures, whether or not the new use is similar to the previously permitted use, when located within the "CC" Core Commercial District as indicated on the official Zoning Map of University City. For the purposes of this Section, the term "redevelopment" shall mean:~~

~~1. The construction of a new building, or~~

~~2. An addition to an existing building that increases the gross floor area of that building by more than ten percent (10%) of the original gross floor area.~~

~~B. A.~~ *Exception For Places Of Worship.* On-site parking facilities required for places of worship may be reduced by not more than fifty percent (50%) where such facilities are located in a non-residential district and within five hundred (500) feet of public or private parking lots having sufficient spaces to make up for the reduction. The use of an off-site public parking lot may only be authorized under the conditional use permit procedure (see Article XI). The use of an off-site private parking lot shall comply with Section 400.2010(B)(1), and be subject to the approval of the Zoning Administrator.

~~C. B.~~ *Exception For Change Of Use Of Existing Commercial Buildings.* A reduction in the number of required off-street parking and loading spaces for the re-use of a commercial building, existing prior to the effective date of this Chapter, may be authorized under the conditional use permit procedure (see Article XI), subject to the following conditions:

1. The reduction shall not exceed twenty-five percent (25%) of the off-street parking space requirements for the proposed use;

2. No reduction shall be made in the amount of existing available off-street parking spaces on-site;

3. The proposed use does not involve an expansion of the building that would result in additional parking or loading space requirements;

4. Notwithstanding compliance with other standards contained in this Article (e.g., setbacks and landscaping), any portion of the site that can be reasonably converted to off-street parking shall be so used to satisfy a portion of the parking requirement; and

5. The reduction shall not result in "spill-over" parking on adjacent or nearby properties. In making its determination, the Plan Commission and City Council shall consider information on the parking and loading demand associated with the proposed use as presented by the applicant and City staff.

~~D. C.~~ *Exception Where Public Parking Is Allocated For Use.* The City Council may allow a reduction in the number of on-site parking spaces required when the building served by such parking is located within five hundred (500) feet of a public parking facility or lot provided a fee is paid to the City for pro rata share of the cost of constructing and maintaining such facility or lot. [Ord. No. 6989 §1, 4-27-2015]

~~E. D.~~ *Exception for Shared Parking Arrangements.* Shared parking is an arrangement in which two or more uses with different peak parking periods (hours of operation) use the same off-street parking spaces to meet their off-street parking requirements. Up to 100% of the parking required for one use may be supplied by the off-street parking spaces provided for another use.

1. By conditional use permit, a reduction in the number of parking spaces may be authorized. In issuing a conditional use permit, the City will consider whether the uses;

- a. Are located within 500 (five hundred) feet as the crow flies of the shared parking as measured from the entrance of the use to the nearest point on the property;
- b. Have no substantial conflict in the principal operating hours of the uses for which the sharing of parking is proposed (see shared parking table in Section 400.2130.E.3 as a guide);
- c. Do not adversely affect surrounding neighborhoods;
- d. Do not adversely affect traffic congestion and circulation; and
- e. Have a positive effect on the economic viability or appearance of the project or on the environment.
- f. Relieved spaces or off-site shared parking spots cannot be located within the SR, LR, MR or HR Zoning Districts.

**2. Application Requirements for Shared Parking.** As a part of the application materials required for a conditional use permit, the applicant seeking shared parking shall submit to the Zoning Administrator the following information as a part of the conditional use permit application:

- a. Proof that the uses of the shared spaces will reflect different peak hours of operation at different times of the day, week, month or year (see shared parking table below);
- b. Proof of the size and types of proposed development or substantial changes, size and type of activities, composition of tenants, rate of turnover for parking spaces, and anticipated peak parking and traffic loads;
- c. Proof that the route from required ADA accessible spaces in shared parking area to the nearest ADA accessible entrance follows an accessible route as defined by the most recent ADA standards;
- d. An agreement providing for the shared use of parking areas, executed by the parties involved including owners of record, that shall include provisions for maintenance, snow removal, ownership, liability and duration of the agreement, and must be filed with the Department of Planning and Development in a form approved by the Planning and Development Director.

**3. Shared Parking Table.** The following table shall be used to determine peak hours of operation for proposed shared parking. Parking requirements shall be the cumulative requirements of the uses sharing the parking, except where different categories of uses (retail or service, employment, civic, or dwellings) are participating in the sharing agreement and are likely to generate distinctly different times of peak parking demand. Each use should provide a percentage of parking required by these regulations according to the shared parking table below. Whichever time period column requires the highest total parking spaces among the various uses should be the amount of parking provided subject to the shared parking agreement and Plan Commission review. Alternative parking allocations may be approved as a function of the conditional use permit based on industry data or other sufficient evidence and analysis of peak parking demands for specific uses.



Land Use	Percentage of Required Parking Spaces by Period				
	Monday-Thursday Day and Evening		Friday-Sunday Day and Evening		Nighttime
	6 AM to 5 PM	5 PM to 1 AM	6 AM to 5 PM	5 PM to 1 AM	1 AM to 6 AM
EMPLOYMENT	100%	10%	5%	5%	5%
RETAIL OR SERVICE	75%	75%	100%	90%	5%
RESTAURANT	50%	100%	75%	100%	25%
ENTERTAINMENT and RECREATION	30%	100%	75%	100%	5%
PLACE OF WORSHIP*	5%	25%	100%	50%	5%
SCHOOL	100%	10%	10%	10%	5%
DWELLING	25%	90%	50%	90%	100%
LODGING	50%	90%	75%	100%	100%

\*Place of Worship parking needs will be considered on a case by case basis as different faiths gather at different days and times during the week.

**4. Duration of agreement.** Shared parking privileges will continue in effect only as long as the agreement, binding on all parties, remains in force. Agreements must guarantee long-term availability of the parking, commensurate with the use served by the parking.

**5. Recording of Agreement.** The agreements must be recorded with the County Recorder. If the uses of either party changes, the CUP is no longer valid unless the Zoning Administrator authorizes the new uses and determines there is compliance with the shared parking table (Section 400.2130.E.3). If a shared parking agreement lapses or is no longer valid, then parking must be provided as otherwise required by this article.

