



MEETING OF THE CITY COUNCIL  
CITY HALL, Fifth Floor  
6801 Delmar Blvd.  
University City, Missouri 63130  
Monday, July 11, 2022  
6:30 p.m.

Citizen may also observe the Meeting via Live Stream on YouTube:

<https://www.youtube.com/channel/UCyN1EJ-Q22918E9EZimWoQ>

**A. MEETING CALLED TO ORDER**

**B. ROLL CALL**

**C. APPROVAL OF AGENDA**

**D. PROCLAMATION**

1. Tom Poshak Retirement -U City Summer Concert Band

**E. APPROVAL OF MINUTES**

2. June 20, 2022 –Regular Session Minutes
3. June 27, 2022 – Study Session Minutes (Annex and Trinity Renovations Update)
4. June 27, 2022 – Regular Session Minutes

**F. APPOINTMENTS to BOARDS AND COMMISSIONS**

1. Amy Gascon is nominated for appointment to the Park Commission as a fill-in replacing James Redd's vacated seat by Councilmember Tim Cusick.

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

2. Kimberly Deitzler to be sworn-in to the Library Board.

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

Request to Address the Council Forms are located on the ledge just inside the entrance. Please complete and place the form in the basket at the front of the room.

*Citizen may provide written comments ahead of the meeting; they must be received **no later than 12:00 p.m. the day of the meeting**. Comments may be sent via email to: [councilcomments@ucitymo.org](mailto:councilcomments@ucitymo.org), or mailed to the City Hall –6801 Delmar Blvd. –Attention City Clerk. Such comments will be provided to City Council prior to the meeting. Comments will be made a part of the official record and made accessible to the public online following the meeting. **A name and address must be provided**. Please also note if your comment is on an agenda or non-agenda item. If a name and address are not provided, the provided comment will not be recorded in the official record.*

**I. PUBLIC HEARINGS**

**J. CONSENT AGENDA (vote required)**

1. Annual Renewal – APWA Salt Co-Op for Road Salt Purchase and Delivery

**K. CITY MANAGER'S REPORT (vote required)**

1. 2020 Visioning Task Force Report
2. Crescent Plumbing – Site Plan Review

**L. UNFINISHED BUSINESS (Bills – 2<sup>nd</sup> and 3<sup>rd</sup> readings - vote required)**

1. **Bill 9470 – AN ORDINANCE TO AUTHORIZE THE CITY MANAGER TO EXECUTE A CONTRACT BETWEEN THE CITY OF UNIVERSITY CITY AND THE MISSOURI HIGHWAY AND TRANSPORTATION COMMISSION PROVIDING FOR THE PERSHING AVE. IMPROVEMENT PROJECT.**

2. **Bill 9471** - AN ORDINANCE AUTHORIZING AMENDMENTS TO THE EMPLOYMENT AGREEMENT BETWEEN THE CITY AND CITY MANAGER GREGORY ROSE.

**M. NEW BUSINESS**

*Resolutions (vote required)*

*Bills (Introduction and 1<sup>st</sup> reading - no vote required)*

1. **Bill 9472** – AN ORDINANCE AMENDING SECTION 400.2140 OF THE MUNICIPAL CODE OF THE CITY OF UNIVERSITY CITY, RELATING TO THE SCHEDULE OF OFF-STREET PARKING SPACE REQUIREMENTS, BY ESTABLISHING A MINIMUM PARKING REQUIREMENT FOR RETAIL STORES WITH MORE THAN 45,000 SQUARE-FEET OF COMBINED SPACE.
2. **Bill 9473** – AN ORDINANCE APPROVING A FINAL PLAT FOR A MAJOR SUBDIVISION OF A TRACT OF LAND TO BE KNOWN AS "6801 DELMAR BOULEVARD.
3. **Bill 9474** – AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN FOR THE PROPOSED TRU HOTEL DEVELOPMENT LOCATED AT 711 KINGSLAND AVENUE.

**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 PARTICIPATON (continue if needed)**

**P. COUNCIL COMMENTS**

**Q. EXECUTIVE SESSION**

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.

**R. ADJOURMENT**

Posted the 8<sup>th</sup> day of July, 2022  
LaRette Reese  
City Clerk, MRCC



**PROCLAMATION  
OF THE  
CITY OF UNIVERSITY CITY**

**WHEREAS**, Tom Poshak earned his Bachelor and Master of Music Degrees from the University of Michigan, where he studied under the legendary William Revelli and George Cavender; and

**WHEREAS**, Tom Poshak spent thirty years as a beloved music educator teaching and mentoring Missouri high school students, and directing high school ensembles including concert bands, jazz bands, and marching bands; and

**WHEREAS**, because of his dedication to the music educator profession, and to the hundreds of students he taught, Tom Poshak was awarded the Music Educator of the Year Award and enshrined in the St. Louis Suburban Music Educators Association Hall of Fame; and

**WHEREAS**, for the past twenty years, Tom Poshak has led and conducted the University City Summer Concert Band, providing beautiful music for the University City community; and

**NOW, THEREFORE**, The City Council of the City of University City, Missouri, honor Tom Poshak's outstanding service and contributions to the residents of University City over the many years, and upon his retirement following this 2022 summer season, the City Council do hereby proclaim July 19, 2022, as

***TOM POSHAK DAY***

in University City.

**WHEREOF**, We have hereunto set our hands and caused the Seal of the City of University City to be affixed this 11<sup>th</sup> day of July in the year Two Thousand and Twenty-Two.

SEAL

\_\_\_\_\_  
Councilmember Aleta Klein

\_\_\_\_\_  
Councilmember Steve McMahon

\_\_\_\_\_  
Councilmember Jeff Hales

\_\_\_\_\_  
Councilmember Bwayne Smotherson

\_\_\_\_\_  
Councilmember Tim Cusick

\_\_\_\_\_  
Mayor Terry Crow

\_\_\_\_\_  
Councilmember Stacy Clay

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



## SPECIAL MEETING OF THE CITY COUNCIL

CITY HALL, Fifth Floor  
6801 Delmar Blvd.  
University City, Missouri 63130  
Monday, June 20, 2022  
6:30 p.m.

### A. MEETING CALLED TO ORDER

At the Special Session of the City Council of University City held on Monday, June 20, 2022, Mayor Terry Crow called the meeting to order at 6:30 p.m.

### B. ROLL CALL

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

Councilmember Stacy Clay; (*excused*)  
Councilmember Aleta Klein  
Councilmember Steven McMahon  
Councilmember Jeffrey Hales  
Councilmember Tim Cusick  
Councilmember Bwayne Smotherson

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

### C. APPROVAL OF AGENDA

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

### D. PROCLAMATION

### E. APPROVAL OF MINUTES

### F. APPOINTMENTS TO BOARDS AND COMMISSIONS

1. Sandra Jacobson is nominated to the Board of Adjustment replacing Brain Burkett's vacated seat by Councilmember Jeff Hales, it was seconded by Councilmember McMahon and the motion carried unanimously.

### G. SWEARING IN TO BOARDS AND COMMISSIONS

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

Request Forms to Address Council are located on the ledge just inside the entrance. Please complete and place the form in the basket at the front of the room.

*Citizens may also provide written comments ahead of the meeting, which must be received **no later than 12:00 p.m. on the day of the meeting.** Comments may be sent via email to: [councilcomments@ucitymo.org](mailto:councilcomments@ucitymo.org), or mailed to City Hall at 6801 Delmar Blvd.; Attention City Clerk. **Please note that to be recorded in the official record, a name and address must be provided,** as well as whether your comment is related to an agenda or non-agenda item.*

*Comments adhering to the aforementioned guidelines will be provided to City Council prior to the meeting and made a part of the official record. Public access will be made available online following the meeting.*

### I. PUBLIC HEARINGS

### J. CONSENT AGENDA

1. Lighting Proposal – 6323 Delmar

Councilmember Cusick moved to approve the Consent Agenda, it was seconded by Councilmember Klein, and the motion carried unanimously.

**K. CITY MANAGER'S REPORT**

**L. UNFINISHED BUSINESS**

1. **Bill 9467 – AN ORDINANCE AMENDING SECTION 120.940 OF THE MUNICIPAL CODE OF THE CITY OF UNIVERSITY CITY, MISSOURI, RELATING TO THE UNIVERSITY CITY LOOP SPECIAL BUSINESS DISTRICT ADVISORY COMMISSION, BY AMENDING SECTION 120.940 SO AS TO REDUCE THE NUMBER OF MEMBERS FROM NINE TO SEVEN.** Bill Number 9467 was read for the second and third time.

Councilmember Cusick moved to approve, it was seconded by Councilmember Smotherson.

Roll Call Vote Was:

**Ayes:** Councilmember McMahon, Councilmember Hales, Councilmember Cusick, Councilmember Klein, Councilmember Smotherson, and Mayor Crow.

**Nays:** None.

Mayor Crow announced that Council would be moving back into the Q & A Session initiated during the Study Session.

Councilmember Smotherson posed the following questions to Mr. Dunkle:

**Q. Where will the new lighting for the ball fields be located?**

*A. Staff has been working with Ameren to expand the security lighting within Heman Park; especially the area where you come off of Midland by the ball fields and where concerts are held. There will also be a computerized control box on the south side athletic fields.*

**Q. Will the lights remain on every day until the park closes?**

*A. Staff has already added a pole and light near the first parking lot and this budget item will provide for the remaining upgrades that are needed.*

Councilmember Smotherson asked Chief Hampton if the use of electric vehicles was a feasible option for his department? Mr. Rose stated the City's Code Compliance Officers are using electric vehicles and staff will continue to explore the expansion of these vehicles throughout the organization where their performance meets the needs of a department.

Chief Hampton stated although staff has studied other areas opting to use electric vehicles, his department's current 24/7 use of vehicles prohibits the use of this alternative which requires a significant amount of downtime to recharge.

He stated they recently received the prisoner conveyor van purchased a year and a half ago and are still waiting for the four vehicles purchased this year. In the interim, they will be working to acquire some used vehicles.

Councilmember Smotherson asked if the line item for parts and labor included within the budget was strictly to service the department's current fleet? Chief Hampton stated that is correct.

Councilmember Smotherson posed the following questions to Mr. Rose:

**Q. Is \$300,000 from the American Rescue Fund being added to the \$200,000 allocated towards debt service for renovation projects?**

*A. A total of \$900,000; \$200,000 from the General Fund, \$300,000 from the Capital Fund, and \$400,000 from the Public Safety Fund are being allocated for Certificates of Participation to renovate the Annex and Trinity Building.*

**Q. Is the 3.5 million dollars from the American Rescue Fund going to be used for salaries?**

*A. A vast majority of the ARPA funds will be used for salaries and benefits. The remainder will be used to repair the elevator and increase the street maintenance and curb/sidewalk projects.*

Councilmember McMahon stated it appears as though the budget fairly represents the areas identified in the Citizens' Satisfaction Survey that they would like to see improvements in; with parks & recreation ranking number three, after police and fire.

So, if the focus is now shifting towards recreational programs as opposed to the facility's infrastructure, could you explain the trajectory staff has in mind to increase residents' confidence in the stability of these programs? Because post-COVID, these programs either did not exist or have the capacity to be totally functional.

Mr. Rose stated he believes the City is pretty close to accomplishing Council's priority to improve the infrastructure in its parks and is now ready to make the shift to improving its recreational programs. So, based on the understanding that the pre-COVID climate is very different than it is today, there is a need to identify programs people will feel comfortable participating in, and perhaps, look at developing partnerships with the School District or other jurisdictions to fulfill those needs. Each program will be examined on an individual basis to determine its anticipated participation level and then brought before Council for consideration.

Councilmember Klein asked if there would be an opportunity for Council to amend any partnerships with the School District if it determines that City staff should be involved in some of these programs? Mr. Rose stated if Council agrees that a partnership with the School District is worth exploring, then the intent is for the two entities to work together to develop a program, and that outline will be brought back to Council for consideration prior to its implementation. He stated Council should also keep in mind that the City's reserves can be used to fund recreational programs.

Mayor Crow encouraged Council to be cognizant of the City Manager's challenges associated with direct reports and to look for opportunities where they can assist whenever possible.

Mayor Crow posed the following questions to Mr. Rose:

**Q. Have any initial conversations about summer camp been conducted with the School District?**

*A. No. The first step was to ascertain whether Council was comfortable with pursuing this option.*

**Q. Will the new Finance employee help cure the deficiencies identified in the Audit regarding the need to separate accounting functions in this department?**

*A. With the filling of this position the Finance Department will be fully staffed and posed to address the need for a greater separation of responsibilities.*

**Q. Can we get a printed update on the CALOP Fund?**

*A. Certainly.*

Councilmember Cusick posed the following questions to Mr. Rose:

**Q. What were the determining factors that led staff to its recommendation to outsource the dispatching operations for the Fire Department? My concern is that the City could lose its ability to control the type of service now being provided by making such a big change?**

*A. While it certainly sounds good to say you have a combined police and fire dispatching operation, the truth is, separating the two is not that unusual; especially when you have very active departments. And what convinced me to make this recommendation were discussions with both Chiefs who revealed the ever-changing and demanding role of a dispatcher; their challenge to hire and retain dispatchers in today's environment, and the significant investment that would be needed to make necessary changes to the infrastructure. Both Chiefs explored ways to reduce costs while maintaining the accuracy required and minimizing the likelihood of serious incidents occurring, and that culminated in a report that Chief Hinson will provide to Council. The report recommended that the best option for the City would be to moderately outsource this department to a company that provided all the necessary equipment for a specific dollar amount.*

**Q. Does that report include statistical information that ensures residents will be receiving the same quality of service?**

*A. While the initial report may not include response times, Chief Hinson has conducted additional studies along those lines with the organization being proposed, and that statistical information can be provided. However, what I can tell you today is that the City's dispatching response times will improve.*

Councilmember Cusick stated he was a little troubled by the fact that Council had not been given the opportunity to discuss this matter before its introduction during the budgeting process. Mr. Rose stated what Council should keep in mind is that the budget merely represents concepts staff believes should be funded. It just puts the money in place. But it's up to Council to make the final decisions about how that money should be spent, based on what they believe will be in the best interest of the organization and its residents; and that includes the execution of any proposed contracts.

Councilmember Hales questioned whether any contract associated with this issue would be brought back to Council as an agenda item requiring public notice? Mr. Rose stated that it would.

**M. NEW BUSINESS**

*Resolutions*

**1. RESOLUTION 2022-6 - Fiscal Year 2022-2023 (FY23) Annual Operating Budget**

Mayor Crow noted that Council had received a presentation on the Annual Operating Budget during the Study Session and was allowed to ask questions or express any concerns during both of tonight's meetings.

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

*Bills*

*Introduced by Councilmember Hales*

- 1. Bill 9468 – AN ORDINANCE FIXING THE COMPENSATION TO BE PAID TO CITY OFFICIALS AND EMPLOYEES AS ENUMERATED HEREIN FROM AND AFTER JULY 3, 2022, AND REPEALING ORDINANCE NO. 7182. Bill Number 9468 was read for the first time.**

**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

Councilmember Smotherson stated he is glad the Mayor inquired about CALOP because this Commission has been rather inactive for some time.

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

**P. COUNCIL COMMENTS**

Councilmember Cusick thanked Mr. Rose and his staff for presenting another comprehensive Annual Operating Budget.

Councilmember Hales stated as far back as he can recall there have always been ongoing discussions by residents about the need for more collaboration between the City and the School District. In fact, it was a topic of conversation in the recent visioning community meeting. So, this is a wonderful opportunity, and he appreciates the City Manager's vision and aspiration to explore new and improved possibilities for the kids in this community.

Councilmember Klein thanked U City in Bloom and all of the volunteers working on Ruth Park Woods. They have done an absolutely stunning job, so she would invite the community to come out and enjoy this beautiful park.

Mr. Rose stated he is just the leader of the band, and therefore, he would like to recognize and thank all of his directors for the hard work they put in, in preparing this budget. He stated a special recognition goes out to Mr. Cole, who never failed to answer his recurrent calls.

**Q. EXECUTIVE SESSION**

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 (13) Individually identifiable personnel records, performance ratings or records pertaining to employees.

Councilmember Hales moved to close the Regular Session and go into a Closed Session, it was seconded by Councilmember Cusick.

Roll Call Vote Was:

**Ayes:** Councilmember Hales, Councilmember Cusick, Councilmember Smotherson, Councilmember Klein, Councilmember McMahon, and Mayor Crow.

**Nays:** None.



**R. ADJOURNMENT**

Mayor Crow thanked everyone for their participation and closed the Regular Session at 7:06 p.m. to go into a Closed Session on the second floor. The Closed Session reconvened in an open session at 7:48 p.m.

LaRette Reese,  
City Clerk, MRCC

DRAFT



**STUDY SESSION**  
**Annex and Trinity Renovations Update**  
CITY HALL, Fifth Floor  
6801 Delmar Blvd.  
University City, Missouri 63130  
**Monday, June 27, 2022**  
**5:30 p.m.**

**AGENDA**

**1. MEETING CALLED TO ORDER**

At the Study Session of the City Council of University City held on Monday, June 27, 2022, in the absence of Mayor Terry Crow, Mayor Pro Tem Bwayne Smotherson called the meeting to order at 5:30 p.m.

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

Councilmember Stacy Clay  
Councilmember Aleta Klein; (excused)  
Councilmember Steven McMahon  
Councilmember Jeffrey Hales  
Councilmember Tim Cusick

Also in attendance were City Manager, Gregory Rose; City Attorney, John F. Mulligan, Jr.; Police Chief, Larry Hampton; Senior Project Manager, Amanda Truemper of Trivers, and Landscape Designer, Derek Don, of DG2 Design Landscape Architecture.

**2. CHANGES TO THE REGULAR AGENDA**

Mr. Rose stated he would like to recommend removing Item M-2; Bill Number 9469, from the Agenda.

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

**3. ANNEX AND TRINITY BUILDING RENOVATIONS UPDATE**

Mr. Rose stated Amanda Truemper the Senior Project Manager for Trivers is here to present Council with an update on the Annex and Trinity Building Renovations. At the conclusion of this presentation, Mr. Rose stated he would be open to receiving any questions or guidance from Council.

Ms. Truemper stated Mr. Derek Don, a Landscape Designer at DG2 Design Landscape Architecture, will be assisting her in providing this update presented at the Community Design Review.

**Community Design Review Summary**

- Recap of Public survey conducted during the Space Needs Study
  - Existing building stock vs. the proposed need
  - Frequently visited Public Departments/One-Stop-Shop
    - ✓ Public Works
    - ✓ Police
    - ✓ Planning & Development
    - ✓ City Manager's Office
    - ✓ Management
    - ✓ Finance

- City Hall's Functions/Challenges/Impressions
- Police Facility Functions/Challenges/Impressions
- Take-Aways from the study
  - ✓ Improving public access to departments
  - ✓ Separate police and municipal court programs
  - ✓ Increased accessibility
  - ✓ Revitalizing historically significant buildings

✚ *The One-Stop-Shop is designed to host an ancillary employee from each department being represented. All departments will remain in City Hall.*

### **Building Design Progress Report**

#### **Project Schedule**

- March 17, 2022: Green Practices & Historic Preservation Commission Reviews
- March 31, 2022: Design Development Submission
- May 17, 2022: Community Design Review
- June 27, 2022: City Council Meeting Update
- July 2022: Construction Documents Submission
- August - September 2022: Bidding
- October 2022: Construction start
- December 2023: Substantial completion & move-in (estimated date)

#### **Project Scope**

- Overview
  - City Hall –no work on this project
  - One-Stop-Shop for City Services
  - Police Headquarters
  - Municipal Courts
- Architecture
  - New accessible main entry point for City Hall and Police
  - One-stop area for public-facing City Hall services
  - Accessible entrances and security checkpoints
  - Updated/new restrooms
  - Structural retrofit as required for essential services
  - Restore character-defining features
- Site Work
  - Remove temporary police structures
  - Provide secure parking for police parking and sallyport
  - Public parking

#### **Annex Connector: New Main Entry**



### Exterior Finish Selections

- Concrete panels compatible with the Annex/City Hall, and historic materials

### Annex Connector: One-Stop-Shop

- Metal and package detection scanners
- Information desk
- 20 seats for public
- Department transaction counters behind archways
- Police records
- Police entrance

### **Annex: Police Break Room**

#### **Trinity: Main Entry**

- Separates Police from Municipal Courts
- Accessibility
- Historic Renovations

#### **Trinity: Municipal Courtroom** (*Former Reading Room*)

### Site Design Progress Report

- Design Development Review

#### **Existing Project Site**

- Public parking on the north

#### **Site Plan Improvements** (*Accessible Design*)



#### **Site Arrival Points & Vehicular Circulation**

- Public entry points off Mike King Drive
- Drop off point near the connector for temporary parking and a drop lane at the new Trinity entrance
- Two police and staff entry points; west side of Trinity & Mike King Drive with vehicular access gates with badge reader for police/city staff

#### **Parking Counts**

- Temporary & ADA parking
- 71 public spaces (on-site)
- 13 public spaces (street)
- 67 secured parking spaces within the fencing

Private/Secure zone in the center with the public access zones on the north and south sides

## Security



- Red Line = 8' anti-climb security fence
- Blue Line = wrought iron fence
- PVC fencing to be removed
- Fencing will maintain the character of the Lewis Collaborative and Harvard Avenue fences

## Landscaping

- Meeting with U City in Bloom
- Canopy trees, evergreens, and shrubs used for screening adjacent residential neighborhoods
- Existing trees to be protected
- Seasonal and Native landscape pallets throughout the campus
  - ▀ Blue Cedar
  - ▀ Norway Spruce
  - ▀ Blue Spruce
  - ▀ Red Winterberry
  - ▀ Yellowwood
  - ▀ Viburnum
  - ▀ Juniper

## Site Materials

- Complimentary to the architecture and historic character of the buildings
- Standard broom finished concrete
- Sidewalks matching public sidewalks along Delmar/City Hall
- Accent colored bands to define parking from public walkways
- Security bollards
- Stainless steel handrails

## Stormwater Management Overview

MSD had reported downstream issues of the project site. As such, MSD requires the treatment of the new work to be equal to that of a Greenfield site. Two MSD stormwater requirements will be met:

1. Volume Reduction (reducing the amount of stormwater leaving the site;
2. Flood Protection (reducing the rate at which stormwater water is leaving the site)

Both requirements will be addressed with an underground chamber-style detention system located at the north end of the site.