**6. Revocation of permits.** Failure to comply with the shared parking provisions of the shared parking plan shall constitute a violation of the Zoning Code and shall be cause for revocation of a certificate of zoning compliance and/or building permit.

**F-E. Exception For Uses Located Near Transit Stations and Stops.** For uses located within five hundred (500) feet of a public transit station or stop, the off-street parking requirements may be reduced by ten percent (10%). The Loop Trolley stops and stations shall not be included in this exception.

**Section 2.** This ordinance shall not be construed to so as to relieve any person, firm or corporation from any penalty heretofore incurred by the violation of said Sections mentioned above, nor bar the prosecution for any such violation.

**Section 3.** Any person, firm or corporation violating any of the provisions of this ordinance, shall upon conviction thereof, be subject to the penalty provided in Section 100.190 of the Municipal Code of the City of University City.

**Section 4.** This ordinance shall take effect and be in force from and after its passage as provided by law.

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

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

CERTIFIED TO BE CORRECT AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY



## **Council Agenda Item Cover**

**MEETING DATE:** November 25, 2019

**AGENDA ITEM TITLE:** A Resolution Establishing an Economic Development Strategic Plan Task Force

**AGENDA SECTION:** New Business - Resolutions

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

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### **BACKGROUND REVIEW:**

This Resolution establishes an Economic Development Strategic Plan Task Force to assist in the development of an economic development strategic plan for the City.

### **RECOMMENDATION:**

The City Manager recommends approval.

### **ATTACHMENTS:**

- Resolution 2019-16



**RESOLUTION 2019 - 16**

**A RESOLUTION ESTABLISHING AN ECONOMIC DEVELOPMENT STRATEGIC PLAN TASK FORCE**

**WHEREAS**, on October 28, 2019 the City Council approved a Professional Services Agreement (the "Agreement") between University City (the "City") and The i5Group LLC ("i5Group") for the provision of professional services to develop an economic development strategic plan for the City (the "Project"); and

**WHEREAS**, i5Group will conduct an economic analysis of the City and its economic relationship to the surrounding Metropolitan Statistical Area to assist the City in better understanding its economy in the context of the larger metropolitan area in order to identify unique opportunities for economic development, to recommend how to best position City resources for the future, and to suggest potential regional synergies for economic growth and diversification; and

**WHEREAS**, i5Group will review relevant previous economic studies, reports and other related information provided by the City to ensure that the economic development strategy builds upon and coordinates with other economic development research; and

**WHEREAS**, City staff will make available information regarding the City's current economic development programs, staffing and budget, and relevant information about the City's local economic development partners; and

**WHEREAS**, i5Group's assessment, benchmarking and evaluation will include a demographic analysis, economic assessment, economic development ecosystem evaluation, and a review of the City's internal operations as they pertain to economic development activities and goals; and

**WHEREAS**, i5Group will conduct a market and industry cluster analysis that will identify economic sectors in which the City currently is or is capable of becoming competitive at the regional level; and

**WHEREAS**, i5Group will identify prospects throughout the City for building economic nodes that can serve as economic engines for their surrounding neighborhoods; and

**WHEREAS**, i5Group will identify the physical locations within the City where industry cluster targets are growing, and tie the cluster strategy to the neighborhood growth strategy; and

**WHEREAS**, i5Group will develop a set of policies, strategies and tactics the City may pursue for developing each of the neighborhood types; and

**WHEREAS**, i5Group will identify best practices and make recommendations for cluster industries, small business and entrepreneurialism, business and talent retention and expansion, incentive programs, equitable growth, financial resiliency, and marketing and messaging; and

**WHEREAS**, i5Group will develop a clear set of strategic actions and tasks that the City in collaboration with its partners may implement, including policy changes and an economic development toolbox; and

**WHEREAS**, i5Group will conduct community engagement, including by: developing at the beginning of the study a press kit/summary brochure that will outline the planning process, reasons for doing the plan and a Q&A section about the plan; holding internal stakeholder meetings with stakeholders within the City such as major businesses, property owners and property developers; holding external stakeholder meetings with regional economic stakeholders; having an open house for residents to learn in-depth about the draft economic development strategic plan; and coordinating with City staff to present the recommendations of the economic development strategy to the Economic Development Retail Sales Tax Board and the City Council for review and adoption; and

**WHEREAS**, in performing the above professional services the i5Group typically works with a 12-15 member advisory committee or task force that may include representatives from City staff, the City Council, the Plan Commission, the Economic Development Retail Sales Tax Board, and other stakeholders; and

**WHEREAS**, the Project is expected to take approximately 12 months and the advisory committee or task force is expected to meet approximately every two months in 2020, beginning in January and ending in August, for a total of five meetings; the meeting agenda may be prepared by i5Group; and

**WHEREAS**, the City Council desires to establish an Economic Development Strategic Plan Task Force.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of University City, Missouri, that:

1. An Economic Development Strategic Plan Task Force (the "Task Force") is hereby established.
2. The Task Force shall consist of 15 members who shall be appointed by the City Council. The Mayor shall appoint three Task Force members, and all other members of the City Council shall each appoint two Task Force members. Task Force members shall be residents of the City and shall serve without compensation.
3. The Task Force shall assist i5Group in this Project described above until its conclusion. The City Manager shall provide staff and other resources to the Task Force and i5Group as contemplated by the Agreement.
4. The Task Force may elect officers and adopt such rules for its own guidance and proceedings as may be expedient, not inconsistent with this Resolution and all applicable laws.
5. The Task Force shall comply with all Missouri and City laws on the conduct of public business, including public meetings and records. The City Clerk may assist the Task Force in this regard.

ADOPTED THIS 25<sup>th</sup> DAY OF November 2019.

By: \_\_\_\_\_  
Terry Crow, Mayor

ATTEST:

\_\_\_\_\_  
LaRette Reese, City Clerk



## Council Agenda Item Cover

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**MEETING DATE:** November 25, 2019

**AGENDA ITEM TITLE:** Adoption of St. Louis Regional Hazard Mitigation Plan

**AGENDA SECTION:** New Business - Resolution

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

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### **BACKGROUND:**

Attached Resolution is proposed for University City's adopting the 2020-25 Hazard Mitigation Plan. East West Gateway Council of Governments has released the draft version of the plan for our region. A one-page overview of the plan is also contained in the attached document. The multiple-page plan in its entirety is available for viewing by its Sections and Appendices at [www.ewgateway.org/hazardupdate](http://www.ewgateway.org/hazardupdate)

The proposed adoption of the plan does not obligate University City to any specific actions or responsibilities, but it allows our community to apply for funding for projects like flood buyouts, tomado safe rooms and infrastructure retrofitting including the Missouri State Emergency Management Agency (SEMA)/Federal Emergency Management Agency (FEMA) grants. After the adoption of this plan, University City can also develop a more specific plan customized to the specific needs of our community at the direction of City Council.

### **RECOMMENDATION:**

City Manager recommends approval.

### **ATTACHMENTS:**

- Proposed Resolution Adopting the St. Louis Regional Hazard Mitigation Plan
- Plan Overview





**RESOLUTION NO. 2019-17**

**ST. LOUIS REGIONAL HAZARD MITIGATION PLAN ADOPTION**

**A RESOLUTION OF THE CITY COUNCIL OF UNIVERSITY CITY ADOPTING THE ST. LOUIS REGIONAL HAZARD MITIGATION PLAN**

**WHEREAS**, the City Council recognizes the threat that natural hazards pose to people and property within University City; and

**WHEREAS**, University City has participated in the preparation of a multi-hazard mitigation plan, hereby known as the St. Louis Regional Hazard Mitigation Plan, hereafter referred to as the *Plan*, in accordance with the Disaster Mitigation Act of 2000; and

**WHEREAS**, the *Plan* identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in University City from the impacts of future hazards and disasters; and

**WHEREAS**, the City Council recognizes that land use policies have a major impact on whether people and property are exposed to natural hazards, the City Council will endeavor to integrate the *Plan* into the comprehensive planning process; and

**WHEREAS**, adoption by the City Council demonstrates their commitment to hazard mitigation and achieving the goals outlined in the *Plan*

**NOW THEREFORE, BE IT RESOLVED BY THE CITY OF UNIVERSITY CITY**, in the State of Missouri, **THAT:**

The City of University City hereby adopts the final FEMA-*approved plan*.

Adopted this 25<sup>th</sup> day of November 2019.

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Terry Crow, Mayor

ATTEST:

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LaRette Reese, City Clerk

## Plan Overview

The five counties in eastern central Missouri, Franklin, Jefferson, St. Charles and St. Louis Counties, and the independent City of St. Louis, make up the Missouri portion of the St. Louis region and share common geographic, climatic, and related risk factors that make them similarly susceptible to certain natural hazards. These five counties and the 133 municipalities within them, are also members of the East-West Gateway Council of Governments (EWG) and are represented in regional transportation plans, such as the Long Range Transportation Plan and the Transportation Improvement Programs; in the 208 Water Quality plan for the region; in Homeland Security Planning through the St. Louis Area Regional Response System (STARRS), and in OneSTL, the regional plan for sustainable development. Note, the City of St. Louis is an independent city in Missouri and has many of the same functions as a county government. As such, throughout this plan, you will see references to the ‘five-county region.’ This grouping includes the counties of Franklin, Jefferson, St. Charles, and St. Louis, and the City of St. Louis.

Every five years since 2004, these five counties have been part of a collaborative planning process with East-West Gateway Council of Governments to develop the Regional Hazard Mitigation Plan. Because of shared geography and shared collaboration in governance and planning, the region can be addressed as one entity for the purposes of developing an update to the regional hazard mitigation plan. This plan is designed to help protect public safety and prevent loss of life or injury in the event of a natural disaster. It is also designed to reduce risk to existing and future development and to prevent damage to each community’s unique economic, cultural, and environmental assets. The plan also helps improve the operational effectiveness of local governments and school districts following any natural disaster, by providing recommendations for advance preparation. Advance planning prepares first responders as well as local government leaders and thus serves to reduce costs and improve efficiency of disaster response and recovery. By outlining a regional action plan, this document also encourages collaboration, cooperation, and a shared approach to disaster mitigation efforts.

In the first section, EWG addresses the planning process. Section 2 discusses the demographics and capabilities of the region. Risk assessments and vulnerabilities comprise Section 3 and in Section 4, the plan outlines the updated mitigation actions reviewed by our Working Group, the county emergency managers, and all of the community representatives who attended the workshops that were part of the planning process. In an effort to facilitate coordination and area-wide collaboration, this plan focuses on regional priorities. Note, the appendices have been constructed to provide more detailed information from what is found in the summaries of their corresponding sections. Appendix A contains all of the public outreach documentation, while Appendix B expands on the demographic and related information found in Section 2. Appendix C details risk assessment. There is no Appendix D to correspond with Section 4; the data that drives the mitigation strategies is supported by the work in the previous sections.



## Council Agenda Item Cover

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**MEETING DATE:** November 25, 2019

- a. **AGENDA ITEM TITLE:** Zoning Code Text Amendment - Zoning Code Section 400.2140 of Article VII of Chapter 400 Relating to Schedule of Off-Street Vehicle Parking Requirements.

**AGENDA SECTION:** New Business

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

### **BACKGROUND REVIEW:**

The following proposed amendment to the University City Zoning Code was reviewed by the Planning Commission along with City Staff. The Plan Commission reviewed the changes and made comments during their scheduled meeting on November 20, 2019 in the 5<sup>th</sup> Floor Council Chambers at the University City, Missouri City Hall. The code revision is a proposed solution as part of a continuous effort to address concerns to appropriately allow for continued adaptive re-use of commercial buildings that have limited on-site parking. Furthermore, as with prior amendments, this revision is also intended to better meet the Zoning Code's intent that provisions are in place to accommodate adaptive re-use of existing buildings while requiring new development or substantial development to meet on-site or shared parking requirements. This specific amendment is intended to appropriately regulate Barber/Beauty Shops, Salons and Spas in a comparable manner as surrounding communities and based upon industry standards.