### Neighborhood Adjacency Improvements

- Decreased Neighborhood Traffic: Reorientation of building entry points to East Site primarily accessed by the public from Sgt. Mike King Drive
- Fencing Enhancements along Trinity Avenue: Removal of police PVC fencing, restoration of wrought iron & landscaping
- Layered landscape design to shield headlights from neighborhood
- Site Lighting: Dark-sky approach

### Green Practices Commission Summary

- **Mechanical System**
  - Design Goals
    - ✓ System Fits in with Interior Design Goals / Preserve Building Character
    - ✓ High System Efficiency to meet City Goals
    - ✓ High Level of Space Control
  - System Characteristics
    - ✓ Distributed Cooling Units
    - ✓ Separated Dedicated Outdoor Air Systems
    - ✓ Minimize large ducts thru spaces
  - Advantages
    - ✓ Highly Efficient Design
    - ✓ De-Couple Outdoor Air from Space Cooling
  - Early Analysis Results
    - ✓ This project is improving the City's minimum energy efficiency, renewable energy, and greenhouse gas reduction goals outlined in Section 500.260 of the Ordinance.

### Historic Preservation Commission Summary

#### Historic Significance of Annex

1903: Constructed

1908: Deconstructed

1910: New Design

1930: Women's Magazine acquired for U City's City Hall

1934: Houses U City's Police & Fire Departments

1940: A fire at the Annex building left only 5 original bays remaining

#### The Trinity Building

- Period of Significance: 1902-1912
- The boundary includes the Trinity site
- Still being treated as a significant historic structure
- In compliance with Secretary of the Interior's Standards for Rehabilitation and Treatment of Historic Properties

### Key Features

#### Annex - Seismic Upgrades to the Interior

Location of concrete shear wall on the interior

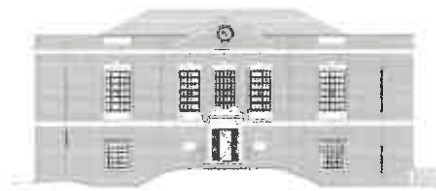
Window infill for structural or planning needs

Window upgrade for security

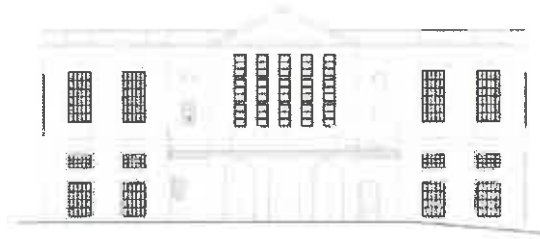
Third-floor skylight and clerestory restoration

- ✦ *Annex windows were replaced several years ago; the Trinity windows are original and will be replaced.*

**New  
Trinity West Primary Elevation**



**New  
Trinity East Secondary Elevation**



- Restoration of the historic stairway and all woodwork
- Radiators will be removed, and their casings used for the new mechanical system

**Cost Estimate Comparisons**

- Deviations are trending less from the Space Needs Study, from (SD) to DD), which is good.
- These totals do not reflect any changes to the scope of work

November 12, 2020	January 5, 2022 (SD)	April 26, 2022 (DD)	Deviations
<b>Annex</b>			
\$15,656,001	\$13,367,158	\$14,102,024	+\$734,866
<b>Trinity</b>			
\$ 2,270,657	\$ 3,517,536	\$ 3,968,245	+\$450,709
<b>Site Work</b>			
\$ 1,628,174	\$ 2,936,054	\$ 3,154,730	+ \$218,676
<b>Total</b>	<b>Subtotal</b>	<b>Subtotal</b>	<b>Subtotal</b>
\$19,563,832	\$19,820,748	\$21,225,000	+\$1,404,252
Seismic Retrofit	\$ 438,639	\$ 851,749	+ \$413,110
<b>TOTAL</b>	<b>\$20,259,441</b>	<b>\$22,076,749</b>	<b>+\$1,817,308</b>

Escalation continues to trend high due to the current supply chain climate

- Structural Steel items of note:
  - Framing for Connector Addition
  - Framing for new canopies at Connector + Trinity
  - Floor framing for removed Trinity stacks
  - Floor framing for raised garage bay at Annex
  - Seismic retrofit assumptions are better defined by geotechnical investigations
- Mechanical design development to meet Energy Code Requirements
- Electrical power/data development
- Site design development

**Construction Cost Estimate Summary**

- Base Estimate Cost
- General Condition (6%)
- Escalation (4.44%)
- Design Contingency (10%)
- GC Overhead & Profit (12%)



		<u>Total Costs</u>
A01	Annex + Connector Bldg.	\$14,102,024
		+\$734,866
B01	Trinity Building	\$3,968,245
		+\$450,709
C01	Site Work - City Hall Campus	\$3,154,730
		+\$218,676
	<b>Total Costs</b>	<b>\$15,561,956</b>
		+\$1,404,252

- Estimates based on drawings dated March 31, 2022
- Escalation assumes construction starts in Fall 2022
- Design fees not included
- FFE not included

### Next Steps: Approvals Processes & Timeline

#### June/July 2022

- City Council Update
- Lot Consolidation (Plan Commission & City Council)
- Submission of Site Development Plan (City Council)
- Procurement Review & Prep

#### Client Meeting Schedule

- 04/28/2022 – DD Cost Estimate Overview
- 05/26/2022 – Detention Area Design Review
- 06/23/2022 – Security, Engineering Review
- 07/14/2022 – Client Meeting Final Check-in

✚ *Trivers meets with the consortium; which includes police & fire on a monthly basis*

#### Construction Documents: 4/2022 –7/2022

- 07/29/2022 –100% CD Final Submission
- 08/11/2022 –100% CD Cost Estimate Complete
- Bidding + Contractor Selection – 8/2022 thru 9/2022
- Construction Begins –10/2022
- Final Completion –12/2023 (estimated)

Mr. Rose stated the financing will be discussed after a bid has been received if Council elects to move forward. \$900,000 has been set aside in the budget for the initial debt service payment; \$200,000 from the General Fund, \$300,000 from the Capital Fund, and \$400,000 from the Public Safety Fund, but more than likely, the type of financing will be Certificates of Participation.

Councilmember Hales stated the need for secure parking was identified in Trivers' initial analysis, as well as a separate analysis conducted in 2014. And he believes the Chief referenced this fencing as one of the measures evaluated in the department's accreditation assessment. So, while the need for secure parking is understood, he would not characterize the fence being proposed as being decorative. Councilmember Hales then posed the following questions:

#### **Q. What discretion do we have as far as the type of materials that can be used?**

**A. (Mr. Don):** *The decorative fence referred to in the packet is the existing ornamental fence. And while there are a few options on the market for anti-climb fences; one of which was installed around the MLS facility downtown, the 8-foot, anti-climb fence with vehicular gates and card readers was requested by Chief Hampton.*

**Q. Does this particular fence meet these standards or best practices; installed below grade level to prevent people from digging underneath, and screened from both sides to prevent people from viewing activities inside the fence?**

A. (Mr. Don): This fence will not be buried 6 feet below grade, but it will have footings set right to grade, with cameras located around the fence. However, we would be happy to look into some of the fencing available from other manufacturers.

A. (Ms. Truemper): In response to your question about transparency, the Chief was verbal about not wanting to create a complete public block. We talked about creating blind corners for wayfinding and he thought the semi-transparency of this fence was good.

A. (Mr. Don): Early on we looked at several different options; one where the secure parking was to the north and the non-public was towards the south. But that sort of intermingled the police and secure core into the public zone. We really tried to massage exactly where that secure core should be located to provide optimal operations for the Police Department.

**Councilmember Hales stated he appreciates the Chief's desires but thinks there needs to be some balance by using materials that fit the historic character of the area.**

**Q. Can you tell me how the number of parking spaces was determined for the secure area?**

A. (Ms. Truemper): Both the square footage and parking needs were determined during Trivers' Space Needs Study and HOK's programming with the police. The 67 spaces were updated at the beginning of the schematic design.

Councilmember Clay posed the following questions:

**Q. I've received a couple of questions from the community questioning the need for such an elaborate facility since officers spend most of their time in cars. Can you speak to these concerns, explaining the need for such an elaborate design and how the building will be utilized?**

A. (Mr. Rose): Keep in mind that a large number of the employees like, dispatchers, command, and administrative staff are going to be at the facility eight to ten hours a day. And officers also perform activities like, writing reports or conducting interrogations that simply cannot happen in their vehicles.

A. (Chief Hampton): There are about 35 officers whose responsibilities require them to work in the office. So, while they certainly encourage rolling officers and community patrols, all of their paperwork has to be processed within this secured zone.

**Q. Most folks just want to know where to go to transact business. So, can you walk us through a typical trip to City Hall, including parking, accessing the Connector, and what they should do if they need to conduct business with a specific department?**

A. (Ms. Truemper): The hope is that most of their transactions can be accomplished by using the short-term public parking spaces but if that's full, they can use the larger public lot. A lot of paving and landscaping have been designed to encourage the feel of an open plaza. So, the sidewalks are wider, there is a generous sloped walkway leading to the building with fully accessible crossings, and a lot of universal design standards and material way-finding cues for their approach.

They will enter into the vestibule where the metal detector, package scanner, waiting area, and a transaction counter where someone will be stationed to answer any questions, are located. If they are there to attend a meeting or have questions that cannot be answered at this initial touch base, they will be directed to a specific department within City Hall by using the stairs or elevators.

**Q. So simple transactions, like obtaining an Occupancy Permit, can be conducted in the Connector?**

A. (Mr. Rose): The goal is to provide a user-friendly, efficient process for visitors, where 60 to 70% of the transactions that occur on a daily basis can be accomplished in the Connector.

Councilmember Cusick posed the following questions to Ms. Truemper:

**Q. When you talk about accessibility, are you also taking ADA compliance issues into consideration?**

A. Absolutely. We have an accessibility consultant on our team who has conducted extensive reviews both from the public side and employee work areas.

**Q. Is it correct that no fencing will be erected around City Hall?**

A. City Hall is completely out of the scope of this project.

Mayor Pro Tem Smotherson posed the following questions to Mr. Rose:

**Q. Does the fencing have to be approved by the Board of Adjustments, and if not, why?**

A. As a part of this process what Trivers and Mr. Mulligan have done is look at what the City is legally obligated to do. And our belief is that Trivers and/or staff have taken the required steps of making presentations to any Board or Commission deemed relevant under those obligations. For example, under those requirements, the Site Plan must be presented to the Planning Commission for review. But at this point, he is not aware of a requirement for the City to go before the Board of Adjustments to address the fencing.

**Q. My neighbor was informed that she would have to go before the Board of Adjustments to obtain a variance before installing additional fencing. So why is there a difference between the requirements for the City and its residents?**

A. The answer to that question can be found in the existing policies. However, if there is a desire to change those policies that's something Council and staff can certainly look into.

Councilmember Hales stated he would like to see other options for the fencing. Ms. Truemper stated they could definitely look at other options for security fencing, including the color, which could help minimize its appearance.

During the Community Design Review there was a comment made about access from University Heights through the public parking lot. And since this is a commonly traveled pathway for folks to get to The Loop or the Library, he wanted to make sure that comment was addressed. Ms. Truemper stated her team heard the comments and presented the question to Chief Hampton. And what he shared in an emailed response about the need for this pathway is, "The concern for employees and the public's wellbeing in having a secured lot free of vandals, robbers, and assault perpetrators far outweigh the minor walk ground from this area. We currently have this area secured for UCPD activities by a security gate within the current plan. So, comparing a dated layout prior to 2016 with the ability to update and make sure all persons; especially employees late at night, have safe passage to and from our properties is vital. We understand everyone is not going to agree on the design or layout, but many of my civilian employees who are not combat trained desire a secure location to enter their vehicles after working late hours. It also follows the Crime Prevention through Environmental Design tenets."

Ms. Truemper stated the current pass-through at the Lewis Center Collaborative will not be impacted by this project, so there will still be kind of a cross-site connection.

Councilmember Hales stated that he was referring to the cut-through on the public side in front of the Library, and not the secured area. He then asked if there would still be parallel parking spaces on Mike King Drive, and if so, could they be used for additional public parking? Ms. Truemper stated this is a 4-foot fence that can easily be breached. So, her understanding is that there is a need to reduce porosity and have an enhanced ability to monitor who is passing through the site.

Mayor Pro Tem Smotherson stated as the dissenting vote on this project, even he believes that the elimination of a security fence would be like placing apples; the police, among oranges; the public. So those apples do require some sort of security from this free-flowing, fully accessible plaza.

#### **4. ADJOURNMENT**

Mayor Pro Tem Smotherson thanked Ms. Truemper for her presentation and adjourned the Study Session at 6:30 p.m.

LaRette Reese,  
City Clerk, MRCC



**MEETING OF THE CITY COUNCIL**  
CITY HALL, Fifth Floor  
6801 Delmar Blvd.  
University City, Missouri 63130  
**Monday, June 27, 2022**  
**6:30 p.m.**

**A. MEETING CALLED TO ORDER**

At the Regular Session of the City Council of University City held on Monday, June 27, 2022, in the absence of Mayor Terry Crow, Mayor Pro Tem Bwayne Smotherson called the meeting to order at 6:36 p.m.

**B. ROLL CALL**

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

Councilmember Stacy Clay  
Councilmember Aleta Klein; (excused)  
Councilmember Steven McMahon  
Councilmember Jeffrey Hales  
Councilmember Tim Cusick

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

**C. APPROVAL OF AGENDA**

Mayor Pro Tem Smotherson noted that the Agenda had been amended during the Study Session to remove Item M-2; Bill Number 9469.

Councilmember Hales moved to approve the Agenda as amended, it was seconded by Councilmember McMahon, and the motion carried unanimously.

**D. PROCLAMATION**

**E. APPROVAL OF MINUTES**

1. June 13, 2022, Regular Session Minutes was moved by Councilmember Cusick, it was seconded by Councilmember McMahon, and the motion carried unanimously.

**F. APPOINTMENTS TO BOARDS AND COMMISSIONS**

1. Kimberly Deitzler is nominated for appointment to the Library, replacing Edmond Acosta's expired term (6/30/2022) by Councilmember Steve McMahon, it was seconded by Councilmember Hales, and the motion carried unanimously.

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

1. Michael Forte was sworn into the Pension Board in the Clerk's office on Friday, June 24, 2022.

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

Request Forms to Address Council are located on the ledge just inside the entrance. Please complete and place the form in the basket at the front of the room.

*Citizens may also provide written comments ahead of the meeting, which must be received **no later than 12:00 p.m. on the day of the meeting**. Comments may be sent via email to: [councilcomments@ucitymo.org](mailto:councilcomments@ucitymo.org), or mailed to City Hall at 6801 Delmar Blvd.; Attention City Clerk. **Please note that to be recorded in the official record, a name and address must be provided**, as well as whether your comment is related to an agenda or non-agenda item.*

*Comments adhering to the aforementioned guidelines will be provided to City Council prior to the meeting and made a part of the official record. Public access will be made available online following the meeting.*

**Ellen Bern, 7001 Washington Avenue, U City, MO**

Ms. Bern stated the City's Zoning Ordinance requires that the Historic Preservation Commission review any changes to Civic Plaza. But according to the schedule posted in Trivers' Report only one meeting was conducted with the Commission to review the proposed plan, and no vote was taken to reflect their recommendations. She stated she was also informed that the new proposal does not comply with the original plans for the Plaza; and as a result, she is concerned about the entire process being used. One meeting on a project of this magnitude that represents the heart of this City does not make sense. And what it feels like from a community perspective is that this project is being rushed through with little or no meaningful input from the community.

The proposed fencing is another area of contention for residents that seems to be setting an extremely challenging precedent. So, she would like to thank Councilmember Hales for expressing the need to revisit this issue.

Five fifteen-minute parking spaces; which will probably be reduced to three, if handicap spaces are included, do not seem to be serving the community since visits to City Hall typically only take a few minutes.

Ms. Bern stated her last concern is about the proposal to abandon these chambers and rent this space out. But with a defective elevator, a roof that needs major repairs, and no available kitchen space, why would anyone want to rent this space out for a personal event? She stated most residents live in U City because they value its historic character, so she thinks this administration should think long and hard before saying goodbye to this building as a customary place for conducting its business.

Ms. Bern suggested that Council take the time to allow for more open community discussions, in addition to the reviews and approvals dictated by the City's governance process.

**Mary Ann Zaggy, 6303 McPherson, U City, MO**

Ms. Zaggy stated as an avid protestor, she appreciates the U City Police, who has always been great about protecting a citizen's First Amendment Rights. But at the same time, she is concerned about the fact that citizens are being asked to spend so much money on a security system for its officers that reroutes people away from the City's beautifully historic and fulsome main entrance.

Over the last couple of months attacks on citizens have taken place in grocery stores, schools, churches, synagogues, and theaters. So, why are we not working to secure these places? Because a secure community is a community that supports all of its citizens and implements programs that build the community. Bring back events like Fair in the Square; Fair U City and start placing more of an emphasis on supporting our schools, instead of erecting fences. The goal should not be to make people afraid to come to City Hall.

Ms. Zaggy stated while she appreciates the intent, she would encourage Council to listen to their residents because she certainly is not alone in her thoughts about this proposed plan.

**Tom Sullivan, 751 Syracuse, U City, MO**

Mr. Sullivan stated he does not think Bill Number 9469 should receive a 3.5-million-dollar subsidy because it seems like an abuse of the Chapter 100 provision of state law.

This provision is supposed to be an incentive for projects that might not otherwise get done, but this is a desirable neighborhood. So, in this case, it looks more like a giveaway to a very connected developer, Charlie Deutsch. And you can almost be certain that this large subsidy won't lead to lower rent for Mr. Deutsch's tenants like low-income housing tax credits provide, more than likely it will be going right into the developer's pocket.

Mr. Deutsch has a best buddy status at City Hall. He is also one of the biggest campaign contributors to U City ballot proposals and its politicians. He made a \$2,000 contribution a few months ago to the campaign for Proposition F, a proposed sales tax increase that would raise the cost of almost every purchase in U City, including groceries. And last year he made a \$500 contribution to Terry Crow's reelection campaign. Now ironically, he wants a big tax break for himself, which the City appears to be trying to sneak past residents with as little public notice as possible.

Mr. Sullivan stated it used to be that honest government was something taken for granted in U City, but as we have seen with the deception associated with the Costco Project and the dishonesty regarding Proposition F, those days are long gone. An ethical politician should never take contributions from a developer they know will be working on various projects that need their approval. Therefore, Mayor Crow should recuse himself from the vote and the proposed subsidy for the Delmar Boulevard Project should be rejected.

Mayor Pro Tem Smotherson noted that Council had received several written comments that will also be included in the record.

**I. PUBLIC HEARINGS**

**J. CONSENT AGENDA**

1. Contract with Planning NEXT for consultant services for an update to the Comprehensive Plan.
2. Community Development Block Grant (CDBG) supplemental agreement (Cochran Engineering).
3. U City in Bloom Agreement (FY23).

Councilmember Cusick moved to approve Items 1 through 3 of the Consent Agenda, it was seconded by Councilmember McMahon, and the motion carried unanimously.

**K. CITY MANAGER'S REPORT**

**L. UNFINISHED BUSINESS**

1. **Bill 9468** – AN ORDINANCE FIXING THE COMPENSATION TO BE PAID TO CITY OFFICIALS AND EMPLOYEES AS ENUMERATED HEREIN FROM AND AFTER JULY 3, 2022, AND REPEALING ORDINANCE NO. 7182. Bill Number 9468 was read for the second and third time.

Councilmember Cusick moved to approve, it was seconded by Councilmember Clay.

Roll Call Vote Was:

**Ayes:** Councilmember McMahon, Councilmember Hales, Councilmember Cusick, Councilmember Clay, and Mayor Pro Tem Smotherson.