This agenda item requires a public hearing at the City Council level and passage of an ordinance. The first reading and introduction of the bill should take place on November 25, 2019. The Public Hearing and second and third readings, along with the passage of the ordinance, is expected to occur at the subsequent December 9, 2019 meeting.

### **RECOMMENDATION:**

City Manager concurs with the Planning Commission's recommendation.

### **Attachments:**

- 1: Transmittal Letter from Plan Commission
- 2: City Council Memo
- 3: Plan Commission Memo
- 4: Draft Ordinance



**Plan Commission**

6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 862-6767, Fax: (314) 862-3168

November 20, 2019

Ms. LaRette Reese  
City Clerk  
City of University City  
6801 Delmar Boulevard  
University City, MO 63130

RE: Zoning Code Text Amendment to Article VII – Schedule of Off-Street Vehicle Parking Space Requirements.

Dear Ms. Reese,

At a rescheduled meeting on November 20, 2019 at 6:30 pm in the 5<sup>th</sup> Floor Council Chambers, 6801 Delmar Boulevard, University City, Missouri, 63130, the Plan Commission reviewed proposed changes to Chapter 400 Article VII – Schedule of Off-Street Vehicle Parking Requirements of the municipal code of the City of University City.

By a vote of 7 to 0, the Plan Commission recommended approval of the proposed text amendment to Article VII – Schedule of Off-Street Vehicle Parking Requirements.

Sincerely,

A handwritten signature in black ink that reads "Cirri Moran". The signature is fluid and cursive, with a large loop at the end.

Cirri Moran, Chairperson  
University City Plan Commission



**Department of Planning and Development**

6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 862-6767, Fax: (314) 862-3168

**M E M O R A N D U M**

TO: Gregory Rose, City Manager

FROM: Clifford Cross, Director of Planning & Development

DATE: November 25, 2019

SUBJECT: November 20, 2019 Plan Commission meeting – Proposed Text Amendment relating to the schedule of off-street parking requirements (*SECTION 400.2140 – Schedule of Off-Street Vehicle Parking Space Requirements*)

CC: John Mulligan, City Attorney

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At the upcoming City Council meeting, members will consider a text amendment to the zoning code pertaining to the parking schedule associated with off-street parking requirements *SECTION 400.2140 – Off-Street Vehicle Parking Space Requirements*.

This code revision is a proposed solution as part of a continuous effort to address concerns to appropriately allow for new development and the continued adaptive re-use of commercial buildings that have limited on-site parking. Furthermore, as with prior amendments, this revision is also intended to better meet the Zoning Code's intent that provisions are in place to accommodate adaptive reuse of existing buildings while requiring new development or substantial development to meet on-site or shared parking requirements. The intent, of this proposed amendment, is to effectively address limited parking obstacles associated with established multi-unit commercial buildings while preventing excessive on street parking demands that result from new developments that do not provide the appropriate number of approved on-site or off-site parking spaces. Staff believes this amendment appropriately regulates the parking requirement schedule to accommodate Barber/Beauty Shops, Nail Salons and Spas that are established within existing retail businesses or multi-unit buildings while still requiring appropriate parking standards associated with standalone Barber/Beauty Shops, Nail Salons or Spas.

**Summary of Amendment.** This amendment pertains to the schedule of parking demands pertaining to Barber/Beauty Shops, Nail Salons and Spas as a primary use or within an existing multi-unit building. Specifically, the intent of this ordinance is to account for these retail related uses and insure they are evaluated based upon the industry standards. Therefore, staff evaluated other communities and determined that they are predominately regulated based upon square footage instead of the number of stations or individual rooms. Based upon staff findings, associated with their research, the original proposed amendment proposed to regulate shops, salons and spas based upon square footage to remain consistent with neighboring communities and industry trends. The original proposed amendment to the Plan Commission was as follows;

**The original proposed amendment was as follows;**

Barber and beauty shops and/or nail salons or spas ( <del>as a</del> principal use <u>standalone facility/structure</u> )	3 spaces for each haircut or styling station, nail station, or massage room
Barber and beauty shops and/or nail salons or spas (secondary use or within an existing multi-unit building)	<u>1 space for each 200 square feet of floor area</u>

During their November 20, 2019 Plan Commission meeting members evaluated the proposed amendment and ultimately recommended a modified amendment that removed the standalone/multi facility structure and grouped the uses into one classification. In addition, their recommendation further modified the proposal based upon a standard that would address the requirements either by the number of styling stations, nail stations or massage rooms or total square footage. That proposal further stated that the calculation would be based upon the more restrictive of the two standards with the intent that the market could assist in determining the appropriate number of styling stations, nail stations or massage rooms and parking spaces per site. The revised amendment was recommended by a majority vote and proposed as follows;

Barber and beauty shops and/or nail salons or spas (as a principal use)	<del>3 spaces for each haircut or styling station, nail station, or massage room</del> <u>1 space for each 200 square feet of floor area or 1 space for each styling station, nail station or massage room – whichever is greater</u>
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Staff believes the proposed text amendment, to address the specific parking schedule pertaining to Barber/Beauty Shops, Nail Salons and Spas, is consistent with the industry standards and other local communities. Furthermore, the proposal places us with the most restrictive of the 3 previously identified communities in that we would ultimately utilize the 1 space for every 200 square feet ratio or require spaces per the number of stations or rooms depending on which is the most restrictive. In summary, the proposed text amendment is intended to insure we are consistent with the industry standard while still providing appropriate restrictions pertaining to these developments insuring they do not negatively contribute to increased potential off-site on street parking throughout the City.



**Department of Community Development**

6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 862-6767, Fax: (314) 862-3168

**DRAFT M E M O R A N D U M**

TO: Plan Commission Members

CASE: PC 19-11

FROM: Clifford Cross, Director of Planning

DATE: November 13, 2019

SUBJECT: November 20, 2019 Plan Commission meeting – Proposed Text Amendment relating to the schedule of off-street parking requirements (*SECTION 400.2140 – Schedule of Off-Street Vehicle Parking Space Requirements*)

CC: Gregory Rose, City Manager  
John Mulligan, City Attorney

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At the upcoming Plan Commission meeting, members will consider a text amendment to the zoning code pertaining to the parking schedule associated with off-street parking requirements *SECTION 400.2140 – Off-Street Vehicle Parking Space Requirements*.

This code revision is a proposed solution as part of a continuous effort to address concerns to appropriately allow for continued adaptive re-use of commercial buildings that have limited on-site parking. Furthermore, as with prior amendments, this revision is also intended to better meet the Zoning Code’s intent that provisions are in place to accommodate adaptive reuse of existing buildings while requiring new development or substantial development to meet on-site or shared parking requirements. The intent, of this proposed amendment, is to effectively address limited parking obstacles associated with established multi-unit commercial buildings while preventing excessive on street parking demands that result from new developments that do not provide the appropriate number of approved on-site or off-site parking spaces. Staff believes this amendment appropriately regulates the parking requirement schedule to accommodate Barber/Beauty Shops, Nail Salons and Spas that are established within existing retail businesses or multi-unit buildings while still requiring more intense parking standards associated with standalone Barber/Beauty Shops, Nail Salons or Spas.

**Summary of Amendment.** This amendment pertains to the schedule of parking demands pertaining to Barber/Beauty Shops, Nail Salons and Spas as a secondary use or within an existing multi-unit building. Specifically, the intent of this ordinance is to account for these retail related uses that are commonly utilized in conjunction with associated businesses or an accessory to a primary business. Therefore, staff has evaluated other communities, that address the parking schedule associated with these types of businesses, and they are predominately regulated based upon square footage instead of the number of stations. Based upon staff findings, associated with their research, the proposed amendment proposes to regulate accessory or multi-unit building shops, salons and spas based upon square footage insuring we are consistent with the industry trends. Lastly, this amendment also removes the principal use delineation but would still require the 3 space for each station requirement for Barber/Beauty Shops, Nail Salons and Spas when associated with standalone facilities or structures.

In evaluating the various other communities, the three communities identified included Creve Coeur, Clayton and Maplewood. All these communities regulate Barber/Beauty Shops, Nail Salons or Spas based upon the following;

1. Creve Coeur defined their “Hair, nail and skin care services” based upon the North American Industry Classification System (NAICS). After classifying the use, the schedule regulating the use requires *“Four (4) parking spaces per one thousand (1,000) square feet of floor area”*. This provision is identified within Section 405.820, Subsection H (Services) of their zoning ordinance.
  
2. Clayton appears to classify this type of use within their *“Commercial, business, office, service and industrial buildings except for medical office as defined in Subsection (13)”* provisions of their zoning code. Specifically, they require 1 space for every 300 square feet of gross floor area. Article XXV, Section 405.3620, Subsection A(13) of their code states *“Commercial, business, office, service and industrial buildings must provide one (1) parking space for each three hundred (300) square feet of gross floor area within the building or structure”*.
  
3. Maplewood classifies this use as *“Retail business developments not otherwise specified”*. Chapter 56 (Zoning Ordinance), Section 56-500(3b) of their ordinance requires 1 space for every 200 square feet. *Their provisions state “Retail business developments not otherwise specified. A parking space shall be provided for each 200 square feet of floor area including basement or other areas useable or adjustable without structural alterations”*. The only exception they have is pertaining to commercial trade schools that require 1 space for each 3 students. However, our current schedule identifies that same requirement per our “Schools, business, professional, or technical schools” use classification.

**The proposed amendment is as follows;**

Barber and beauty shops and/or nail salons or spas ( <del>as a</del> <u>principal use standalone facility/structure</u> )	3 spaces for each haircut or styling station, nail station, or massage room
Barber and beauty shops and/or nail salons or spas (secondary use or within an existing multi-unit building)	<u>1 space for each 200 square feet of floor area</u>

Staff believes the proposed text amendment, to address the specific parking schedule pertaining to Barber/Beauty Shops, Nail Salons and Spas, is consistent with the industry standards and other local communities. Furthermore, the proposal places us with the most restrictive of the 3 communities in that we would ultimately utilize the 1 space for every 200 square feet ratio for multi-unit buildings and still require 1 space per 3 stations for standalone facilities/structures. In summary, the proposed text amendment is intended to insure we are consistent with the industry standard while still providing appropriate restrictions pertaining to new developments that could negatively contribute to increased potential off-site on street parking throughout the City.



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

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

BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING CHAPTER 400 OF THE MUNICIPAL CODE OF THE CITY OF UNIVERSITY CITY, RELATING TO ZONING, BY AMENDING SECTION 400.2140 THEREOF, RELATING TO SCHEDULE OF OFF-STREET VEHICLE PARKING SPACE REQUIREMENTS; CONTAINING A SAVINGS CLAUSE AND PROVIDING A PENALTY.**

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

**WHEREAS**, Chapter 400 of the Municipal Code of the City of University City, Missouri divides the City into several zoning districts and regulates the uses and off-street parking on which the premises located therein may be put; and

**WHEREAS**, the City Plan Commission in a meeting held at the City Council Chambers at City Hall located at 6801 Delmar Boulevard, University City, Missouri on November 20, 2019, at 6:30 pm recommended an amendment of Section 400.2140 of the University City Zoning Code; and

**WHEREAS**, due notice of a public hearing to be held by the City Council in the 5<sup>th</sup> Floor City Council Chambers at City Hall at 6:30 pm, December 9, 2019, was duly published in the St. Louis Countian, a newspaper of general circulation within said City on November 23, 2019; and

**WHEREAS**, said public hearing was held at the time and place specified in said notice, and all suggestions or objections concerning said amendment of the Zoning Code were duly heard and considered by the City Council.