**Nays:** None.

**M. NEW BUSINESS**

*Resolutions*

1. **Res 2022-7** –Committed Fund Reserves for Various Funds (FY22)

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

*Bills*

1. **Bill 9469** – AN ORDINANCE AUTHORIZING THE CITY OF UNIVERSITY CITY, MISSOURI TO ISSUE ITS TAXABLE INDUSTRIAL REVENUE BONDS (DELMAR BOULEVARD REDEVELOPMENT AREA PROJECT), SERIES 2022, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$90,000,000, FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE COSTS OF ACQUIRING, CONSTRUCTING AND IMPROVING A FACILITY FOR AN INDUSTRIAL DEVELOPMENT PROJECT IN THE CITY; APPROVING A PLAN FOR THE PROJECT; AND AUTHORIZING THE CITY TO ENTER INTO CERTAIN AGREEMENTS AND TAKE CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH. (Removed)

*Introduced by Councilmember Hales*

2. **Bill 9470** – AN ORDINANCE TO AUTHORIZE THE CITY MANAGER TO EXECUTE A CONTRACT BETWEEN THE CITY OF UNIVERSITY CITY AND THE MISSOURI HIGHWAY AND TRANSPORTATION COMMISSION PROVIDING FOR THE *PERSHING AVE. IMPROVEMENT PROJECT*. Bill Number 9470 was read for the first time.

*Introduced by Councilmember McMahon*

3. **Bill 9471** – AN ORDINANCE AUTHORIZING AMENDMENTS TO THE EMPLOYMENT AGREEMENT BETWEEN THE CITY AND CITY MANAGER GREGORY ROSE. Bill Number 9471 was read for the first time.

**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** (continue if needed)

**Patrick Fox, 1309 Purdue Avenue, U City, MO**

Mr. Fox stated he would respectfully request that Bill Number 9471 be tabled until the full Employment Agreement has been disclosed. He stated it seems as though every other page from the original 2017 Agreement was omitted from this week's agenda attachments.

**P. COUNCIL COMMENTS**

Councilmember McMahon thanked everyone for their written and oral comments and stated that he would like to see the practice of submitting written comments remain going forward because it is a benefit to all parties.

He stated in addition to Mr. Sullivan's comments he also received nameless allegations and implications about the receipt of donations through written and emailed correspondence, as well as accusations accusing him of unethical transactions related to Prop F. All of which the Missouri Ethics Commission found no reasonable basis for. For weeks, Mr. Sullivan has supplied no facts or proof of his allegations because his only objective is to get the community to believe that their government officials are dishonest based on his word alone. So, if anyone has proof of these allegations then he would encourage them to bring that evidence forward.

Councilmember McMahon stated he thinks the folks on this Council are doing a good job working essentially as volunteers for the community. And unlike the previous administration who never listened or responded to comments that differed from their beliefs, he thinks everyone sitting on this dais is willing to listen to folks who have complaints, or who have issues they believe are impacting them. This Council simply does not operate that way, and he would encourage everyone to continue participating in these meetings and discussions concerning this community's future.



However, when you threaten his license to practice law, or his liberty, as Mr. Sullivan has done, it is inappropriate and does not reflect what he believes are the values of U City.

Councilmember Hales stated prior to his comments regarding the issue of process as it relates to several items discussed this evening, he would like to recognize two members of The Plan Commission who are in attendance tonight.

The process involving the Police Station and old Library began approximately two and a half years ago. And after a review of the minutes and agenda, he determined that this is the tenth public presentation on these issues, which were live-streamed and documented on YouTube. It has been a slow process, and the plans presented here tonight are not written in stone. In fact, he still has questions about the size of the secured parking and the character of the fencing being proposed. However, once they are finalized, the plans will go back to the Historic Preservation Commission for their review and recommendation.

With respect to Bill Number 9469, Council received its notification about the first reading of this Bill at essentially the same time the public received theirs. Each member gets a draft of the packet electronically on Thursdays and a hand-delivered copy of the final packet on Fridays. The Plan Commission has held at least six meetings on this issue, and he and Councilmember McMahan conducted three community meetings on this issue in August of 2020. The Commission recommended 4 to 1 against the abatement, and it's all public record.

What was upsetting this weekend is that innocently, a misunderstanding occurred that resulted in emails circling around the City suggesting that there would be a vote taken on this Bill tonight. One of those emails was forwarded by the former Mayor who added that Council's intent was to push this item through, while others included some of the things mentioned by Councilmember McMahan, like the Council being in the developer's pocket. Councilmember Hales stated all of these accusations were really disheartening; especially when you look at the actions taken today versus those taken in 2013, when another large development, Vanguard, requested abatement. He stated his research of this issue revealed that the records during this timeframe were woefully unkept. There were agendas with no minutes; minutes with no agendas, no reference to this project in any of the minutes or tapes of Council meetings; no public reference in the Board and Commission reports from Council liaisons; no reference that the 10-year 100% abatement for the Vanguard Project was reviewed by the Plan Commission, or that it was presented to Council for review. In fact, neither of the two current members of this Council who were also members in 2013 had ever heard about the abatement. That's because this project went through the Land Clearance Redevelopment Authority. What's also interesting; since the former Mayor decided to circulate her perplexing beliefs about the Delmar Project is that she was the Council liaison for the Land Clearance Redevelopment Authority. All of these actions are in stark contrast between the policies, processes, and approaches that have been taken by this Council.

So, he would like to make sure everyone is clear that this Bill was merely on the agenda to be introduced, as the City's Ordinance dictates that no vote can be taken before three readings, and that requires two meetings. Nevertheless, he is glad that the City Manager amended the agenda by removing this Bill because it is a 200-page document that he believes requires further study.

Councilmember Hales stated one of the wonderful things about having the privilege to serve on this Council is that they all talk to one another. And in his opinion, that open dialogue is what has helped them move forward when they've been faced with some very challenging issues. So, he simply cannot express how much he respects the members of this Commission and the work they do. He stated he would also like to thank the residents who contacted them about this issue; in particular, the few who called him and were willing to engage in a conversation to have their questions answered.

Councilmember Smotherson stated he would like to make sure everyone understands that he thinks highly of the City's police force even though he had a dissenting opinion about this proposal.

He stated this is a generational decision that requires Council to provide this City with a facility that will serve its residents well for years to come.

Councilmember Hales moved to adjourn the Regular Council Meeting, it was seconded by Councilmember Cusick, and the motion carried unanimously.

**Q. ADJOURNMENT**

Mayor Pro Tem Smotherson thanked everyone for their participation and closed the Regular Session at 7:16 p.m.

LaRette Reese,  
City Clerk, MRCC

DRAFT

## Dissenting opinion on the annex/police station renovation

Plan for the future, move forward not backwards.

The Civic Plaza is evolving and changing.

- Lewis Place use to be Six Grade Center. Wash U is redeveloping that building into residential and office space. It will never be a school again.
- Demolition of the Delmar Building will be replaced by a hotel and the renovated Harvard building will house a conference center and business offices.

The only thing not evolving in the Civic Plaza is City Hall and the Annex. Putting the police back into the Annex will **set this city back for decades!** This closes the door for the city government and the police department to better address current issues and their future potential, for decades. This will be similar to the “Famous Barr” decision, now that was **“infamous!”**

Moving the police back into the annex is convenient, **not** forward-thinking, and is a short-term fix with long term consequences. Progress is happening all around us. An example is right in front of us, Coca’s new building is progressive, built for the future. Let us continue in that vein.

City Hall is historic, however, it is not optimal as a functioning business office, and unfortunately, we’re not giving this building the maintenance attention it deserves. We’re using it as a workplace but should be celebrating its history. Here’s the reality;

- Every department on the 3<sup>rd</sup> and 4<sup>th</sup>-floor departments of Public Works, Parks, Recreation and Forestry, and Planning Development should be moved to the Annex to better serve our citizens and municipal customers/developers/business operators.
- City Council should be using the Trinity building for Council meetings and as a Municipal Court.
- An additional use for the Trinity building should allow all of our Commissions to meet in our Government Center (Trinity building) and not in the Community Center and board room at Centennial Commons.

I know the next question is what happens with three empty floors in City Hall? One possibility to that question is simple and previously stated. Convert the 3<sup>rd</sup> and 4<sup>th</sup> floors into a “U City-centric” historical museum which it could be, making it another

“destination” drawing people to appreciate the history this building represents. The 5<sup>th</sup> floor is special and should be appreciated for its history and view. Imagine this scenario. The wedding party stays in the new True Hotel that is planned. The wedding ceremony is held on the fifth floor of city hall. They leave the fifth floor for cocktails outside on our beautiful plaza, then proceed to the reception at the 560 building, new conference rooms/office building (Harvard building) and/or back to our new hotel. This view of how we should proceed not only keeps the door open for the future but brings attention back to the importance of the University City Delmar Loop.

The only thing interfering with the evolution of civic (peoples) plaza is the inclusion of the Police station. That inclusion also blocks the evolution of the annex and trinity buildings. Allowing those buildings to be used for city business allows this city to give more attention to city hall and its rich history.

The only reason the Trivers plan includes fences is due to the security needed for the police, their cars, employees and the sally port. No police station in civic plaza, no fences.

Let's build a state-of-the-art Police Station for a deserving department and a progressive community. Plan for the future, move forward not backwards.

Bwayne Smotherson

3<sup>rd</sup> Ward City Councilman

University City resident for more than 50 years

**LaRette Reese**

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**From:** April Sitter <aprilsitteruc@gmail.com>  
**Sent:** Monday, June 27, 2022 8:56 AM  
**To:** Council Comments Shared  
**Subject:** Fence

**CAUTION:** This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To whom it may concern,

I just want to simply state I am against a fence being installed around the city hall area in University City.

Thanks,

April Sitter Davis

8100 Amherst ave

**LaRette Reese**

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**From:** Shirley Seele <seele.a.shirley@gmail.com>  
**Sent:** Monday, June 27, 2022 12:02 PM  
**To:** Council Comments Shared  
**Subject:** Delmar Blvd Redevelopment Area Project (Avenir Apartments) Tax Abatement

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Mayor and Council Members,

I am adamantly opposed to approving Bill #9469 which includes \$90 Million Dollars in bond for these high end apartments AND tax abatement valued at approximately \$3.45 million over 5 years.

The State law, Chapter 100, RS Mo. (Chapter 100 Bonds) lists several examples for projects and this type of bond, but I question high-end apartments are included in the categories.

Moreover, if financing is an issue, perhaps the developers should postpone the project.

Thirdly, I oppose a tax abatement for high-end apartments, free money, at the expense of university city residents.

Sincerely,  
Shirley Seele  
8716 Washington Avenue  
University City, MO 63124

**LaRette Reese**

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**From:** Amy Ziegler <amyziegler55@gmail.com>  
**Sent:** Monday, June 27, 2022 11:59 AM  
**To:** Council Comments Shared  
**Subject:** DO NOT ISSUE TAX ABATEMENTS

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I cannot attend tonight's meeting, but have been made aware that the Council will be voting on issuing tax abatement for a project by the Deutsch family. I am completely opposed to this, pending at least an open discussion and follow up with the residents of University City. It appears that the City has reversed its position on this matter and no vote should authorize this massive tax abatement without further discussion. I will be present at following meetings but am appalled that the City would consider this underhanded method of operation.  
Amy Ziegler

**Amy Ziegler, LPC, JD**  
**Licensed Professional Counselor**  
8000 Bonhomme Ave., Suite 312  
Clayton, MO 63105  
636-725-2639

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**LaRette Reese**

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**From:** Anne Lewis <asl63130@gmail.com>  
**Sent:** Monday, June 27, 2022 11:37 AM  
**To:** Council Comments Shared  
**Subject:** re Avenir tax abatement

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I want to register my opposition to this tax abatement. If, according to the recent Prop F vote, the City does not have the funds to adequately provide for the fire department pension funds, why are you now giving away more tax resources to this developer? Tax payers in U City are already heavily taxed. These funds need to be used for projects that benefit all, especially City services and maintenance of roads, sidewalks, trees.

Anne Lewis  
825 Midland Blvd., 2S



**LaRette Reese**

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**From:** William Ash (wmash47) <wmash47@gmail.com>  
**Sent:** Monday, June 27, 2022 10:59 AM  
**To:** Council Comments Shared  
**Subject:** Public Comment for City Council Meeting June 27, 2022

**CAUTION:** This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

On Agenda Item M: New Business Item #2--Bill 9469: Taxable Industrial Revenue Bonds (Delmar Avenue Redevelopment Project)

Dear Council Members,

The proposed 5-year tax abatement contained within bill 9469 is the same as was voted down by the Plan Commission by a 4-1 vote on March 23. It is now re-purposed within a proposed bond issuance to finance the project.

Tax abatement should only be necessary to spur development on worthy projects which benefit U-City as a whole. The developer already has his project approved. It will continue to be profitable and go forward without a tax abatement. Nor does he need the assistance of our city to finance it. I see no practical or ethical reason why such abatement should be granted. It would deprive U-City of \$3.45 million in revenue to support city services.

To grant abatement would enrich the developer at the expense of all of us. Isn't your role as Council members to look out for the best interests of our community? It follows that this bill should not go forward. Please vote no on this motion.

Thank you.

Sincerely,

William Ash  
8690 West Kingsbury Ave.  
University City, MO 63124

**LaRette Reese**

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**From:** Sandy Macon <sandymacon@gmail.com>  
**Sent:** Monday, June 27, 2022 10:43 AM  
**To:** Council Comments Shared  
**Subject:** UCity Tax \$3.45M

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Sandy Macon  
7101 Hazelwood Ln, University City, MO 63130

We do not need to give away \$3.45M tax dollars.

## LaRette Reese

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**From:** Roger <rocketpolymers@att.net>  
**Sent:** Monday, June 27, 2022 10:25 AM  
**To:** Council Comments Shared  
**Subject:** Delmar Redevelopment/Avenir Abatement

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To whom it may concern,

I'd like to express my concern about the city RAISING taxes while also subsidizing luxury apartment complexes. The proposed 90 million Dollar bond issue #9469 seems to do just that. The planning commission voted 4-1 against recommending tax abatement for the Avenir Project. It appears that by changing the name they have convinced some city leaders to try and sneak this abatement scheme in the back door. This bond issue seems to be much more complicated, much riskier, give a GREATER benefit to the developer AND be more expensive for the city to implement and oversee. This project is raising the density of our neighborhood by over 5 times. The developer has continually shown a complete disregard for the neighbors and the sanctity of their homes. Hundreds of different neighbors have expressed concern and opposition to the scope and size of this project. In addition to being completely ignored in this regard, it appears the city is trying to now force the neighbors to help PAY for a project that doesn't fit the area, and that was opposed by all but a very "select few" individuals with the power to approve this. What happened to the days when neighborhood input and transparency were the norm? Since when does a bill costing the city and it's residents millions of dollars get proposed on a Friday for initial discussion(and perhaps adoption) the following Monday? This does not feel transparent in any way, nor has it been from the beginning. If this was in the best interest of the community, why is the council not asking for input in a timely and honest fashion? Other projects within blocks of this one have been denied city help, why is this(already) very successful developer being given millions of dollars(our TAX DOLLARS) to build a luxury apartment building that the neighbors are opposed to and it's going to be built with or without city financial involvement! The developer has been acquiring these properties for decades and neglecting them for this very purpose. The city should never have allowed the buildings to get in such disrepair as to warrant blighting.

I'll finish by saying the developer and the CITY promised the neighbors no(none, zero) construction(or tenant access) would be allowed from, or on Kingdel. The project is only about 3 weeks started and already there's construction trucks and a commercial roll-off dumpster full of hazardous waste on Kingdel and in the neighborhood. I'm not opposed to development and progress, it certainly appears the city is supporting the wealthy at the expense of the rest of us.

Roger Cohen  
500 Kingdel  
St. Louis, MO 63124  
314-540-3261 (cell)

**LaRette Reese**

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**From:** cangelly701@gmail.com  
**Sent:** Monday, June 27, 2022 10:24 AM  
**To:** Council Comments Shared  
**Subject:** Avenir Project

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To Whom It Concerns,

We are totally against the giving Charles Deutch a 5 year tax abatement. It appears that members are telling constituents one thing and voting differently on the their words. All of U City residents should not bear the costs for their financial gains. We are totally against this and will vote against my councilman at the next election.

Regards,

Cindy Angelly  
8743 Teasdale Ave  
U City, MO 63124  
Angelly701 LLC  
314-369-8862

**LaRette Reese**

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**From:** Linda Mayer <llmayer@aol.com>  
**Sent:** Monday, June 27, 2022 9:10 AM  
**To:** Council Comments Shared  
**Subject:** Bill 9469

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear U-City Council members,  
We wish to voice our opposition to tax abatement for the Avenir project.

Respectfully submitted,  
Richard and Linda Mayer  
992 Albey Lane  
U City, MO 63132

Sent from my iPhone

**LaRette Reese**

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**From:** Kathy Victor <KathyVictor@STLDA.COM>  
**Sent:** Monday, June 27, 2022 8:22 AM  
**To:** Council Comments Shared; Steve McMahon; Jeff Hales; Terry Crow  
**Cc:** Steve McMahon; Jeff Hales; Terry Crow  
**Subject:** Bill #9469

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Councilmen and Mayor Crow,

It has come to my attention that there will be a vote this evening on granting 5 years and \$3.45 million in tax abatements for the Avenir project which will be on your agenda under Bill 9469. The City Planning Commission originally voted 4 to 1 against giving tax abatement to the Developer. Why is the City Council ignoring this recommendation?

Can you please table these issues and give the U-City community the opportunity to weigh in on these concerns? It is my understanding that the description of projects that qualify for this type of bonds are warehouses, distribution facilities, research and development facilities, office industries, agricultural processing industries and service facilities. Is this being granted because of the 1,300 s.f. commercial coffee shop that is a very small part of the entire project?

Is this a way for the U City government to sneak in the tax abatement? I certainly hope not. I want to believe that our city officials cannot be bought and compromised on how they make decisions that affect the entire community. Please carefully reconsider approving this tax abatement.

Sincerely,  
Kathy and Reggie Victor  
8739 Washington Ave.  
University City, MO 63124  
314-223-2658  
314-223-2659

**LaRette Reese**

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**From:** Rebecca Hrustic <rimunsen@hotmail.com>  
**Sent:** Monday, June 27, 2022 2:19 AM  
**To:** Council Comments Shared  
**Subject:** Bill 9469

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

We are opposed to Bill 9469 – AN ORDINANCE AN ORDINANCE AUTHORIZING THE CITY OF UNIVERSITY CITY, MISSOURI TO ISSUE ITS TAXABLE INDUSTRIAL REVENUE BONDS (DELMAR BOULEVARD REDEVELOPMENT AREA PROJECT)

Haris and Rebecca Hrustic  
8685 W. Kingsbury Ave  
University City, MO 63124

**LaRette Reese**

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**From:** Donna Wilensky <mmwtwins@gmail.com>  
**Sent:** Sunday, June 26, 2022 10:11 PM  
**To:** Council Comments Shared  
**Subject:** Bill # 9469

**CAUTION:** This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To the council,

Please **DO NOT** vote for the Bill # 9469. This would issue bonds and give a tax abatement to The Avenir Project.

It is very apparent that the name Delmar Blvd. Redevelopment Area Project is just a disguise for the Avenir Project.

This change of name is directly linked to finding a loophole in order to get the tax abatement for the Avenir Project, which has already been documented and **DENIED!!!**

You are not fooling anyone in this sudden name change. It is **DISGRACEFUL** and **DISHONEST**. **ALSO VERY SAD THAT PEOPLE HAVE TO STOOP THAT LOW!!!**

**WHAT HAS HAPPENED TO ETHICS ??**

**DONNA WILENSKY**

**8801 WASHINGTON AVE.**



**LaRette Reese**

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**From:** Sarah Myers <shmyers4@gmail.com>  
**Sent:** Sunday, June 26, 2022 8:47 PM  
**To:** Council Comments Shared  
**Subject:** Bill 9469

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good day,

My name is Sarah Herstand Myers and I live at 8716 West Kingsbury Ave., St. Louis, MO 63124, in the neighborhood that will soon include the Avenir apartment complex being developed by Mr. Charlie Deutsch. I attended virtually the recent plan commission meeting where the members voted strongly against giving tax abatement to the developer. If I recall correctly, the vote was 4 to 1 against tax abatement.

I'm assuming that the city council is not required to follow the recommendation of the plan commission, but I certainly hope they will. I remain very much against tax abatement for this project, and hope it is not awarded.

Also, is the Delmar Boulevard Redevelopment Area Project a new name being used for Avenir? Or is it the name of a larger redevelopment area along Delmar Blvd including other projects such as the Delcrest Plaza redevelopment? If it's a new name for Avenir, it unfortunately makes it look like obfuscation -- a way to keep neighborhood residents from paying attention to this bill. If that's not the case, it is probably worth taking a few moments Monday night to clarify this. If it is the case, that's very upsetting.