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

**Section 1.** Chapter 400 of the Municipal Code of the City of University City, Missouri, relating to zoning, is hereby amended by amending Section 400.2140 – Schedule of Off-Street Vehicle Parking Space Requirements; which as so amended shall read as follows (where applicable, underlined text is added text and stricken text is removed):

**Section 400.2140**

A. Schedule of Off-Street Vehicle Parking Space Requirements.

USE	MINIMUM PARKING REQUIREMENTS
Amusement centers (indoor)	1 space for each 50 square feet devoted to amusement devises, virtual reality games, restaurants and bar areas
Amusement centers (outdoor)	1 space for each 200 square feet of enclosed building space devoted to customer service and administration; plus 1 space for every 3 persons that the outdoor facilities are designed to accommodate when used to the maximum capacity
Animal hospitals, veterinary clinics, boarding facilities, and grooming facilities	1 space for each 200 square feet of floor area
Art galleries and studios	1 space for each 500 square feet of floor area
Automobile and truck sales, rental, and leasing	1 space for each 400 square feet of floor area of sales and showroom area
Banks and other financial institutions	1 space for each 200 square feet of floor area (see also drive-through facilities)
Barber and beauty shops and/or nail salons or spas (as a principal use)	<del>3 spaces for each haircut or styling station, nail station, or massage room</del> 1 space for each 200 square feet of floor area or 1 space for each styling station, nail station or massage room – whichever is greater
Billiard parlors	(see Amusement centers, indoor)
Bingo halls	(see Places of public assembly)
Bowling alleys	(see Sports and recreation facilities)
Car wash, full-service (as a principal use, with or without automated washing equipment)	8 spaces; plus 10 stacking spaces for each washing bay
Car wash, full-service (as an accessory use, with or without automated washing equipment)	3 stacking spaces for each washing bay
Car wash, self-service	4 stacking spaces for each washing bay; plus 1 parking space per washing bay for drying vehicles; plus 2 stacking spaces for each vacuuming station which is separated from the stacking lanes to the washing bays
Clubs and lodges	1 space for every 3 persons based on design occupancy load per the University City Building Code
Convalescent and nursing homes	1 space for every 3 patients based on designed maximum capacity

Convenience stores	(see Grocery store)
Day care centers	1 space for every 5 individuals cared for as authorized by State licensing
Dormitories	2 spaces for every 3 beds based on the designed maximum capacity
Drive-through facilities (except as otherwise specified in this Section)	5 stacking spaces for each customer service station, including drive-up service windows, drive-up automated teller machines (ATM), drive-up banking service lanes, but not including drive-up public telephones. Parking circulation aisles shall not be utilized to satisfy this requirement.
Dwellings, multi-family (including elevator, garden, and town house buildings)	1.5 spaces for each dwelling unit, except that spaces shall be provided for each dwelling unit containing 2 or more bedrooms; plus visitor parking for dwellings with 6 or more dwelling units, at the rate of 1 parking space for each 6 dwelling units or fraction thereof for the first 30 dwelling units and 1 space for each additional 20 dwelling units
Dwellings, single-family (including attached single-family, detached single-family, and patio dwellings)	2 spaces for each dwelling unit
Dwellings, two-family	2 spaces for each dwelling unit, except that 1.5 spaces may be provided for each dwelling unit in unified developments containing at least 8 two-family or attached single-family dwellings and subject to approval under the "Planned Development" procedure
Funeral homes or mortuaries	1 space for each 75 square feet of parlor or chapel area or 1 space for every 5 fixed seats, whichever is greater, but no less than 20 spaces for each parlor or chapel
Furniture or appliance stores	1 space for each 400 square feet of floor area
Gasoline stations	2 spaces; Gasoline stations offering other retail goods for sale, in enclosed space accessible by the customer, shall also comply with the parking requirements for convenience stores. Gasoline stations providing vehicle repair or maintenance services shall also comply with the parking requirements for vehicle repair or service facilities. Gasoline station having accessory car wash facilities shall provide vehicle stacking spaces in accordance with car wash, full service
Gymnasiums	(see Sports and recreation facilities and Places of public assembly)

Hotels or motels	1.1 spaces for every rental unit; plus spaces as required herein for affiliated uses such as restaurants, meeting rooms or banquet facilities
Laundromats, self-service	1 space for each 200 square feet
Manufacturing, warehousing and wholesale uses	1 space for each 1,000 square feet of floor area or 2 spaces for every 3 employees, whichever is greater; plus 1 space for each vehicle customarily used in the operation of the use or stored on the premises; plus spaces as required herein for affiliated uses such as office or retail sales area
Movie theaters	(see Places of public assembly)
Offices, other than dental and medical offices, or offices associated with banking or other financial institutions	1 space for each 300 square feet of floor area, including the basement if used or adaptable to office use
Offices, dental and medical (including outpatient medical clinics, surgery centers, MRI centers, chiropractor offices, and similar uses)	1 space for each 200 square feet of floor area, including the basement if used or adaptable to office use
Places of public assembly (including auditoriums, banquet halls, gymnasiums with spectator seating, meeting rooms, reception halls, sports facilities with spectator seating, theaters, and similar uses)	1 space for every 3.5 seats in the main assembly room (1 seat equals 2 feet of bench length); or where no fixed seating is provided, 1 space for each 50 square feet of floor area, exclusive of kitchen, restrooms and storage areas; plus spaces as required herein for affiliated uses
Places of worship	1 space for every 3.5 seats in the main assembly room (1 seat equals 2 feet of bench length)
Plumbing, heating, and air-conditioning equipment sales or service	1 space for each 300 square feet of floor area devoted to sales area; plus 1 space for each vehicle customarily used in the operation of the use or stored on the premises
Restaurants, bars, and taverns	1 space for each 75 square feet of gross floor area (GFA)
Restaurants, providing drive-through service only	8 stacking spaces for each service window; plus 2 spaces for each customer service window
Restaurants, providing carry-out service only	1 space for each 200 square feet of floor area
Retail stores, retail specialty shops, grocery, and service establishments not elsewhere specified in this Section	1 space for each 200 square feet of floor area;
Schools, elementary, junior high, and middle schools (public or private)	1 space for every 20 students based on building design capacity
Schools, high schools	1 space for every 7 students based on building design capacity
Schools, business, professional, or technical schools	1 space for every 3 students based on program capacity

Senior living facilities	0.75 spaces per dwelling unit
Sports and recreational facilities:	
Bowling alleys	5 spaces for each bowling lane; plus spaces otherwise required for any additional uses such as restaurants, bars, and indoor amusement centers
Gymnasiums without spectator seating	1 space for each 100 square feet of floor area (not applicable to gymnasiums associated with schools);
Ice and roller skating rinks	1 space for each 100 square feet of skating area; plus spaces otherwise required for spectator seating
Racquet sport courts, including handball, racquetball, squash, and tennis courts	3 spaces for each court; plus spaces otherwise required for spectator seating
Recreation centers, general purpose	1 space for each 300 square feet of floor area
Swimming pools	1 space for each 75 square feet of pool area, including patio areas; plus spaces otherwise required for spectator seating
Vehicle repair or service facilities	4 spaces for each service/repair bay or station; plus 1 space for each vehicle customarily used in the operation of the use or stored on the premises
Warehousing, self-service storage	5 spaces for the first 5,000 square feet of storage area; plus 1 space for each additional 5,000 square feet of storage area

**Section 2.** This ordinance shall not be construed to so as to relieve any person, firm or corporation from any penalty heretofore incurred by the violation of said Section mentioned above, nor bar the prosecution for any such violation.

**Section 3.** Any person, firm or corporation violating any of the provisions of this ordinance, shall upon conviction thereof, be subject to the penalty provided in Section 100.190 of the Municipal Code of the City of University City.

**Section 4.** This ordinance shall take effect and be in force from and after its passage as provided by law.

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

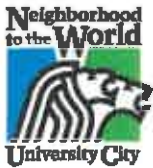
\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

CERTIFIED TO BE CORRECT AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY



## **Green Practices Commission**

6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 862-6767, Fax: (314) 863-9146

**Meeting Minutes –  
August 8, 2019 DRAFT**

**University City Green Practices Commission**

**Location:**

**Heman Park Community Center**

**Attendees Present:**

**John Solodar (Chairperson), Liz Essman, Barbara Brain, Adam Staudt,  
Jonathan Stitelman, Jenny Wendt (Staff Liaison), Adam Brown (Staff),  
Timothy Dugan**

**Attendees Absent:**

**Mary Gorman, Tim Cusick (Council Liaison)**

1. Meeting called to order, Roll Call 5:36pm
2. Opening Round
3. Approval of Minutes  
05/09/19 Green Practices Commission Meeting Minutes were approved with a minor correction.  
06/13/19 Green Practices Commission Meeting minutes were approved as is.
4. Special Presentations – None.
5. New Business
  - a. Solar Power Hour tentative date: October 10<sup>th</sup> is a tentative date for a solar power hour, educating residents on solar information, feasibility, and financial information. This will take the place of the scheduled GPC meeting. October 29<sup>th</sup> there will be a Solar Power Hour at the library.
  - b. Parks Director and City Forester: November 14<sup>th</sup> Commission Meeting – Darren Dunkle, Director of Parks and Recreation, and Jacob Kaiser, City Forester, will attend the November GPC meeting.
  - c. Stormwater Management – Jenny discussed the MS4 program (Municipal Separate Storm Sewer System) and the 6 minimum control measures required by the EPA. The GPC would like the Stormwater Task Force to present to the GPC about their initiatives.
6. Old Business
  - a. Group Solar Program update – Discussed in 5a.
  - b. EV inspector vehicles – The purchase of electric vehicles for the inspectors is on the August 12<sup>th</sup> council agenda for approval.
  - c. Recycling Update – Jenny referred to the anti-contamination memo and the steps the City is taking to reduce contamination. Jenny also indicated the problems with contamination at the drop-off center. Timothy suggested specialty curbside collections of common contamination. Jonathan suggested creating a viral video.
  - d. Litter – Jenny has reached out to Louise King with Lions against Litter and connected Louise with Liz regarding a litter campaign.
7. Council Liaison Update: N/A

8. Closing Round:

- a. Adam asked why the solar panels of firehouse 2 were not approved. Jenny indicated that there are many facilities projects that need to be done, some are critical. John Solodar will check into this.
- b. Jenny announced that October 5<sup>th</sup> is the next Electronics Recycling Event. Certain items now have fees to recycle.
- c. Barbara talked about partnership with the Master Nationalist Group. This could go together with the proposed gardening volunteer group.

9. Adjournment at 6:45 pm



**MINUTES**  
U City Loop Special Business District Board Meeting  
Blueberry Hill-Pac Man Room, 6504 Delmar Blvd.  
Tues., October 8, 2019

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**Attending Board Members:** Joe Edwards, Ben Evans, Wendy Harris, Ryan Patterson, Tom Schmidt, Nakita Smith & Steve Stone **Absent Board Members:** Michael Alter  
**Guests:** Councilmember Paulette Carr, Councilmember Tim Cusick, Mary Gorman (property owner), Libbey Tucker (Director of Economic Development)

**Call to Order:** Joe Edwards called the meeting to order at approximately 10:20 a.m.

**Approval of Minutes:** A motion was made by Tom Schmidt and seconded by Ben Evans to approve the minutes of the August 13, 2019 as published in draft form in Newsletter. The motion was approved unanimously.

**Public comments** – There were no requests to speak in public comments.

**Old Business: Strategic Plan.** Joe noted that two proposals were received in response to the RFP for the Strategic Plan. Those were from Community Growth Strategies and The i5 Group. Ryan Patterson agreed to coordinate with Joe and Libbey to review the proposals and make a recommendation to the City Manager for consideration by City Council.