Respectfully submitted,  
Sarah

--

Sarah Herstand Myers  
8716 West Kingsbury Avenue  
St. Louis, MO 63130

**LaRette Reese**

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**From:** Mary Carver <marycarver76@gmail.com>  
**Sent:** Sunday, June 26, 2022 2:49 PM  
**To:** Council Comments Shared  
**Cc:** Mary Carver; doncarver76@gmail.com  
**Subject:** Tax abatement

**CAUTION:** This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Both Don & I oppose this 5 year tax abatement to developer Charles Deutsch & Co. Bill # 9469.

When you do the math, it doesn't make sense for residents of U City to pay another \$100 in taxes so they can go ahead with their project.

As we all know, that \$100.00 MORE will not go away after 5 years.

With the economy tanking, gas, food, and energy costs have sky rocketed. So you want to burden the citizens with higher taxes so this company can build? How about you spend some of that money and hire some employees to take care of our city and it's residents!!

We vote NO!

Don & Mary Carver  
7614 Teasdale

## LaRette Reese

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**From:** Margaret Diekemper <diekempermargaret@gmail.com>  
**Sent:** Sunday, June 26, 2022 1:49 PM  
**To:** Terry Crow; Council Comments Shared; Steve McMahon; Jeff Hales  
**Subject:** Tax Abatement for Avenir

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Mayor and Councilmen:

I strongly oppose the proposed tax abatements for the Avenir Project. While the City's Planning Commission made its reasoned "no" decision on this, reports are that you and the rest of the Council are teeing up to vote in favor of this major tax abatement. Why do the Council and Mayor see it otherwise? I have several friends who live in the adjacent neighborhood and they have for years spoken (in vain) against Charlie Deutch's development and the encroachment into their neighborhood. No doubt the Planning Commission heard from these citizen neighbors and are listening - It is my fervent hope that you will listen too.

It is my understanding that the intended occupants of this development will be tenants of the corporation. So, why doesn't the developer simply raise the ante for the tenants instead of taking our tax dollars for his benefit and essentially shorting city coffers of substantial tax monies. Granting this tax abatement is not fiscally responsible and I reiterate my opposition to awarding this to Charlie and Zack Deutsch's development group for Avenir.

Sincerely,

Margie Diekemper  
8039 Gannon Avenue  
U. City, MO 63130

**From:** Miriam Sorkin <sorkinmimi2020@gmail.com>  
**Sent:** Sunday, June 26, 2022 11:51 AM  
**To:** Council Comments Shared  
**Subject:** Vote NO on the tax abatement

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To whom it may concern:

We strongly oppose University City issuing bonds to provide a tax abatement for the Avenir project. The City Planning Commission has voted 4 to 1 against giving tax abatement to this Developer. Therefore, we want you to vote NO. You were elected to represent us, your constituents, and be fiscally conservative and good stewards of our tax dollars. Our tax dollars must be used to make University City excellent for those of us who live, work and attend school here.

Your constituents in Ward 1,

Mimi and Michael Sorkin

10 Westridge Court, University City

## LaRette Reese

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**From:** Donna Nickum <dsn232@sbcglobal.net>  
**Sent:** Sunday, June 26, 2022 11:06 AM  
**To:** Council Comments Shared; Jeff Hales; Steve McMahon; Terry Crow  
**Subject:** Tax abatement/bonds for the Avenir development

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good day.

Once again, I wish to voice my opposition to any tax abatement for the Avenir development. It seems very wrong to me that a wealthy developer should get a tax abatement when the average/very needy citizen does not.

Also, raising money for the Avenir project through bonds is not okay with me. I believe that should be a ballot issue decided by the people it will affect rather than a city council decision.

Respectfully,  
Donna Nickum  
8717 Teasdale Ave.  
63130

**LaRette Reese**

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**From:** Jude Hagene <judehagene1958@gmail.com>  
**Sent:** Sunday, June 26, 2022 8:47 AM  
**To:** Council Comments Shared  
**Subject:** 9469

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Please vote NO on 9469.

I do not want to pay more in taxes to make a rich guy richer.

Jude Hagene  
533 Mapleview Dr.

Sent from my iPhone

**LaRette Reese**

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**From:** Carol Ross <carol.ross@charter.net>  
**Sent:** Saturday, June 25, 2022 9:46 PM  
**To:** Council Comments Shared  
**Subject:** Bill 9469

**CAUTION:** This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I am very much opposed to giving tax abatements for the Delmar Blvd Redevelopment Area Project, Bill 9469. Please vote NO on this bill; University City residents cannot afford to give away more tax dollars to another developer! Let's invest in our schools and our roads, our infrastructure, police and fire departments, our elderly and youngest residents and all those in between.

Please vote NO on Bill 9469!

Carol Ross  
505 North and South Rd  
University City, MO 63130

## LaRette Reese

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**From:** Rick Aurbach <rlaurb@me.com>  
**Sent:** Saturday, June 25, 2022 4:43 PM  
**To:** Council Comments Shared  
**Subject:** Public Comment: Bill 9469

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

My name is Richard Aurbach.  
I reside at 8233 Tulane Avenue in University City (in Ward 1).  
I am speaking against Bill #9469.

I have read the proposed bill and wish to voice the following concerns:

- It is my belief that public bonds for private projects, tax abatements, TIFs and other forms of public incentives should not be used. They seldom result in long-term benefit to the city or its residents and primarily serves to enrich the builders (to the city's detriment).
- If a builder devises a project which is only viable with public funding (i.e., which is not viable if purely self- or investor-financed), it is not compelling enough to be implemented.
- While the proposed development may comply with the current Missouri Attorney General's reading of the Chapter 100 law, it clearly violates the spirit of that law.
- While the provided materials make clear the ways in which the proposed bill would benefit the developer and shows the projected losses to public institutions, it does not specify either  
(a) the benefits (both financial and non-financial) to the city and its residents were the project funders, or  
(b) the possible risks to the city and/or its residents should the project not be completed as planned.

Since I believe that any agreement should be balanced and offer equal benefit and equal risk to all parties, and since it appears from the offered documentation that the developer receives all the value and the city accepts all the risk, this proposed bill should NOT be approved.

Cheers,

Rick Aurbach

When I am working on a problem I never think about beauty. I only think about how to solve the problem. But when I have finished, if the solution is not beautiful, I know it is wrong.

-- R. Buckminster Fuller, engineer, designer, and architect (1895-1983)



**LaRette Reese**

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**From:** John G <jgerardi@hotmail.com>  
**Sent:** Saturday, June 25, 2022 3:51 PM  
**To:** Council Comments Shared  
**Subject:** 5 Year Tax Abatement and Bond for Avenir, a.k.a. Delmar Redevelopment Area Project / Bill # 9469

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

*The Planning committee voted 4-1 AGAINST giving a tax abatement for this project. Why would University City even CONSIDER a tax abatement and bond for a developer that essentially let his own properties become barely maintained and difficult to rent, and then reward him with a tax abatement.*

*If University City wants to improve its tax base and revenue and drive growth, I'd like to point out that with all the other housing projects within 1.5 miles of Avenir/Delmar, and how many new construction multi-resident dwellings in the last 10 years that have never been at capacity, I think this direction is not only short-sighted, it is a clear example of placing a developer before the long-term benefits of the city.*

*I'm curious how a residential property with a single 1,300 square foot Coffee shop, even qualifies for the type of bond being proposed. "warehouses, distribution facilities, research and development facilities, office industries, agricultural processing industries, service facilities", particularly with the number of places one can buy coffee, nearby.*

*If this project is such a great idea for University City, with solid planning and execution, the developer shouldn't need a tax abatement/bonds to help subsidize it, and should still be able to manage a more than reasonable profit without taking University City funds on top of that. We the citizens of University City do not have an obligation to line developer pockets. The City council should be doing the math on the extra strain this proposed facility will take on existing University City resources and make sure that taxes generated by this effort will be able to pay for itself.*

*John Gerardi  
8700a Delmar Blvd.*

**LaRette Reese**

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**From:** mlaz279293@aol.com  
**Sent:** Sunday, June 26, 2022 7:54 PM  
**To:** Council Comments Shared  
**Subject:** Bill 9469 Delmar Blvd Redevelopment Area Project/Avenir

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

**The City Council should not vote to pass Bill 9469 since it includes tax abatement.**

I am against tax abatement for this project.

The Planning Commission **voted 4 to 1 against** giving tax abatement to this project, the Avenir project. Now it is being called the "Delmar Blvd Redevelopment Area Project", but whatever it is being called, it should not be financed on the backs of the other UC residents who have to pay all their taxes.

This new plan was obviously designed to be a tactic to get around the planning commission vote and get tax abatement granted for the developer. No one had ever discussed bonds being issued before this scheme showed up on the agenda this week, so why now? Who came up with this idea? Why was it not mentioned in the last 3 years of discussions about this project? Is it being brought up on the 27th so there will be a distraction from the special hearing before this meeting for another controversial issue in the hopes you will not want another controversy? Does the city want to become a landlord? What happens if the developer goes bankrupt? There are lots and lots of questions, And all this is not necessary.

As the representatives and the voice of all Citizens of University City, not just a few, **please do not allow tax abatement.**

The residents voted down a sales tax increase for a much better cause than this. We don't want higher taxes and even though it claims that there will be no tax revenues to finance the bonds, it would cost each tax payer extra money by the loss of taxes to the city for the years of the abatement after the first year if granted. The city could do a lot with the several millions of dollars for the 5 years that they would receive if no abatement is given.

And just because Olivette did this for a project, does not make it right to for U City to do. Two wrongs don't make a right.

Why should University City residents bare the cost of giving a developer, whoever they are, a tax break, especially when they caused the property to be blighted in the first

place, buying up properties and not improving them and holding on to them until they could get them blighted. The area was fine the way it was.

This is a bad precedent for U City if you allow this.

Some of the reasons the developer gave at the Planning Commission meeting for the apartments on the 8600 block of Delmar & Kingdel to be needing blighting were- there were cracks, water was in them sometimes, there was some asbestos, an abandoned car sat on the property (no neighbors recall seeing that and if it was there, it wasn't for long and was removed, and **it would cost too much to fix them up.**

The interesting thing is, people were living in those apartments until the end of December, 2021 when they were given the deadline that they had to be moved out and we saw several moving vans at the end of the year. How come the apartments were ok to be lived in and having to pay rent until the end of December, 2021 and needed blighting at the beginning of 2022? If the apartments were in such bad shape how was occupancy allowed for all of that time?

And if these are reasons for blight and tax abatement, than all residents of our older homes in UCity should be given tax abatement, as most of us suffer from many of these conditions. Where do we apply?.

Also, a house that was over 100 years old was allowed to sit and go into disrepair and need to be torn down by the developer instead of fixing up this century old house as an historical landmark, which could have added value to our community.

**No one is making the developer do this development, it is their choice.** It was not a needed project. The area was fine without a 260 plus luxury monstrous sized apartment building going in. Property values are continuing to rise in the area.

The Kingdel/DelPrice neighborhood who will be effected the most, did not want this project in the first place when they found out about it, and it will surely disrupt our lives and neighborhood forever. Please don't make us, and the rest of U City, pay for it too and add insult to injury.

**Please do not grant tax abatement for this project, whatever name you want to call it.**

**Vote NO on Bill 9469.**

Thank you.  
Margie Kranzberg Lazarus  
8808 Washington Ave

U City, Mo 63124

None of the UCity residents should have to be paying for it .

**LaRette Reese**

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**From:** valmik thakore <valmikt@hotmail.com>  
**Sent:** Sunday, June 26, 2022 7:23 PM  
**To:** Council Comments Shared; Jeff Hales; Steve McMahon  
**Cc:** Terry Crow; Gregory Rose; Tim Cusick; Bwayne Smotherson; Aleta Klein; Stacy Clay; John Wagner  
**Subject:** Public Comment on City Council Agenda Item for June 27, 2022 Meeting with attachment  
**Attachments:** June 27, 2022 City Council Meeting Comments.pdf  
**Importance:** High

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

**This is a public comment on City Council Meeting on June 27, 2022;**

**On Agenda Item M: New Business Item #2- Bill 8469: Taxable Industrial Revenue Bonds (Delmar Boulevard Redevelopment Project).**

My wife and I own the property at 8727 W Kingsbury Ave, University City, MO, 63124. Our house is in the neighborhood impacted by the proposed "Facility for An Industrial Development Project" previously known as "Avenir Project".

**Tax Abatement Related IMPORTANT COMMENTS**

- a) The developer had originally requested Tax Abatement for 5 years for the same project, under Chapter 353 in their submittal to the Plan Commission of the City at March 23, 2022, and was rejected/ voted down by 4 to 1 vote by the Plan Commission on March 31, 2022 meeting.
- b) The developer is now applying for similar Tax Abatement for 5 years via a convoluted Bond Issue under Chapter 100 RSMo disguised as "A Facility for an Industrial Development Project" for the same Avenir Project including 262 Residential Apartment Units and 1300 sft of Commercial Space.
- c) A tax abatement totaling \$3.45 million simply means that till 2030 OUR taxes will remain high or may have to be increased to provide police, fire, EMS, school, library, etc. services to 262 new units. We will be subsidizing the developer's profits while having our property values decline and significant negative impact on our quality of life due to increased burden on city service. Based on the population of University City, the proposed tax abatement works out to a \$100 gift to Charles Deutsch & Company from every citizen.
- d) On April 5, 2022, we were asked to approve Prop F to increase our sales tax by 0.25% "for the purpose of providing revenues for the operation of the University City Fire Department". On one hand the City is asking for us to increase tax on poor and middle-class citizens and on the other hand the City is planning to give it away to a rich developer.
- e) Charles Deutsch and Company's letter dated October 16, 2020 states that the Avenir Project will have "luxury one-bed and two-bed apartments, with rents ranging from \$1,600 to \$3,600 per month."-much higher than the monthly income of a large portion of University City families. Given that a mortgage payment should be a maximum of 30% of a borrower's income, it's reasonable to assume that the renters will be making 60,000 to 130,000 dollars or more per year. Avenir's original proposal shows apartments with 630 sft. to 1445 sft. area. Based on this information, any form of Tax Abatement financed by ordinary, medium to lower income citizens of the City does not seem to be a reasonable use of our limited resources. Our tax dollars should not be used to finance a luxurious lifestyle at cost to the average tax payer.

**Tax Abatement under Chapter 353 or Chapter 100 or any other name is the SAME TAX ABATEMENT THAT WAS VOTED DOWN BY THE PLAN COMMISSION.**

There should be no tax abatement. Please vote it down just as the Plan Commission did.

Also, the Notice dated June 24, 2022 for this Agenda Item should have been very transparent in identifying the beneficiary development project as "**AVENIR PROJECT**" on the Agenda Item on page 2, and **not hidden under "Taxable Industrial Revenue Bonds" (Delmar Boulevard Redevelopment Project)**. One has to dig through a large 274-page file and find the first reference to the address of the "INDUSTRIAL PROJECT" on page 57. In all 182 pages related to this Ordinance as the attachment to the Meeting Agenda, there is not once any mention of Avenir Project. I wonder why?

Also, in a letter dated June 21, 2022, sent by Mr. Zack Deutsch to the neighborhood about the status update on Avenir Project, there is not a word about their application to the City for this Bond Issue Ordinance. I wonder why?

Thanks

Valmik Thakore and Rajul Thakore,  
8727, West Kingsbury Avenue, University City, MO 63124

Attachments:

1. June 27, 2022 City Council Meeting Comments (for format)

**This is a public comment on City Council Meeting on June 27, 2022;**

**On Agenda Item M: New Business Item #2- Bill 8469: Taxable Industrial Revenue Bonds (Delmar Boulevard Redevelopment Project).**

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Thanks

Valmik Thakore and Rajul Thakore, 8727, West Kingsbury Avenue, University City, MO 63124

## LaRette Reese

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**From:** Asim Thakore <asim.thakore@gmail.com>  
**Sent:** Sunday, June 26, 2022 7:17 PM  
**To:** Council Comments Shared  
**Cc:** Jeff Hales; Steve McMahon; Aleta Klein; Terry Crow; Tim Cusick  
**Subject:** Avenir/Delmar Tax Abatement

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello,

This is a public comment on Agenda Item M2 - Bill 9469. We own the property at 8727 W Kingsbury, in the area impacted by the Agenda Item.

This is a bill purportedly about industrial development within University City. Buried some several hundred pages within this bill is a \$3.45 million dollar tax abatement for the Avenir project in the western portion of University City.

The requested tax abatement is strongly similar to (if not identical) to a requested abatement from the developer that was voted down by the Plan Commission, 4-1. A member of the Plan Commission, an economist at the St Louis branch of the Federal Reserve Bank, pointed out that there was no economic justification for an abatement.

I agree with this expert, and the Council should take time to view his remarks. The Council should then take the economist's educated views on board and reject the request for a tax abatement. It will provide no ROI.

It is apparent that the developer will build his 262 unit luxury condo building regardless of receiving a tax abatement or not—if 3.45 million is the difference between success and failure, no developer with a brain would move forward with such a project. Thus, this abatement is pointless. Perhaps if the developer is willing to include actual, affordable housing, the City should consider a tax abatement, but let's not hold our breath hoping that will happen.

University City residents are often reminded that the developer is "U City's biggest taxpayer". That is wonderful, and we certainly don't begrudge him his success. But that in and of itself does not mean he deserves a subsidy from small taxpayers. That case has never been made—most likely because it doesn't exist.

There are plenty of U City residents and small businesses who are hurting after the pandemic and with inflation. Perhaps 3.45 million dollars should be directed to U City residents and businesses who actually need the money, instead of a wealthy developer.

3.45 million might not seem like a lot to the Council, but if targeted to relief for small businesses, it could be the difference between a restaurant overcoming first-year struggles, or a boutique able to hire staff to stay open. Heck, we could maybe even come up with a plan to help re-open unique businesses like the Tivoli.

This abatement works out to 100 dollars per citizen. 100 dollars per person may not seem like a lot to the Council, but it is the difference between a car repair that keeps someone in a job, that little bit extra that buys a family a used washer/dryer so the family can save on laundry, or the ability for a senior citizen to run the air-conditioning in life-threatening heat waves. Direct relief to those U City Citizens who need it the most would save lives. A handout to the developer would simply pad his bank account.

There is no economic case for this abatement—we have heard from an economist who knows more than any of us about the issue. This abatement would be a spectacularly poor use of city money.



More importantly, there is a moral case **against** this abatement---and good public policy is and ought to be morally centered. The Council and U City prides itself on being **progressive and forward-thinking**. I urge the Council to live its values and see that there is no justification for asking ordinary, working families to hand money to a millionaire to build a condo he's going to build anyway.

Please vote against this tax abatement.

Sincerely,

Asim Thakore

**LaRette Reese**

---

**From:** VAH <victorianika59@gmail.com>  
**Sent:** Saturday, June 25, 2022 12:11 PM  
**To:** Council Comments Shared  
**Cc:** Terry Crow; Jeff Hales; Steve McMahon  
**Subject:** URGENT: Adamantly Opposed to Bill #9469 (AKA Avenir Tax Abatement)  
**Attachments:** Avenir Tax Abatement Bonds 2022-06-27-Council-Packet.pdf

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I see that the **City Council is going to vote on Monday night on giving Charlie Deutsch a tax abatement for 5 years for the Avenir project.**

I also see that he has disguised this with a different name for the project (implying that he KNOWS he is trying to get away with something) calling it the *Delmar Blvd Redevelopment Area Project* in the Agenda. I see that the city council is also planning on issuing up to \$90 Million dollars in bonds for the developer and included in it is 5 years of tax abatement for Charlie Deutsch. It is under the new Bill #9469.

Please see the attached *PDF of the few pages from the full attachments in the packet that can be opened from the City's link about this Agenda Item (starting from page 57 to 238)*. My attached PDF of pages 57 to 67 is describing the Ordinance's scope/intent. I have highlighted Tax Abatement amounts and the State Law's requirement under Chapter 100, RS Mo. (the "Chapter 100 Bonds"). **Avenir will get about \$3.45 million as tax abatements. This means that one way or the other every U City resident will be giving \$100 to Charles and Zack Deutsch.**

**concerning the bond issue:**

*On page 13 of the attachment there are descriptions of project types that qualify for these types of bonds. It says "...warehouses, distribution facilities, research and development facilities, office industries, agricultural processing industries, service facilities...". I don't know how Avenir project satisfies this condition. 1300 sq ft. of Commercial/ Coffee Shop is the only thing that comes anywhere close- the vast majority of the square footage is designated for residential units.*

The City Planning Commission originally voted 4 to 1 AGAINST giving a tax abatement to the Developer. Is the City Council ignoring this recommendation?? If so, WHY??

Please note for the record that I am ADAMANTLY opposed to U-City issuing these bonds and giving Charlie/Avenir/Delmar Blvd Redevelopment Area Project the 5 years of tax abatement.

V A Hannah  
8701 W Kingsbury Ave

63124  
314.725.0551



MEETING OF THE CITY COUNCIL  
CITY HALL, Fifth Floor  
6801 Delmar Blvd.  
University City, Missouri 63130  
Monday, June 27, 2022  
6:30 p.m.

Citizen may also observe the Meeting via Live Stream on YouTube:  
<https://www.youtube.com/channel/UCyN1EJ-Q22918E9EZimWoQ>

**A. MEETING CALLED TO ORDER**

**B. ROLL CALL**

**C. APPROVAL OF AGENDA**

**D. PROCLAMATION**

**E. APPROVAL OF MINUTES**

1. June 13, 2022 – Regular Session Minutes

**F. APPOINTMENTS to BOARDS AND COMMISSIONS**

1. Kimberly Deitzler is nominated for appointment to the Library, replacing Edmond Acosta's expired term (6/30/2022) by Councilmember Steve McMahon.

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

1. Michael Forte was sworn into the Pension Board in the Clerk's office on Friday, June 24, 2022.

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

Request to Address the Council Forms are located on the ledge just inside the entrance. Please complete and place the form in the basket at the front of the room.

*Citizen may provide written comments ahead of the meeting; they must be received **no later than 12:00 p.m. the day of the meeting**. Comments may be sent via email to: [councilcomments@ucitymo.org](mailto:councilcomments@ucitymo.org), or mailed to the City Hall – 6801 Delmar Blvd. – Attention City Clerk. Such comments will be provided to City Council prior to the meeting. Comments will be made a part of the official record and made accessible to the public online following the meeting. **A name and address must be provided**. Please also note if your comment is on an agenda or non-agenda item. If a name and address are not provided, the provided comment will not be recorded in the official record.*

**I. PUBLIC HEARINGS**

**J. CONSENT AGENDA**

1. Contract with Planning NEXT for consultant services for an update to the Comprehensive Plan.
2. Community Development Block Grant (CDBG) supplemental agreement (Cochran Engineering).
3. U City in Bloom Agreement (FY23).

**K. CITY MANAGER'S REPORT**

**L. UNFINISHED BUSINESS**

1. **Bill 9468** – AN ORDINANCE FIXING THE COMPENSATION TO BE PAID TO CITY OFFICIALS AND EMPLOYEES AS ENUMERATED HEREIN FROM AND AFTER JULY 3, 2022, AND REPEALING ORDINANCE NO. 7182.

**M. NEW BUSINESS**

*Resolutions*

1. Res 2022-7 – Committed Fund Reserves for Various Funds (FY22)

*Bills*

2. Bill 9469 – AN ORDINANCE AN ORDINANCE AUTHORIZING THE CITY OF UNIVERSITY CITY, MISSOURI TO ISSUE ITS TAXABLE INDUSTRIAL REVENUE BONDS (DELMAR BOULEVARD REDEVELOPMENT AREA PROJECT), SERIES 2022, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$90,000,000, FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE COSTS OF ACQUIRING, CONSTRUCTING AND IMPROVING A FACILITY FOR AN INDUSTRIAL DEVELOPMENT PROJECT IN THE CITY; APPROVING A PLAN FOR THE PROJECT; AND AUTHORIZING THE CITY TO ENTER INTO CERTAIN AGREEMENTS AND TAKE CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH.
3. Bill 9470 – AN ORDINANCE TO AUTHORIZE THE CITY MANAGER TO EXECUTE A CONTRACT BETWEEN THE CITY OF UNIVERSITY CITY AND THE MISSOURI HIGHWAY AND TRANSPORTATION COMMISSION PROVIDING FOR THE *PERSHING AVE. IMPROVEMENT PROJECT*.
4. Bill 9471 – AN ORDINANCE AUTHORIZING AMENDMENTS TO THE EMPLOYMENT AGREEMENT BETWEEN THE CITY AND CITY MANAGER GREGORY ROSE.

**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 PARTICIPATON** (continue if needed)

**P. COUNCIL COMMENTS**

**Q. EXECUTIVE SESSION**

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.

**R. ADJOURMENT**

Posted the 24<sup>th</sup> day of June, 2022

LaRette Reese  
City Clerk, MRCC

**CITY OF UNIVERSITY CITY COUNCIL MEETING  
AGENDA ITEM**



<b>NUMBER:</b> <i>For City Clerk Use</i>	<b>NB20220627-02</b>
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<b>SUBJECT/TITLE:</b> AN ORDINANCE AUTHORIZING THE CITY OF UNIVERSITY CITY, MISSOURI TO ISSUE ITS TAXABLE INDUSTRIAL REVENUE BONDS (DELMAR BOULEVARD REDEVELOPMENT AREA PROJECT)
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<b>REQUESTED BY:</b> John Wagner	<b>DEPARTMENT / WARD</b> Planning and Development/Ward 1
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<b>AGENDA SECTION:</b> New Business - Bill 9469	<b>CAN ITEM BE RESCHEDULED?</b> yes
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<b>CITY MANAGER'S RECOMMENDATION OR RECOMMENDED MOTION:</b> The City Manager recommends approval.
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<b>FISCAL IMPACT:</b>
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<b>AMOUNT:</b>	<b>ACCOUNT No.:</b>
----------------	---------------------

<b>FROM FUND:</b>	<b>TO FUND:</b>
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<b>EXPLANATION:</b>
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<b>STAFF COMMENTS AND BACKGROUND INFORMATION:</b> The proposed ordinance approves a taxable industrial revenue bond transaction pursuant to Chapter 100, RSMo. (the "Chapter 100 Bonds") in connection with the development of approximately 262 apartments, 1,300 square feet of commercial space and related parking and infrastructure on Delmar Blvd. between McKnight Place and Kingdel Drive (the "Project") by an affiliate of Charles Deutsch & Company (the "Developer"). The Project is currently expected to cost \$87,500,000, inclusive of approximately \$5,000,000 of public infrastructure improvements. The Chapter 100 Bonds have a maximum principal amount of \$90,000,000 to allow for contingencies. SEE ATTACHED STAFF REPORT FOR ADDITIONAL INFORMATION.
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<b>CIP No.</b>
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<b>RELATED ITEMS / ATTACHMENTS:</b> 1. Staff Report - Additional Information 2. Bill No. 9469 with Ordinance Exhibits: Plan for Industrial Development Project and Cost Benefit Analysis (Exhibit A), B (Base Lease), C (Special Warranty Deed), D (Lease Agreement), E (Trust Indenture), F (Bond Purchase Agreement) and G (Development and Performance Agreement) are also attached
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<b>LIST CITY COUNCIL GOALS (S):</b>
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<b>RESPECTFULLY SUBMITTED:</b> City Manager, Gregory Rose	<b>MEETING DATE:</b> June 27, 2022
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## AGENDA ITEM – STAFF REPORT

**MEETING DATE:** June 27, 2022

**DEPARTMENT:** Planning and Development

**AGENDA ITEM TITLE:** AN ORDINANCE AUTHORIZING THE CITY OF UNIVERSITY CITY, MISSOURI TO ISSUE ITS TAXABLE INDUSTRIAL REVENUE BONDS (DELMAR BOULEVARD REDEVELOPMENT AREA PROJECT)

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### **ADDITIONAL BACKGROUND INFORMATION:**

AN ORDINANCE AUTHORIZING THE CITY OF UNIVERSITY CITY, MISSOURI TO ISSUE ITS TAXABLE INDUSTRIAL REVENUE BONDS (DELMAR BOULEVARD REDEVELOPMENT AREA PROJECT), SERIES 2022, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$90,000,000, FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE COSTS OF ACQUIRING, CONSTRUCTING AND IMPROVING A FACILITY FOR AN INDUSTRIAL DEVELOPMENT PROJECT IN THE CITY; APPROVING A PLAN FOR THE PROJECT; AND AUTHORIZING THE CITY TO ENTER INTO CERTAIN AGREEMENTS AND TAKE CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH.

The Chapter 100 Bond transaction will facilitate (1) a five-year tax abatement on increases in assessed value resulting from the development of the Project (i.e., during this time, taxing districts will continue to receive taxes based on the 2021 assessed value) and (2) a sales and use tax exemption on construction materials purchased for the Project. In accordance with Chapter 100, RSMo., a cost-benefit analysis of these incentives has been prepared and sent to the affected taxing districts (a copy is also attached as Exhibit A to the proposed ordinance). The estimated value of the real property abatement is \$2,185,659 and the estimated value of the sales and use tax exemption is \$1,264,312.

The Chapter 100 Bonds will be issued to the Developer and are special limited obligations payable only from lease revenues paid by the Developer and not from any City tax revenues. The Chapter 100 Bond structure requires the City to take a leasehold interest in the Project during construction and a fee title interest during the tax-abatement period to facilitate the tax incentives. The City will then lease the Project during the construction and tax abatement period to the Developer, who will be responsible for actually constructing and operating the Project (and indemnifying the City against any claims regarding the construction or operation of the Project). At the conclusion of the five-year tax abatement period, title to the Project will be transferred to the Developer.

The Chapter 100 Bond structure is widely used throughout St. Louis County to facilitate tax incentives. A nearby example is "The Oliver" apartment building under construction on Olive Boulevard at the site of the former Olivette City Hall.

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

DATE: \_\_\_\_\_, 2022

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

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

**AN ORDINANCE AUTHORIZING THE CITY OF UNIVERSITY CITY, MISSOURI TO ISSUE ITS TAXABLE INDUSTRIAL REVENUE BONDS (DELMAR BOULEVARD REDEVELOPMENT AREA PROJECT), SERIES 2022, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$90,000,000, FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE COSTS OF ACQUIRING, CONSTRUCTING AND IMPROVING A FACILITY FOR AN INDUSTRIAL DEVELOPMENT PROJECT IN THE CITY; APPROVING A PLAN FOR THE PROJECT; AND AUTHORIZING THE CITY TO ENTER INTO CERTAIN AGREEMENTS AND TAKE CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH.**

**WHEREAS**, the City of University City, Missouri (the "City"), is authorized and empowered pursuant to the provisions of Article VI, Section 27(b) of the Missouri Constitution and Sections 100.010 through 100.200 of the Revised Statutes of Missouri (collectively, the "Act"), and the City Charter to purchase, construct, extend and improve certain projects (as defined in the Act) and to issue industrial development revenue bonds for the purpose of providing funds to pay the costs of such projects and to lease or otherwise dispose of such projects to private persons or corporations for manufacturing, commercial, office industry, warehousing and industrial development purposes upon such terms and conditions as the City deems advisable; and

**WHEREAS**, in Attorney General Opinion 180-81, the Missouri Attorney General determined that the construction and rental of multi-family apartments for profit is a commercial enterprise; and

**WHEREAS**, a Plan for an Industrial Development Project (the "Plan") has been prepared in the form of **Exhibit A**, attached hereto and incorporated herein by reference; and

**WHEREAS**, notice of the City's consideration of the Plan has been given in the manner required by the Act, and the City Council has fairly and duly considered all comments submitted to the City Council regarding the proposed Plan; and

**WHEREAS**, the City Council hereby finds and determines that it is desirable for the improvement of the economic welfare and development of the City and within the public purposes of the Act that the City: (1) issue its Taxable Industrial Revenue Bonds (Delmar Boulevard Redevelopment Area Project), Series 2022, in the maximum principal amount of \$90,000,000 (the "Bonds"), for the purpose of acquiring certain real property located south of Delmar Boulevard between McKnight Place and Kingdel Drive in the City (the "Project Site," as more fully described in the below-defined Indenture) and constructing a development containing approximately 262 residential apartments, 1,300 square feet of commercial space, and parking and infrastructure thereon (the "Project Improvements," as more fully described in the Indenture, and together with acquisition of the Project Site, the "Project"), (3) lease the Project to an affiliate of Charles Deutsch & Company (said affiliate being referred to herein as the "Developer"); and (4) enter into a Development and Performance Agreement with the Developer, under which the Developer will make certain payments in lieu of taxes and agree to certain additional development terms and conditions in consideration of the City issuing the Bonds; and



**WHEREAS**, the City Council further finds and determines that it is necessary and desirable in connection with the implementation of the Plan and the issuance of the Bonds that the City enter into certain documents and take certain other actions as herein provided.

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

**Section 1. Approval of the Plan.** The City Council hereby approves the Plan set forth as Exhibit A, attached hereto and incorporated herein by reference.

**Section 2. Authorization for the Project.** The City is hereby authorized to provide for the purchase and construction of the Project, in the manner and as more particularly described in the Indenture and the Lease Agreement hereinafter authorized.

**Section 3. Authorization of the Bonds.** The City is hereby authorized to issue and sell the Bonds as described in the recitals hereto for the purpose of providing funds to pay the costs of the Project. The Bonds shall be issued and secured pursuant to the Indenture described below and shall have such terms, provisions, covenants and agreements as are set forth in the Indenture.

**Section 4. Limitation on Liability.** The Bonds and the interest thereon shall be limited obligations of the City, payable solely out of certain payments, revenues and receipts derived by the City from the Lease Agreement described below. Such payments, revenues and receipts shall be pledged and assigned to the bond trustee named in the Indenture (the "Trustee"), as security for the payment of the Bonds as provided in the Indenture. The Bonds and the interest thereon shall not constitute general obligations of the City, the State of Missouri (the "State") or any other political subdivision thereof, and neither the City nor the State shall be liable thereon. The Bonds shall not constitute an indebtedness within the meaning of any constitutional, statutory or charter debt limitation or restriction, and are not payable in any manner by taxation.

**Section 5. Authorization of Documents.** The City is hereby authorized to enter into the following documents (collectively, the "City Documents"), in substantially the forms presented to and approved by the City Council and attached to this Ordinance, with such changes therein as shall be approved by the officials of the City executing the City Documents, such officials' signatures thereon being conclusive evidence of their approval thereof:

- (a) Base Lease between the City and the Developer, in substantially the form of **Exhibit B**, attached hereto and incorporated herein by reference, pursuant to which the Developer will lease the Project to the City pursuant to the terms and conditions contained therein.
- (b) One or more Special Warranty Deeds from the Developer, as grantor, to the City, as grantee, in substantially the form of **Exhibit C**, attached hereto and incorporated herein by reference, pursuant to which the Developer will transfer title to the Project to the City following completion of the Project Improvements (or the applicable portion thereof).
- (c) Lease Agreement (the "Lease Agreement") between the City and the Developer, in substantially the form of **Exhibit D**, attached hereto and incorporated herein by reference, pursuant to which the City will lease the Project to the Developer pursuant to the terms and conditions therein, in consideration of rental payments by the Developer that will be sufficient to pay the principal of and interest on the Bonds.

- (d) Trust Indenture (the "Indenture") between the City and the Trustee, in substantially the form of **Exhibit E**, attached hereto and incorporated herein by reference, pursuant to which the Bonds will be issued and the City will pledge the Project and assign certain of the payments, revenues and receipts received pursuant to the Lease Agreement to the Trustee for the benefit and security of the owners of the Bonds upon the terms and conditions as set forth therein.
- (e) Bond Purchase Agreement between the City and the Developer, in substantially the form of **Exhibit F**, attached hereto and incorporated herein by reference, pursuant to which the Developer will purchase the Bonds.
- (f) Development and Performance Agreement (the "Development and Performance Agreement") between the City and the Developer, in substantially the form of **Exhibit G**, attached hereto and incorporated herein by reference, pursuant to which the Developer will make certain payments in lieu of taxes.

**Section 6. Developer Substitution.** Notwithstanding the forms of documents approved in substantially final form pursuant to **Section 5**, at the request of Charles Deutsch & Company, any entity controlled by Charles Deutsch & Company or Charles J. Deutsch or under common control with Charles Deutsch & Company may be inserted as the Developer in the documents approved by **Section 5** prior to execution.

**Section 7. Execution of Documents.** The City Manager is hereby authorized to execute the Bonds and to deliver the Bonds to the Trustee for authentication for and on behalf of and as the act and deed of the City in the manner provided in the Indenture. The City Manager is hereby authorized to execute the City Documents and such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance, for and on behalf of and as the act and deed of the City. The City Clerk is hereby authorized to attest to and affix the seal of the City to the Bonds and the City Documents and such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

**Section 8. Further Authority.** The City shall, and the officials, agents and employees of the City are hereby authorized to, take such further action, and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance and to carry out, comply with and perform the duties of the City with respect to the Bonds and the City Documents. The City Manager is hereby authorized, through the term of the Lease Agreement, to execute all documents on behalf of the City (including documents pertaining to the financing or refinancing of the Project by the Developer) as may be required to carry out and comply with the intent of this Ordinance, the Indenture and the Lease Agreement. The City Manager is further authorized, on behalf of the City, to grant such consents, estoppels and waivers relating to the Bonds, the Indenture, or the Lease Agreement as may be requested during the term thereof; provided, such consents, estoppels and/or waivers shall not increase the principal amount of the Bonds, increase the term of the Lease Agreement or the economic incentives as provided for therein, waive an event of default or materially change the nature of the transaction. The City Clerk is authorized to attest to and affix the seal of the City to any document authorized by this Section.

**Section 9. Severability.** The sections of this Ordinance shall be severable. If any section of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining sections shall remain valid, unless the court finds that (a) the valid sections are so essential to and inseparably connected with and dependent upon the void section that it cannot be presumed that the City Council has or would have enacted the valid sections without the void ones, and (b) the valid sections, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

**Section 10. Effective Date.** This Ordinance shall be in full force and effect from and after the date of its passage and approval.

**PASSED and ADOPTED THIS \_\_\_ DAY OF \_\_\_\_\_, 2022.**

\_\_\_\_\_  
MAYOR

(Seal)

ATTEST:

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

CERTIFIED TO BE CORRECT AS TO FORM:

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

**EXHIBIT A**

**PLAN FOR AN INDUSTRIAL DEVELOPMENT PROJECT**

(On file in the office of the City Clerk)

M - 2 - 8

E - 3 - 49

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**UNIVERSITY CITY, MISSOURI**

**PLAN FOR AN INDUSTRIAL DEVELOPMENT PROJECT  
AND  
COST-BENEFIT ANALYSIS**

**DELMAR BOULEVARD REDEVELOPMNT AREA PROJECT**

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\* \* \*

## I. PURPOSE OF THIS PLAN

University City, Missouri (the "City"), intends to issue taxable industrial revenue bonds in a principal amount not to exceed \$90,000,000 (the "Bonds") to finance the costs of a proposed industrial development project (as further described herein, the "Project") for the benefit of Charles Deutsch & Company (including any affiliate of Charles Deutsch & Company used to implement the Project, the "Developer"). The Bonds will be issued pursuant to the provisions of Sections 100.010 to 100.200 of the Revised Statutes of Missouri ("Chapter 100"), Article VI, Section 27(b) of the Missouri Constitution and the City Charter (collectively with Chapter 100, the "Act"). The Bonds will initially be owned by the Developer and cannot be transferred, other than to the Developer's affiliates and lenders, without the City's prior approval.

Gilmore & Bell, P.C. has prepared this Plan for an Industrial Development Project and Cost-Benefit Analysis (this "Plan") to satisfy requirements of the Act and to analyze the potential costs and benefits, including the related tax impact on all affected taxing jurisdictions, of using industrial revenue bonds to finance the Project and to facilitate the partial abatement of ad valorem real property taxes for the Project and provide a sales and use tax exemption on construction materials used to complete the bond-financed property.

## II. DESCRIPTION OF CHAPTER 100 FINANCINGS

**General.** Chapter 100 authorizes cities, counties, towns and villages to issue industrial development revenue bonds to finance the purchase, construction, extension and improvement of warehouses, distribution facilities, research and development facilities, office industries, agricultural processing industries, service facilities that provide interstate commerce, industrial plants, including the real estate either within or without the limits of such municipalities, buildings, fixtures, and machinery. In addition, Article VI, Section 27(b) of the Missouri Constitution authorizes cities, counties, towns and villages to issue revenue bonds for the purpose of paying all or part of the cost of purchasing, constructing, extending or improving any facility for manufacturing, commercial, warehousing and industrial development purposes, including the real estate, buildings, fixtures and machinery. Under Attorney General Opinion 180-81, the Missouri Attorney General determined that the construction and rental of multi-family apartments for profit is a commercial enterprise.

**Issuance and Sale of Bonds.** Revenue bonds issued pursuant to the Act do not require voter approval and are payable solely from revenues received from a lease or other disposition of the project. The municipality issues its bonds and in exchange, the benefited company promises to make payments that are sufficient to pay the principal of and interest on the bonds as they become due. Thus, the municipality merely acts as a conduit for the financing.

Concurrently with the closing of the bonds, the Developer will convey title or lease the site on which the Project will be located to the municipality. (The municipality must be the legal owner of the property while the bonds are outstanding for the property to be eligible for tax abatement, as further described below.) The municipality will immediately lease the project site and the improvements thereon back to the benefited company pursuant to a lease agreement. The lease agreement will require the Developer, acting on behalf of the municipality, to use the bond proceeds to purchase and construct the project.

Under the lease agreement, the Developer typically: (1) unconditionally agrees to make payments sufficient to pay the principal of and interest on the bonds as they become due; (2) agrees, at its own expense, to maintain the project, to pay all taxes and assessments with respect to the project, and to maintain



adequate insurance; (3) may, at its own expense, make certain additions, modifications or improvements to the project; (4) may assign its interests under the lease agreement or sublease the project while remaining responsible for payments under the lease agreement; (5) covenants to maintain its corporate existence during the term of the bond issue; and (6) agrees to indemnify the municipality for certain liability the municipality might incur as a result of its participation in the transaction.