**Executive Director or Deputy Director Position.** Joe opened the discussion by noting that this position is currently shared between the East Loop CID and LSBDD, with the LSBDD paying one-third of the salary. Administrative functions are not included in the Memorandum of Understanding (MOU) for the position, only marketing and promotions. He noted that Libbey has been instructed to assist temporarily with preparing the agendas and minutes, but not in preparation of other things such as the annual report.

Councilmember Carr stated that the City Manager had met with Rachelle and also sent her a list of administrative items that Council would like added to the MOU. Council feels the West Loop is not being promoted and that the administrative functions could be better handled by an employee rather than the volunteer board members. They would like to see more large events. She noted that the LSBDD Board is not autonomous but reports to City Council, who is ultimately responsible. She also stated Council is still waiting for the books to be reconciled between city staff and the LSBDD. Joe and Tom noted that all invoices have been submitted as requested and that they are not withholding any information.

Councilmember Carr also raised concerns about the East Loop CID doing business as the Delmar Loop. She would prefer to see the West Loop take care of their own business but collaborate when possible. She was concerned that the branding of the Delmar Loop wasn't brought to the LSBDD Board. She noted that Libbey is temporarily

performing administrative functions such as the agenda and minutes and that the City is also offering assistance with the finances and legal aspects.

Steve Stone agreed that since the City Council thinks the LSBSD should have their own director, the Board should take steps to move in that direction. Council funds the LSBSD and it's important to listen to their request.

Steve also noted that he believes there are significant concerns about the fictitious name filing by the East Loop CID, dba The Delmar Loop. After discussion among the Board, a motion was made by Steve Stone to vote on whether to request that the East Loop CID withdraw the fictitious name filing of the "Delmar Loop". The motion to proceed to a vote on the matter was seconded by Ben.

There was considerable discussion regarding the use of the fictitious name as to why it was filed to begin with, who authorized it be done and whether the West Loop could file "jointly" and use the name as well and whether it infringed on trademark rights or "first use" rights.

Joe called for the vote with the results being one in favor (Steve), two against (Joe and Ben) and three abstaining (Nakita, Ryan and Wendy). The motion failed.

Joe offered to contact Rob Klahr, the attorney for the East Loop CID, and request that he meet with City Attorney John Mulligan to see if the issue would be resolved.

Next, Steve asked to go back to the Executive Director discussion and motioned to unwind the MOU with the East Loop CID and stop funding the West Loop's share and instead use those funds to pay for a new executive director who works for the LSBSD exclusively. Ryan requested the motion be amended to state that the MOU would remain in place until an executive director could be hired. Steve agreed to that amendment. The Motion was seconded by Ryan.

There was discussion on what duties the executive director (ED) would perform and if they would work together with the East Loop executive director. The consensus was that if an ED was hired, the ED would perform administrative functions such as record keeping, minutes, agendas, and the annual report. There was also considerable discussion as to whether this person would also manage West Loop events and promotions. Questions were raised as to whether it would be a full or part-time position and if the City would be able to assist through EDRST funding if Council prefers it to be a full-time position.

Ben stated that he thinks Rachelle is doing a good job that he didn't think it made sense to separate marketing efforts for the LSBSD and CID. Rather than end the existing MOU, Ben suggested that the Board could keep handling some of the administrative functions like the minutes and agendas. Councilmember Carr stated Council wants these duties to be handled by an ED to take the responsibility off the volunteer board members.

Joe commended the work Rachelle has been doing for both the East and West Loop. He suggested that since 25% of the EDRST funds are set aside for administrative functions, that City staff could continue handling this role. Members also discussed that

the ED position would give the ability to have continuity of services as the board members change. Joe suggested that for \$10,000 someone could be hired to do the other administrative things that are very time consuming, like the annual report.

Ryan stated he also thinks Rachelle has been doing a good job, but, along with Steve, discussed the importance of listening to what City Council is saying. Steve noted that several times in their meetings, the Board has suggested the West Loop have larger events, but that Rachelle didn't seem to agree. He expressed he feels it's time to separate and find someone who can be responsive to what the Board and City Council is asking.

Joe noted that the Marketing Committee is working on events but that it takes time and money to build and conduct larger events.

Steve suggested moving forward with a separate hire and working with the City Manager and Libbey to develop an exact scope and move away from the MOU and the LSBD's funding of it. He felt it should be a full-time position. Joe noted that he thought it might make sense to hire someone to handle administrative functions for a relatively low salary (e.g. \$10,000), but not to otherwise separate out marketing efforts and events (e.g. the Loop Ice Carnival).

Steve withdrew his previous motion.

Ryan motioned that Steve, Joe and Libbey meet with the City Manager to develop a full-time executive director job description and scope of work for the ED position, which would also include marketing functions and eventually terminating the MOU agreement with the East Loop CID. Steve seconded the motion.

Upon a vote, the motion passed with five voting in favor, with Ben abstaining. He explained that he only agreed with half of the motion, to hold a meeting among the appropriate people to further the discussion and work on a job description. He was not in favor of terminating the MOU (and Rachelle's services) or otherwise separating out marketing for the east and west sides.

### Lighting Proposal

Steve discussed the lighting design services proposal received from Randy Burkett Lighting Design for Delmar Blvd. The scope includes three main areas:

1. Design Development for the Loop Streetscape (6600 Delmar to 5800 Delmar in the East Loop).
2. Design and documentation for the exterior illumination of two buildings. No buildings have been identified, but property owners for two building could volunteer to make the investment with the potential for reimbursement by the LSBD via the EDRST funds.
3. Detailed study and recommendation for using existing lighting poles for "festival" style lighting.

The cost for these three areas is \$38,000. Steve reiterated that these costs are only for design and not the actual lighting or work to install it. Ryan seconded the motion.

Steve motioned that the LSBF fund half of the work at an amount of \$19,000 and suggested the East Loop could pay for the other half. In response to a question, Joe stated the LSBF would still be requesting \$80,000 from the EDRST in their Loop Lighting request.

Steve and Mary volunteered to have their buildings be considered for design as part of the study. Steve clarified that the funding would not pay for the work to install any enhancements but only the study for the design.

The motion passed unanimously.

The meeting was adjourned at 11:43 a.m.