**Property Tax Abatement.** Under Article X, Section 6 of the Missouri Constitution and Section 137.100 of the Revised Statutes of Missouri, all property of any political subdivision is exempt from taxation. In a typical Chapter 100 transaction, the municipality holds fee title to the project and leases the project to the benefited company. Although the Missouri Supreme Court has held that the leasehold interest is taxable, it is taxable only to the extent that the economic value of the lease is less than the actual market value of the lease. See *Iron County v. State Tax Commission*, 437 S.W.2d 665 (Mo. banc 1968) and *St. Louis County v. State Tax Commission*, 406 S.W.2d 644 (Mo. banc 1966). If the rental payments under the lease agreement equal the actual debt service payments on the bonds, the leasehold interest should have no "bonus value" and the bond-financed property should be exempt from ad valorem taxation while the bonds are outstanding.

If the municipality and the company determine that partial tax abatement is desirable, the company may agree to make payments in lieu of taxes (sometimes referred to as "PILOTS"). The amount of payments in lieu of taxes is negotiable. The payments in lieu of taxes are payable by December 31 of each year and are distributed to the municipality and to each political subdivision within the boundaries of the project in the same manner and in the same proportion as property taxes would otherwise be distributed under Missouri law.

**Sales and Use Tax Exemption.** The purpose of this Plan is to provide a sales and use tax exemption on qualified building materials. Under the Act and other applicable state law, qualified building materials can be exempt from sales and use tax if approved by the municipality. The sales and use tax exemption is evidenced by a project exemption certificate issued by the municipality.

### III. DESCRIPTION OF THE PARTIES

**Charles Deutsch & Company.** The Developer is a real estate development company with extensive experience developing and managing multi-family, senior living and other real estate projects. The Developer's President, Charles J. Deutsch, has over 40 years of development experience in the St. Louis area, including development of The Gatesworth Communities in the City.

**University City, Missouri.** The City is a charter city and political subdivision of the State of Missouri. The City is authorized and empowered pursuant to the provisions of the Act to purchase, construct, extend, equip and improve certain projects (as defined in the Act) and to issue industrial development revenue bonds for the purpose of providing funds to pay the costs of such projects and to lease or otherwise dispose of such projects to private persons or corporations for manufacturing, commercial, warehousing and industrial development purposes upon such terms and conditions as the City deems advisable.

### IV. REQUIREMENTS OF THE ACT

**A. Description of the Project.** The Project consists of acquiring approximately 6.2 acres of real property located south of Delmar Boulevard, between McKnight Place and Kingdel Drive in the City (the "Project Site") and constructing thereon a development consisting of approximately 262 residential apartments, 1,300 square feet of commercial space, and related parking and infrastructure (collectively, the "Project Improvements" and, together with the acquisition of the Project Site, the "Project"). The Project is expected to be completed by mid-2024.

**B. Estimate of the Costs of the Project.** The acquisition and construction of the Project are expected to cost approximately \$87,500,000. Bonds will be issued in the maximum principal amount of \$90,000,000 to provide for contingencies.

**C. Sources of Funds to be Expended for the Project.** The sources of funds to be expended for the Project will be the proceeds of the Bonds in the maximum principal amount of \$90,000,000 and other available funds of the Developer. The Bonds will be payable solely from the revenues derived by the City from the lease or other disposition of the Project (as further described below). The Bonds will not be an indebtedness or general obligation, debt or liability of the City or the State of Missouri. No tax revenues will be used to repay the Bonds.

**D. Statement of the Terms Upon Which the Project is to be Leased or Otherwise Disposed of by the City.** The Developer will lease the Project to the City during construction. Upon completion of the Project, the Developer will convey title to the City. The City will sublease or lease the Project back to the Developer for lease payments equal to the principal and interest on the Bonds. Under the terms of the lease agreement with the City, the Developer (or applicable affiliate) will have the option to purchase the Project at any time for nominal consideration. Unless terminated sooner by action of the parties, the lease back to the Developer will terminate on December 31 of the fifth calendar year following the year in which title is conveyed to the City. Simultaneously with the termination of the lease, the Developer will have the obligation to purchase fee title to the Project back, thereby making the Project subject to ad valorem taxes.

**E. Affected School District, Community College District, Emergency Service Providers, County and City.** The School District of University City is the school district affected by the Project. The Community College District of St. Louis, St. Louis County, Missouri is the community college district affected by the Project. No fire or ambulance districts are affected by the Project. St. Louis County, Missouri is the county affected by the Project. University City, Missouri is the city affected by the Project. A Cost-Benefit Analysis showing the impact of the proposed ad valorem real property tax abatement and sales and use tax exemption on qualified building materials is included below. The Cost-Benefit Analysis attached hereto identifies all other taxing districts affected by the Project (other than those taxing entities whose tax revenues are affected by the Project solely with respect to the commercial surcharge tax).

**F. Current Assessed Valuation.** The most recent equalized assessed valuation (2021) of the real property included in the Project is \$1,479,200. The Developer estimates that the total equalized assessed valuation of real property included in the Project after construction of the Project Improvements will be approximately \$7,099,063.

**G. Payments in Lieu of Taxes.** In the year that the City acquires title to the Project, the Developer will make payments in lieu of taxes equal to 100% of the ad valorem real property taxes that would otherwise be due on the Project but for the City's interest in the Project. During the next five years, the Developer will make payments in lieu of taxes in amounts based on the then-current ad valorem real property tax rate and an assessed value of \$1,479,200 (i.e., the pre-redevelopment assessed value).

PILOTs are expected to be collected by the St. Louis County Collector in the same manner as real property taxes and disbursed to the respective taxing entities in the same proportion as the then-current ad valorem tax levy of each taxing entity.

**H. Sales and Use Tax Exemption.** Qualified building materials purchased for the construction of the Project Improvements are expected to be exempt from sales and use tax pursuant to the provisions of Section 144.062 of the Revised Statutes of Missouri and the Bond documents upon delivery of a project exemption certificate by the City to the Developer.

**I. Cost-Benefit Analysis and Discussion of Exhibits.** In compliance with Section 100.050.2(3) of the Revised Statutes of Missouri, as amended, this Plan has been prepared to show the costs and benefits to the City and to other taxing jurisdictions affected by the ad valorem real property tax abatement and the sales tax exemption for the Project. The projections in the Cost/Benefit Analysis are estimates based on numerous assumptions set forth in **Attachment A** hereto. Therefore, the actual revenues generated from the Project may be significantly different from those shown in the Cost-Benefit Analysis. The following is a summary of the exhibits attached to this Plan that show the direct tax impact the Project is expected to have on each taxing jurisdiction and key ancillary benefits expected to be derived from the Project. This Plan does not attempt to quantify the overall economic impact of the Project.

*Summary of Property Tax Abatement.* **Exhibit 1** provides a summary for each affected taxing district of (1) the total estimated tax revenues that would be generated on the Project Site if the Project was built and the Project did not receive tax abatement, (2) the total estimated value of the PILOTs to be made by the Developer for the proposed abatement period and (3) the total estimated value of the abatement to the Developer. Please note that the actual value of the Project may differ from the estimated value assumed in this Plan and may impact the value of the abatement realized by the Developer.

*Real Property Tax Revenues.* **Exhibit 2** provides the projected real property tax revenues that would be generated from the Project Site and the Project Improvements without tax abatement. **Exhibit 3** provides the projected value of the real property PILOTs to be made by the Developer. **Exhibit 4** provides the net value of the real property tax abatement after accounting for payment of PILOTs.

Refer to **Attachment A** for the assumptions related to the determination of the assessed values and the tax formulas.

*Sales Tax Exemption on Construction Materials.* **Exhibit 5** provides estimated values of the sales and use taxes exemption on construction materials purchased for the Project Improvements. Key assumptions for these estimated values are also included in **Exhibit 5**.

*Ancillary Project Benefits.* The City believes that the Developer's investment in the Project will create construction jobs during the construction period and spur additional investment and economic activity in the City. Construction of the Project will enhance the aesthetics and vibrancy of the Project Site and surrounding area. These ancillary impacts were not measured for purposes of this Plan.

## **V. ASSUMPTIONS AND BASIS OF PLAN**

This Plan includes assumptions that impact the amount of the abatement and exemptions proposed for the Project. See **Attachment A** and **Exhibit 5** for a summary of these assumptions.

In addition to the foregoing, in order to complete this Plan, Gilmore & Bell, P.C. has generally reviewed and relied upon information furnished by, and has participated in conferences with, representatives of the City, representatives of the Developer, and other persons as the firm has deemed appropriate. Gilmore & Bell, P.C. does not assume any responsibility for the accuracy, completeness or fairness of any of the information provided to us and has not independently verified the accuracy, completeness or fairness of such information.

\* \* \*



**ATTACHMENT A**

**SUMMARY OF KEY ASSUMPTIONS (REAL PROPERTY TAX ABATEMENT)**

1. The Developer will invest approximately \$87,500,000 in the Project.
2. The Developer provided the projections of assessed value shown in the attached exhibits, which assume a 1% increase in each odd-numbered reassessment year.
3. The acquisition and construction of the Project will be complete by the end of 2024.
4. The Project, upon completion, will be owned by the City and leased to the Developer with an option to purchase. As long as the Project is owned by the City, they will be exempt from ad valorem real property taxes.
5. The Project will be excluded from the calculation of ad valorem real property taxes from 2024 through 2029.
6. During the period that the Project is excluded from the calculation of ad valorem real property taxes, the Developer will make the following PILOTs:
  - a. In the year the City obtains title to the Project, PILOTs will equal 100% of the ad valorem real property taxes that would otherwise be due with respect to the Project, but for the City's interest therein.
  - b. In each of the next five years, PILOTs will be based on the then-current ad valorem real property tax rate at the Project Site, a commercial assessed value of \$407,460 and a residential assessed value of \$1,071,740 (i.e., the 2021 assessed value of land and improvements at the Project Site).
7. The tax rates used in this Plan reflect the rates in effect for the tax year 2021. The tax rates were held constant throughout the abatement period.

\* \* \*

The Cost/Benefit Analysis has been prepared on the basis of factual information and assumptions provided to Gilmore & Bell, P.C. by, or on behalf of, the City and the Developer. This information is provided in conjunction with our legal representation of the City, as its bond counsel, for this transaction. It is not intended as financial advice or a financial recommendation to the City, the Developer or any other taxing jurisdiction that may be affected by the Project. Gilmore & Bell, P.C. is not a financial advisor or a "municipal advisor" as defined in the Securities Exchange Act of 1934.

**EXHIBIT 1**

**SUMMARY OF REAL PROPERTY TAX ABATEMENT**

<b>Tax Distribution</b>	<b>Real Property Tax Revenue Without Abatement</b>	<b>Revenue Generated from PILOT Payments</b>	<b>Value of Abatement</b>
State of Missouri	\$ 11,036	\$ 2,219	\$ 8,818
St. Louis County - General	61,039	12,631	48,408
St. Louis County - Health	41,060	8,495	32,566
St. Louis County - Parks	14,780	3,040	11,740
St. Louis County - Bond Retirement	6,990	1,405	5,584
St. Louis County - Road & Bridge	30,695	6,342	24,353
St. Louis Community College	102,528	20,613	81,916
Special School District	373,693	75,129	298,564
Zoo - Museum District	90,315	18,157	72,157
University City Library	128,677	25,784	102,893
Univeristy City School District	1,590,000	326,364	1,263,635
Metropolitan Sewer District	38,296	7,699	30,597
Deer Creek Sewer District	24,522	5,187	19,335
University City	215,423	43,926	171,497
Productive Living Board	26,329	5,516	20,813
Commercial Surcharge	27,418	34,634	(7,216)
	<b>\$ 2,782,801</b>	<b>\$ 597,142</b>	<b>\$ 2,185,659</b>

Note: Commercial Surcharge shows a negative number because the Project is expected to include a substantial increase in residential assessed value, but a small decrease in commercial assessed value.

**EXHIBIT 2**

**PROJECTED REAL PROPERTY TAX REVENUES IF PROJECT IS BUILT (NO ABATEMENT)**

			Base Year (2021)					Total	
			2025	2026	2027	2028	2029		
Residential Assessed Value	\$ 1,071,740	\$ 6,979,063	\$ 6,979,063	\$ 6,979,063	\$ 7,048,854	\$ 7,048,854	\$ 7,119,342		
Commercial Assessed Value	407,460	320,000	320,000	320,000	323,200	323,200	326,432		
Total Assessed Value	1,479,200	7,299,063	7,299,063	7,299,063	7,372,054	7,372,054	7,445,774		
Base Assessed Value	1,479,200	1,479,200	1,479,200	1,479,200	1,479,200	1,479,200	1,479,200		
Incremental Assessed Value	-	\$ 5,819,863	\$ 5,819,863	\$ 5,819,863	\$ 5,892,854	\$ 5,892,854	\$ 5,966,574		
		Total	Total	Total	Total	Total	Total		
Taxing Jurisdiction		Residential	Commercial						
		Tax Rate per \$100	Tax Rate per \$100						
State of Missouri	\$	0.0300	0.0300	\$ 444	\$ 2,190	\$ 2,190	\$ 2,212	\$ 2,234	\$ 11,036
St. Louis County - General		0.1650	0.1860	2,526	12,111	12,232	12,232	12,354	61,039
St. Louis County - Health		0.1110	0.1250	1,699	8,147	8,228	8,228	8,311	41,060
St. Louis County - Parks		0.0400	0.0440	608	2,932	2,962	2,962	2,991	14,780
St. Louis County - Bond Retirement		0.0190	0.0190	281.05	1,387	1,401	1,401	1,415	6,990
St. Louis County - Road & Bridge		0.0830	0.0930	1,268	6,090	6,151	6,151	6,213	30,695
St. Louis Community College		0.2787	0.2787	4,123	20,342	20,546	20,546	20,751	102,528
Special School District		1.0158	1.0158	15,026	74,144	74,885	74,885	75,634	373,693
Zoo - Museum District		0.2455	0.2455	3,631	17,919	18,098	18,098	18,279	90,315
University City Library		0.3500	0.3450	5,157	25,531	25,786	25,786	26,044	128,677
University City School District		4.3049	4.6963	65,273	315,470	318,625	318,625	321,811	1,590,000
Metropolitan Sewer District		0.1041	0.1041	1,540	7,598	7,674	7,674	7,751	38,296
Deer Creek Sewer District		0.0660	0.0810	1,037	4,865	4,914	4,914	4,963	24,522
University City		0.5840	0.6200	8,785	42,742	43,169	43,169	43,601	215,423
Productive Living Board		0.0710	0.0840	1,103	5,224	5,276	5,276	5,329	26,329
Commercial Surcharge		n/a	1.7000	6,927	5,440	5,494	5,494	5,549	27,418
		7.4680	9.6674	\$ 119,428	\$ 552,132	\$ 557,653	\$ 557,653	\$ 563,230	\$ 2,782,801

EXHIBIT 3

PROJECTED REAL PROPERTY PAYMENTS IN LIEU OF TAXES

	\$	1,071,740	\$	6,979,063	\$	7,048,854	\$	7,048,854	\$	7,119,342
Residential Assessed Value										
Commercial Assessed Value		407,460		320,000		323,200		323,200		326,432
Total Assessed Value		\$ 1,479,200		\$ 7,299,063		\$ 7,372,054		\$ 7,372,054		\$ 7,445,774
Base Assessed Value		1,479,200		1,479,200		1,479,200		1,479,200		1,479,200
Incremental Assessed Value		\$ -		\$ 5,819,863		\$ 5,892,854		\$ 5,892,854		\$ 5,966,574

Taxing Jurisdiction	Total		Base Year (2021)		2025		2026		2027		2028		2029		Total (2025 - 2029)	
	Residential Tax Rate per \$100	Commercial Tax Rate per \$100	Residential Tax Rate per \$100	Commercial Tax Rate per \$100	Residential Tax Rate per \$100	Commercial Tax Rate per \$100	Residential Tax Rate per \$100	Commercial Tax Rate per \$100	Residential Tax Rate per \$100	Commercial Tax Rate per \$100	Residential Tax Rate per \$100	Commercial Tax Rate per \$100	Residential Tax Rate per \$100	Commercial Tax Rate per \$100	Total	
State of Missouri	0.0300	0.0300	0.0300	0.0300	0.0300	0.0300	0.0300	0.0300	0.0300	0.0300	0.0300	0.0300	0.0300	0.0300	0.0300	0.0300
St. Louis County - General	0.1650	0.1860	0.1650	0.1860	0.1650	0.1860	0.1650	0.1860	0.1650	0.1860	0.1650	0.1860	0.1650	0.1860	0.1650	0.1860
St. Louis County - Health	0.1110	0.1250	0.1110	0.1250	0.1110	0.1250	0.1110	0.1250	0.1110	0.1250	0.1110	0.1250	0.1110	0.1250	0.1110	0.1250
St. Louis County - Parks	0.0400	0.0440	0.0400	0.0440	0.0400	0.0440	0.0400	0.0440	0.0400	0.0440	0.0400	0.0440	0.0400	0.0440	0.0400	0.0440
St. Louis County - Bond Retirement	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190
St. Louis County - Road & Bridge	0.0830	0.0930	0.0830	0.0930	0.0830	0.0930	0.0830	0.0930	0.0830	0.0930	0.0830	0.0930	0.0830	0.0930	0.0830	0.0930
St. Louis Community College	0.2787	0.2787	0.2787	0.2787	0.2787	0.2787	0.2787	0.2787	0.2787	0.2787	0.2787	0.2787	0.2787	0.2787	0.2787	0.2787
Special School District	1.0158	1.0158	1.0158	1.0158	1.0158	1.0158	1.0158	1.0158	1.0158	1.0158	1.0158	1.0158	1.0158	1.0158	1.0158	1.0158
Zoo - Museum District	0.2455	0.2455	0.2455	0.2455	0.2455	0.2455	0.2455	0.2455	0.2455	0.2455	0.2455	0.2455	0.2455	0.2455	0.2455	0.2455
University City Library	0.3500	0.3450	0.3500	0.3450	0.3500	0.3450	0.3500	0.3450	0.3500	0.3450	0.3500	0.3450	0.3500	0.3450	0.3500	0.3450
University City School District	4.3049	4.6963	4.3049	4.6963	4.3049	4.6963	4.3049	4.6963	4.3049	4.6963	4.3049	4.6963	4.3049	4.6963	4.3049	4.6963
Metropolitan Sewer District	0.1041	0.1041	0.1041	0.1041	0.1041	0.1041	0.1041	0.1041	0.1041	0.1041	0.1041	0.1041	0.1041	0.1041	0.1041	0.1041
Deer Creek Sewer District	0.0660	0.0810	0.0660	0.0810	0.0660	0.0810	0.0660	0.0810	0.0660	0.0810	0.0660	0.0810	0.0660	0.0810	0.0660	0.0810
University City	0.5840	0.6200	0.5840	0.6200	0.5840	0.6200	0.5840	0.6200	0.5840	0.6200	0.5840	0.6200	0.5840	0.6200	0.5840	0.6200
Productive Living Board	0.0710	0.0840	0.0710	0.0840	0.0710	0.0840	0.0710	0.0840	0.0710	0.0840	0.0710	0.0840	0.0710	0.0840	0.0710	0.0840
Commercial Surcharge	n/a	1.7000	n/a	1.7000	n/a	1.7000	n/a	1.7000	n/a	1.7000	n/a	1.7000	n/a	1.7000	n/a	1.7000
	7.4680	9.6674	7.4680	9.6674	7.4680	9.6674	7.4680	9.6674	7.4680	9.6674	7.4680	9.6674	7.4680	9.6674	7.4680	9.6674
	\$	119,428	\$	119,428	\$	119,428	\$	119,428	\$	119,428	\$	119,428	\$	119,428	\$	119,428



EXHIBIT 4

PROJECTED NET VALUE OF REAL PROPERTY TAX ABATEMENT

Taxing Jurisdiction	Total Residential Tax Rate per \$100	Total Commercial Tax Rate per \$100	2025	2026	2027	2028	2029	Total (2025 - 2029)
State of Missouri	0.0300	0.0300	1,746	1,746	1,768	1,768	1,790	8,818
St. Louis County - General	0.1650	0.1860	9,584	9,584	9,706	9,706	9,828	48,408
St. Louis County - Health	0.1110	0.1250	6,448	6,448	6,529	6,529	6,612	32,566
St. Louis County - Parks	0.0400	0.0440	2,324	2,324	2,354	2,354	2,383	11,740
St. Louis County - Bond Retirement	0.0190	0.0190	1,106	1,106	1,120	1,120	1,134	5,584
St. Louis County - Road & Bridge	0.0830	0.0930	4,822	4,822	4,883	4,883	4,944	24,353
St. Louis Community College	0.2787	0.2787	16,220	16,220	16,423	16,423	16,629	81,916
Special School District	1.0158	1.0158	59,118	59,118	59,860	59,860	60,608	298,564
Zoo - Museum District	0.2455	0.2455	14,288	14,288	14,467	14,467	14,648	72,157
University City Library	0.3500	0.3450	20,374	20,374	20,629	20,629	20,887	102,893
University City School District	4.3049	4.6963	250,197	250,197	253,352	253,352	256,538	1,263,635
Metropolitan Sewer District	0.1041	0.1041	6,058	6,058	6,134	6,134	6,211	30,597
Deer Creek Sewer District	0.0660	0.0810	3,828	3,828	3,877	3,877	3,926	19,335
University City	0.5840	0.6200	33,957	33,957	34,384	34,384	34,816	171,497
Productive Living Board	0.0710	0.0840	4,121	4,121	4,173	4,173	4,226	20,813
Commercial Surcharge	n/a	1.7000	(1,487)	(1,487)	(1,432)	(1,432)	(1,377)	(7,216)
	7.4680	9.6674	\$ 432,704	\$ 432,704	\$ 438,225	\$ 438,225	\$ 443,802	\$ 2,185,659

Note: Commercial Surcharge shows a negative number because the Project is expected to include a substantial increase in residential assessed value, but a small decrease in commercial assessed value.

**EXHIBIT 5**

**PROJECTED VALUE OF SALES AND USE TAX EXEMPTION AND  
SUMMARY OF KEY ASSUMPTIONS (PROJECT IMPROVEMENTS)**

The City will grant a sales and use tax exemption on the qualified building materials necessary to construct the Project Improvements. For purposes of determining the impact of the sales and use tax exemption on the qualified building materials on the affected taxing jurisdictions granted by the City, certain assumptions have to be made as to the total costs of the building materials and as to the business location of the vendor selling the building materials. The assumptions related to the business locations of the building materials vendors are important as wholly-intrastate sales are subject to state and local sales tax at the tax rate applicable at the vendors' business locations, while interstate sales made by non-Missouri vendors are subject to use tax at the tax rate applicable at the delivery location. It was assumed that:

- \$26,000,000 of the total costs of the Project Improvements will be allocated to construction material costs;
- the applicable sales tax rate is 9.238%, of which 4.225% is allocated to the State of Missouri, 2.513% is allocated to St. Louis County and various countywide taxing districts (i.e., Metrolink, E-911, Children's Services, Zoo and Regional Parks and Trails) and 2.50% is allocated to the City;
- the applicable use tax rate is 5.725%, of which 4.225% is allocated to the State of Missouri and 1.500% is allocated to the City;
- 80% of the qualified construction materials will be subject to the State's sales tax and 20% will be subject to the State's use tax;
- 20% of the qualified construction materials will be subject to the County's and various countywide districts' sales tax; and
- 5% of the qualified construction materials will be subject to the City's sales tax and 20% will be subject to the City's use tax.

Please note that any variance in these assumptions will alter the net fiscal impact of the sales and use tax exemption on the affected taxing jurisdictions.

Based on the assumptions set forth above, the net fiscal impact of the sales and use tax exemption on the qualified building materials granted by the City is approximately \$1,264,312, allocated as follows:

	<u>Sales Tax</u>	<u>Use Tax</u>	<u>Total</u>
State of Missouri	\$878,800	\$219,700	\$1,098,500
County (including all countywide taxing districts) <sup>1</sup>	130,676	0	130,676
City <sup>1</sup>	<u>32,500</u>	<u>2,636</u>	<u>35,136</u>
<b>Total</b>	<b>\$1,041,976</b>	<b>\$222,336</b>	<b>\$1,264,312</b>

<sup>1</sup> County taxes include the 0.5% public safety sales tax, a portion of which will be distributed to the City. City taxes include the 1.0% general sales tax and 0.5% capital improvements sales tax, which are subject to countywide sales tax sharing pools. This analysis does not attempt to quantify the portion of those sales taxes that will ultimately be distributed to the City, the County or other participants in the sales tax sharing pools because the formulas for such distributions rely on variables outside the scope of this Plan, including the overall population of the City relative to the overall population of other participants in the sales tax sharing pools.

**CITY OF UNIVERSITY CITY COUNCIL MEETING  
AGENDA ITEM**



<b>NUMBER:</b> <i>For City Clerk Use</i>	<b>CA20220711-01</b>
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<b>SUBJECT/TITLE:</b> Annual Renewal with the City of Chesterfield on behalf of the St. Louis APWA Salt Cooperative (Co-op) for Road Salt Purchase and Delivery			
<b>REQUESTED BY:</b> Darren Dunkle		<b>DEPARTMENT / WARD</b> PW/Streets Ward 1,2,3	
<b>AGENDA SECTION:</b>	Consent	<b>CAN ITEM BE RESCHEDULED?</b>	No
<b>CITY MANAGER'S RECOMMENDATION OR RECOMMENDED MOTION:</b> City Council authorize City Manager to purchase de-icing road salt from the City of Chesterfield for \$31,348.00 to be delivered/hailed by Compass Minerals under the City of Chesterfield Salt Co-op per 2022-2023 rates.			
<b>FISCAL IMPACT:</b> Budgeted operational expenditure in FY2023 at \$50,000.			
<b>AMOUNT:</b>	\$31,348.00	<b>ACCOUNT No.:</b>	01-40-32-7210
<b>FROM FUND:</b>	General Revenue	<b>TO FUND:</b>	
<b>EXPLANATION:</b> 400 tons total purchase at \$78.37 = \$31,348.00			
<b>STAFF COMMENTS AND BACKGROUND INFORMATION:</b> The road salt is for anti-icing and de-icing usage for snow-ice control in the winter of 2022-23.			
<b>CIP No.</b>			
<b>RELATED ITEMS / ATTACHMENTS:</b> Salt Co-op Information			
<b>LIST CITY COUNCIL GOALS (S):</b>			
<b>RESPECTFULLY SUBMITTED:</b>	Gregory Rose, City Manager	<b>MEETING DATE:</b>	July 11, 2022



690 Chesterfield Pkwy W • Chesterfield MO 63017-0760  
Phone: 636-537-4000 • Fax 636-537-4798 • www.chesterfield.mo.us

June 8, 2022

John Gates  
City of University City  
6801 Delmar Blvd.  
University City, MO 63130

Re: St. Louis Metro APWA Salt Cooperative (Co-op)  
2022/2023 Order and Explanation of Co-op Changes

Dear Co-op Salt Participant:

As you may know, the City of Chesterfield coordinates the purchase and delivery of deicing salt for all members of the St. Louis Metro APWA Salt Cooperative (Co-op). The Co-op is currently comprised of 49 cities and 8 school districts which combine their purchasing power to obtain the best price possible for deicing salt.

**This year there will be a substantial change in the manner in which the Co-op is administered.** Previously there were two contracts – one for the salt itself and one for salt delivery. This system recently became problematic as there was only one company willing to bid on salt delivery for the Co-op. Accordingly, after numerous announcements at APWA St. Louis Branch meetings and conferring with several Co-op members, the Co-op has been modified so that there is now only one contract. The contractor who is awarded the bid for salt will now be responsible for delivering that salt to the Co-op members. Therefore, instead of two separate vendors and purchase orders you will now only need to issue one purchase order – directly to the salt vendor.

On behalf of the Co-op, the City of Chesterfield publicly opened bids for the purchase of an estimated 28,000 tons of salt on May 18, 2022. Two companies submitted bids, as detailed in the attached bid tab, with **Compass Minerals submitting the low bid of \$78.37 per ton.** Compass Minerals has provided excellent service and high quality salt to the Co-op for a number of years. Therefore, I recommended that the City of Chesterfield City Council accept the low bid of \$78.37 per ton from Compass Minerals, on behalf of the Co-op. That recommendation was approved by the City of Chesterfield City Council on June 7, 2022.

Similar to previous years, there will be two separate salt orders. The City of Chesterfield must provide the total for the initial order (known as the Fall Order) by August 15. The salt ordered as part of the Fall Order will be delivered to you between October 1 and December 20, in accordance with the contract documents. The City of Chesterfield must provide the total for the second order

during its scheduled delivery time. This means you must commit to having personnel available to receive salt whenever it is scheduled. This may require premium, overtime or holiday pay. The City of Chesterfield does not control the date of delivery and neither the City of Chesterfield nor the Co-op will pay demurrage.

Please be advised that the City of Chesterfield's role in this process is solely to administer and coordinate the bid. We do not inspect or test the salt and we will NOT do that on your behalf. The purchase of this salt is between your agency and the vendor (Compass Minerals). If you believe the salt does not meet specification, your agency must address that directly with the vendor.

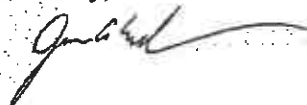
Each year, we remind the participating members that they must commit to receiving salt when it is delivered. It may arrive on a weekend or a holiday and may require overtime. **IF YOU ARE NOT PREPARED TO ACCEPT DELIVERIES WHENEVER THEY ARRIVE, DO NOT ORDER THROUGH THE CO-OP.** The City of Chesterfield and the Co-op have no ability to reschedule or delay deliveries. You must coordinate delivery directly with the vendor, and your agency will be responsible for any additional costs associated with rescheduling the deliveries or demurrage charges.

Finally, if an agency still owes the City of Chesterfield for salt purchased under the prior system they will NOT be able to purchase salt through the Co-op until that bill is paid. Additionally, if Compass notifies the City of Chesterfield that a Co-op member has not paid their bill, that member will not be able to purchase salt through the Co-op until that bill is paid as verified by Compass.

The City of Chesterfield coordinates the Co-op at no cost to the members. We only ask that you adhere to the deadlines and provide timely responses. If you do not want to participate this year, please simply email Kathy Juergens at [kjuergens@chesterfield.mo.us](mailto:kjuergens@chesterfield.mo.us). Please note that no follow-up letters or reminders will be sent. If you want to participate in the Fall Order we need an emailed copy of your Purchase Order by August 12, 2022. If you want to participate in the Winter Order we need an emailed copy of your Purchase Order by January 12, 2023.

Should you have questions or require additional information, please contact me at [jeckrich@chesterfield.mo.us](mailto:jeckrich@chesterfield.mo.us) or 636-537-4764.

Sincerely,



James A. Eckrich, P.E.  
Public Works Director/City Engineer

Enclosures

(known as the Winter Order) by January 15. The salt ordered as part of the Winter Order will be delivered between February 1 and March 1.

If you desire to participate in the Co-op again in 2022/2023, your agency will need to issue a Purchase Order to Compass Minerals for the amount of salt you wish to order. The cost of your Purchase Order can be determined simply by multiplying the desired amount of salt by \$78.37. **Please note that the minimum order for each agency is 25 tons.** For this winter season the cost for the Fall Order and the Winter Order is the same. Additionally, the cost to each agency is the same - \$78.37 per ton. If you would like to proceed with an order on behalf of your agency, please proceed as follows:

- 1) **Fall Order:** Please generate a Purchase Order to Compass Minerals with the name of your agency, address for delivery, salt tonnage ordered, and total cost. The Purchase Order shall also include contact information (name, title, email address, and phone number) of the person at your agency responsible for your order. **All Purchase Orders must be emailed to the City of Chesterfield and received by noon on August 12, 2022.** Orders received after that date / time will NOT be included in the Fall Order. The Purchase Order must be emailed to Kathy Juergens at [kjuergens@chesterfield.mo.us](mailto:kjuergens@chesterfield.mo.us). The Purchase Order must be made out to Compass Minerals – NOT the City of Chesterfield. All purchase orders submitted to the City of Chesterfield will be compiled and forwarded to Compass as part of the Fall Order. Information for Compass Minerals is as follows:

Compass Minerals  
9900 West 109<sup>th</sup> Street, Suite 100  
Overland Park, Kansas 66201

- 2) **Winter Order:** Please generate a Purchase Order to Compass Minerals with the name of your agency, address for delivery, salt tonnage ordered, and total cost. The Purchase Order shall also include contact information (name, title, email address, and phone number) of the person at your agency responsible for your order. **All Purchase Orders must be emailed to the City of Chesterfield and received by noon on January 12, 2023.** Orders received after that date / time will not be included in the Winter Order. The Purchase Order must be emailed to Kathy Juergens at [kjuergens@chesterfield.mo.us](mailto:kjuergens@chesterfield.mo.us). The Purchase Order must be made out to Compass Minerals – NOT the City of Chesterfield. All purchase orders submitted to the City of Chesterfield will be compiled and forwarded to Compass as part of the Winter Order. Information for Compass Minerals is provided above.

Please be advised that there is no flexibility in the dates provided above. The City of Chesterfield is coordinating this order on behalf of 57 agencies – it is the responsibility of each agency to assign the appropriate personnel and ensure the deadlines are met if they wish to remain a member of the Co-op.

Once each order is placed by the City of Chesterfield (on behalf of the Co-op), your agency will receive confirmation of your order along with the anticipated delivery timeframe and a project contact with Compass Minerals. At that point, all correspondence regarding your order shall be between your agency and the vendor (Compass Minerals). Please do NOT contact the City of Chesterfield to ask about the status of your order. The vendor will contact you a minimum of 36 hours prior to delivery. Once you are contacted, your agency must be prepared to accept the salt

**BID RESULTS ONLY**

**ST. LOUIS METRO APWA SALT COOPERATIVE DE-ICING SALT BID  
1:00 p.m. Wednesday, May 18, 2022**

<b>Compass Minerals 9900 W 109th Street, Suite 100 Overland Park, KS 66210</b>	<b>\$78.37 average per ton</b>
<b>Morton Salt Inc. 444 West Lake Street, Suite 3000 Chicago, IL 60606</b>	<b>\$80.22 average per ton</b>

*These are bid tabulations – NOT AWARDS*



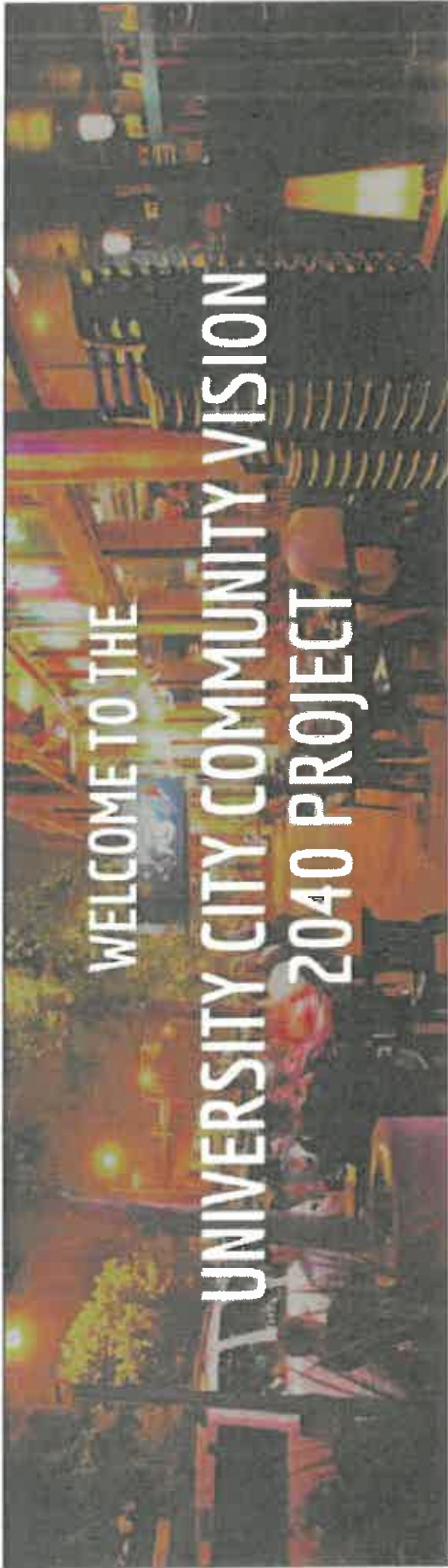


**CITY OF UNIVERSITY CITY COUNCIL MEETING  
AGENDA ITEM**



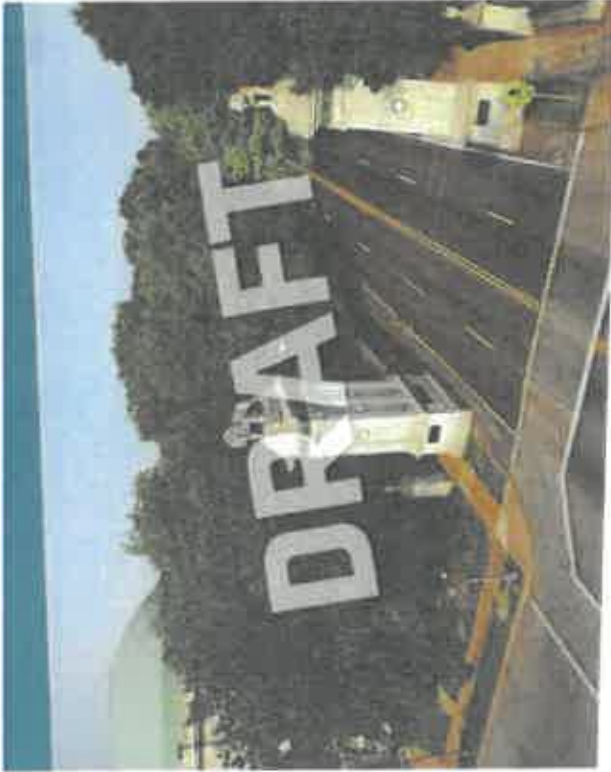
<b>NUMBER:</b> <i>For City Clerk Use</i>	<b>CM20220711-01</b>
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<b>SUBJECT/TITLE:</b> University City Community Vision 2040 Project Presentation			
<b>REQUESTED BY:</b> Dawn Beasley		<b>DEPARTMENT / WARD</b> City Manager's / All	
<b>AGENDA SECTION:</b>	City Manager's Report	<b>CAN ITEM BE RESCHEDULED?</b>	yes
<b>CITY MANAGER'S RECOMMENDATION OR RECOMMENDED MOTION:</b> City Manager recommends acceptance of the Task Force's Community 2040 Vision Project report.			
<b>FISCAL IMPACT:</b> N/A			
<b>AMOUNT:</b>		<b>ACCOUNT No.:</b>	
<b>FROM FUND:</b>		<b>TO FUND:</b>	
<b>EXPLANATION:</b> University City Community Vision 2040 Project's Task Force presents the Community Vision 2040 Road Map Report, as the conclusion to the 2040 Vision process.			
<b>STAFF COMMENTS AND BACKGROUND INFORMATION:</b> The City of University City Missouri entered into an Agreement with Future IQ, a research and consulting company specializing in foresight and scenario-based strategic planning, in July 2021. Beginning in July 2021 through to July 2022, Future IQ has engaged with the University City community, and created a platform for community members to help create a shared community vision.  The analysis in this report builds on preceding project reports and identifies the vision that is important to this community. This report represents Future IQ's analysis of the engagement outcomes and how this data has informed the identification of a preferred future and key focus areas for University City.			
<b>CIP No.</b>			
<b>RELATED ITEMS / ATTACHMENTS:</b> <ul style="list-style-type: none"> <li>• The University City Community Vision 2040 Presentation.</li> <li>• The University City Community Vision 2040 Road Map Report.</li> </ul>			
<b>LIST CITY COUNCIL GOALS (S):</b>  			
<b>RESPECTFULLY SUBMITTED:</b>	City Manager, Gregory Rose	<b>MEETING DATE:</b>	July 11, 2022



**Creating a shared community vision for University City  
TASK FORCE PRESENTATION - July 11, 2022**





This project has been guided by a local Task Force appointed by University City's Mayor, with the consent of City Council. The Task Force consists of one member from each of the City's Boards and Commissions.

This visioning process is an initial step, that is followed by the comprehensive planning process later this year.

<https://lab2.future-iq.com/university-citys-community-visioning-project/>



UNIVERSITY CITY  
COMMUNITY VISION 2040  
ROADMAP REPORT  
MISSOURI, USA  
14.7.2022





## **Key Highlights from the Community Vision 2040 Process**

Community members have expressed strong appetite for the following:

1. **Strong desire to incorporate intentional equity into community planning**
2. **Support for a creative approach to economic and urban development**
3. **Seek strengthened partnerships with the school district and outside municipalities**
4. **Guide Olive Boulevard redevelopment as an opportunity to effect social change**
5. **Desire for bold ideas in urban design**
6. **Willingness to recognize and address environmental issues**



Overall  
planning  
process

## University City Community Vision 2040

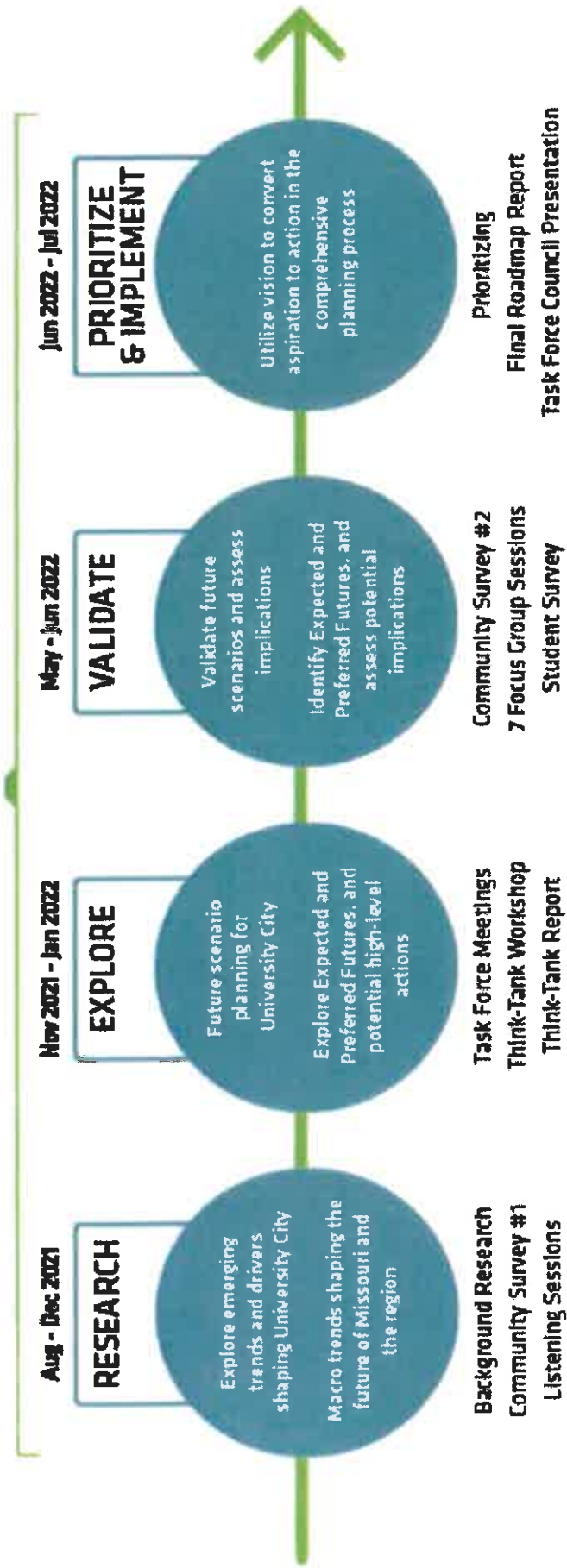


### STEPS in the VISIONING and PLANNING PROCESS



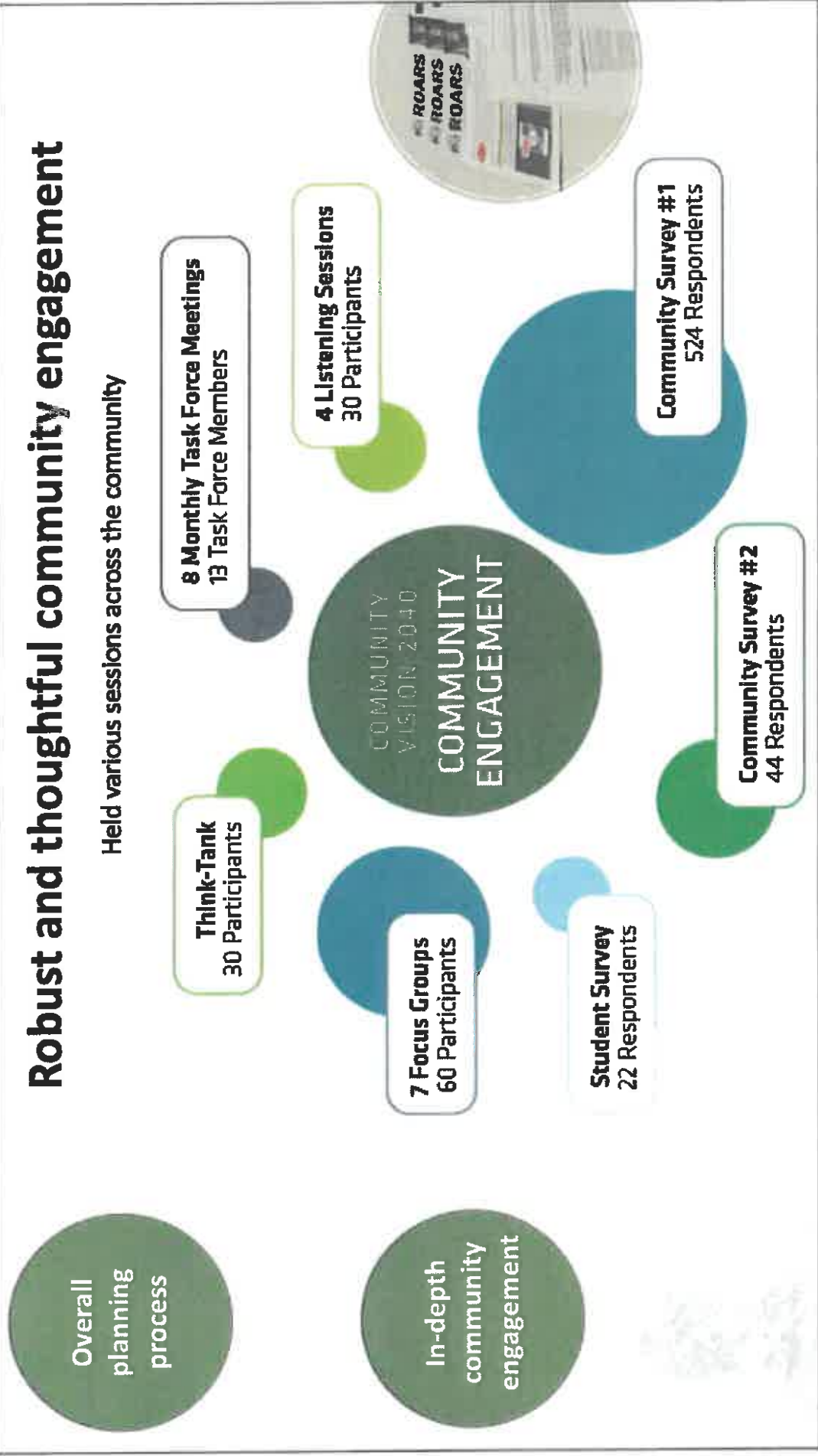
Overall  
planning  
process

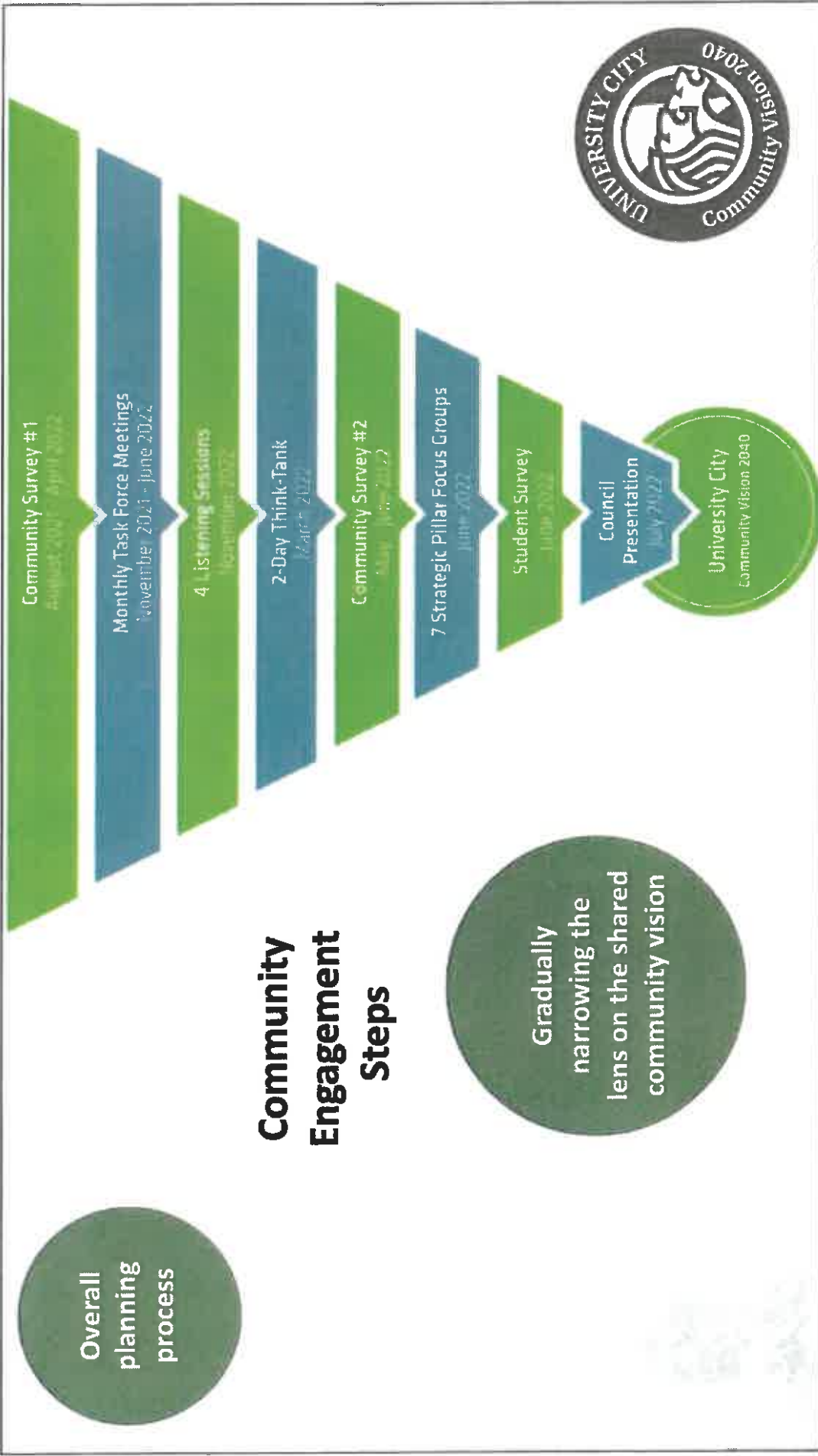
# University City Community Vision 2030



# Robust and thoughtful community engagement

Held various sessions across the community







# Community Vision 2040 Project Portal

Overall  
planning  
process



future*iq*  
Percussion Laboratory

- HOME
- ABOUT
- THINK-TANK
- FOCUS GROUPS
- DISCUSSION BOARD
- LISTENING SESSIONS
- SURVEYS
- TASK FORCE
- RESOURCES
- CONTACT US

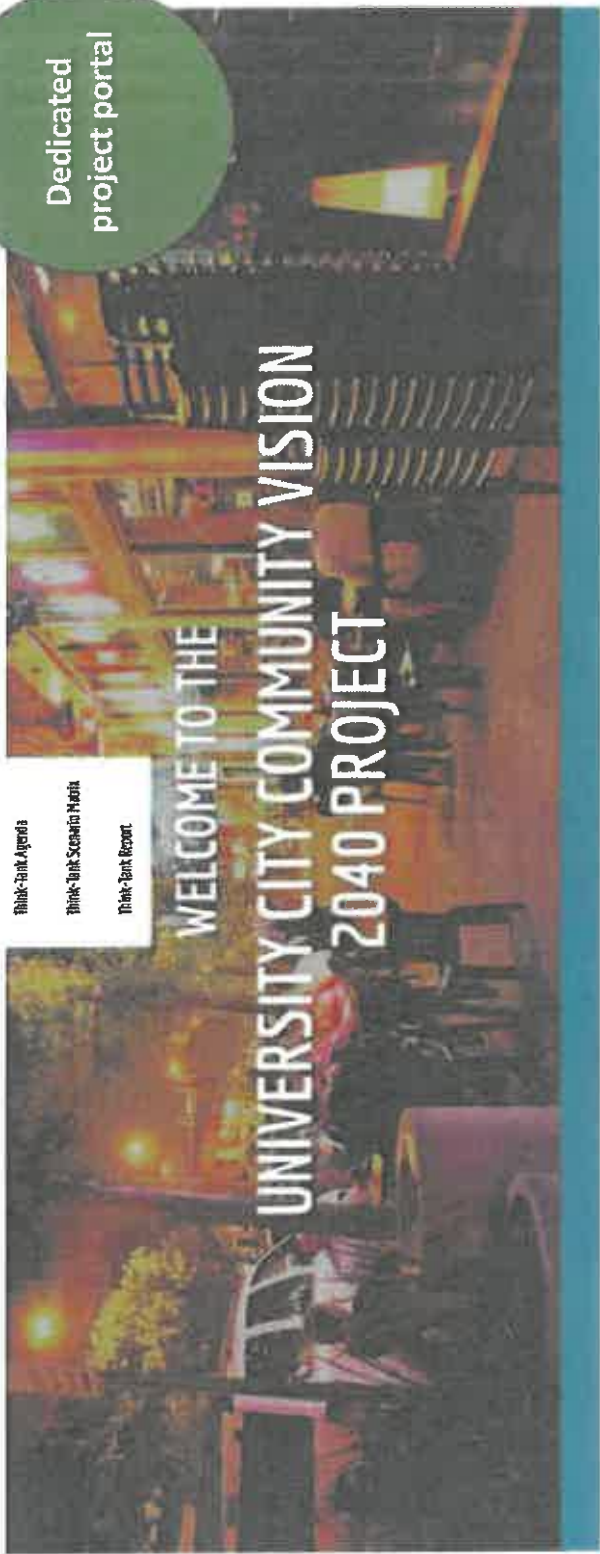
Overview

Think-Tank Agenda

Think-Tank Scenario Matrix

Think-Tank Report

Dedicated  
project portal



<https://lab2.future-ig.com/university-citys-community-visioning-project/>

# Visioning Project Reports

Overall  
planning  
process

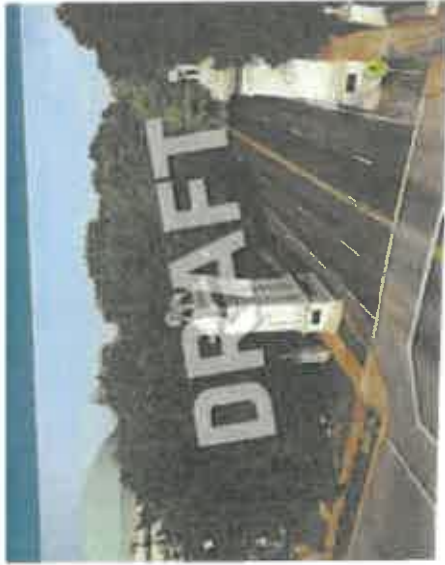
Outcomes  
documented in  
easy-to-use  
reports



UNIVERSITY CITY  
COMMUNITY VISION 2040  
"THINKTANK REPORT" - MISSOURI, USA  
March 2016



**Community Vision 2040  
Think-Tank Report**



UNIVERSITY CITY  
COMMUNITY VISION 2040  
ROADMAP REPORT  
MISSOURI, USA  
July 2017



**Community Vision 2040  
Roadmap Report**

Crafting our  
shared vision  
and roadmap



## University City Community Vision 2040

# BUILDING the ELEMENTS of our SHARED VISION

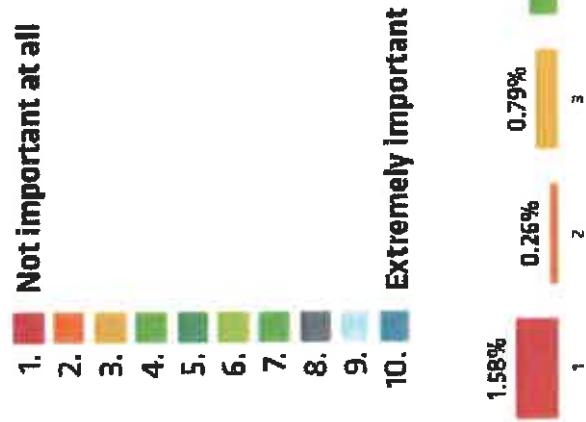




Creating a shared vision is important to residents

### IMPORTANCE OF A SHARED VISION

Question: How important do you think it is to have a SHARED VISION (an agreed future plan) for the future of University City?

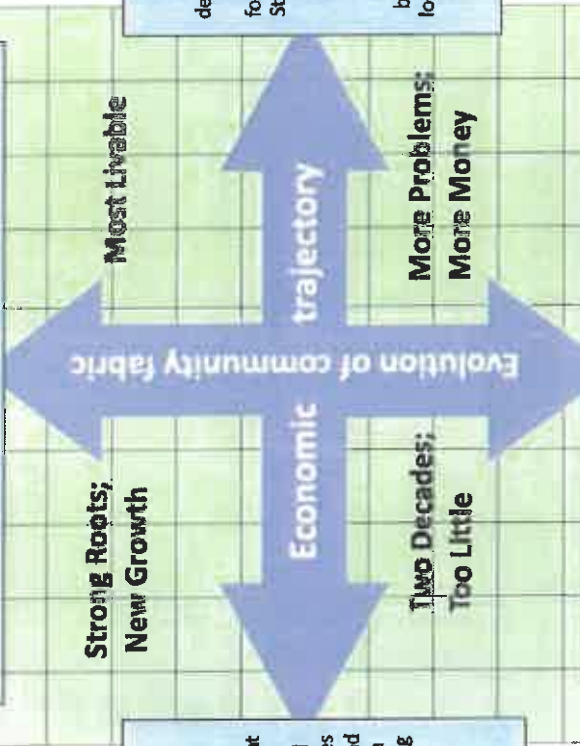


# Plausible Scenario Matrix 2040

**Intentional equity**  
Intentional action builds more equity within the community, with social and commercial infrastructure distributed in new ways. A stronger partnership between the City and school system is developed, with a focus on innovative adaptive education strategies, that aim to boost the school system performance. Housing affordability and ownership is addressed by embracing innovative investments and solutions. New approaches to community engagement deepen resident participation.

**Creative development**  
New creative efforts spur development in the Loop and Olive Boulevard; and offer unique forward-looking economic models. Strong partnerships are developed with WashU which help solve challenges and create mutual benefit. New workplace and workforce models trigger new business activity. Walkability and local commercial and retail nodes become a stronger feature in neighborhoods.

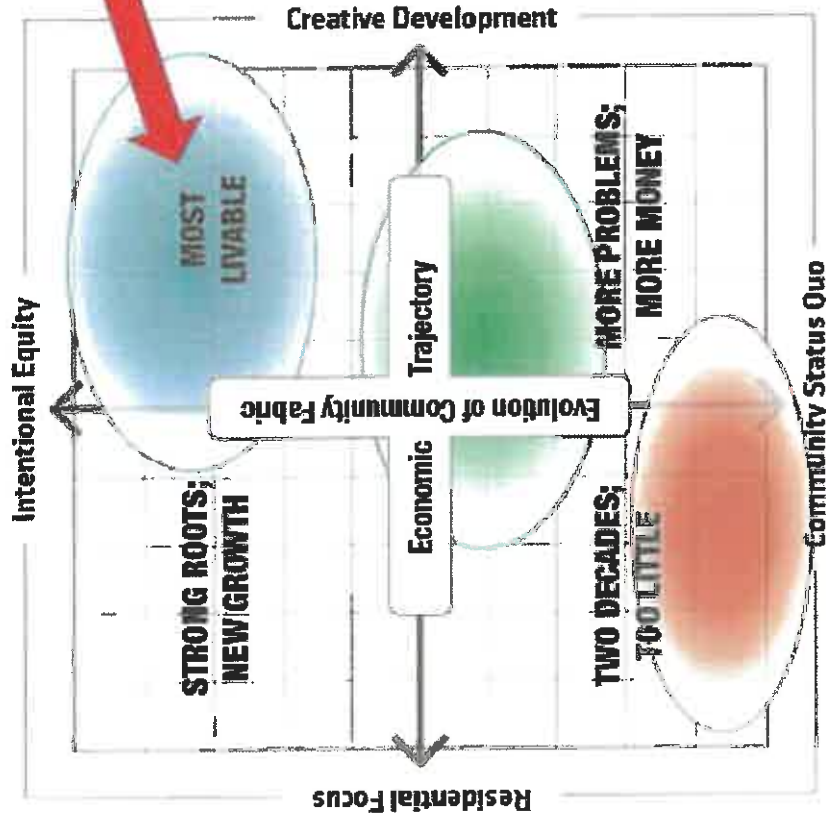
**Community Status Quo**  
University City continues to evolve in a recognizable pattern, with distinct neighborhoods and Ward characteristics. The City and the schools remain the dominant institutions, operating in parallel paths. Market forces drive future home ownership levels, distribution patterns, and location of social infrastructure. The fundamental character of the community evolves slowly, but overall remains very similar and familiar.



**Residential focus**  
University City remains predominantly residential neighborhoods, with existing approaches to housing development and infrastructure maintenance. Housing upgrades and commercial development occur as market forces dictate. The City's green canopy, and historic housing is maintained as a premier feature. Strong neighboring community forces continue to compete with University City for businesses and commercial development.



# Identifying the Preferred Future



Preferred Future

The future that is most optimal for University City in 2040.

Expected Future

The future that is most likely to eventuate by 2040 if University City follows its existing trajectory.

Least Desired Future

The future seen as the least desired for University City in 2040.



People want change and a future where there is intentional equity and creative development

# The preferred future 'Most Livable,' is a future built on two key themes:

## Intentional Equity

Intentional action builds more equity within the community, with social and commercial infrastructure distributed in new ways. A stronger partnership between the City and school system is developed, with a focus on innovative adaptive education strategies, that aim to boost the school system performance. Housing affordability and ownership is addressed by embracing innovative investments and solutions. New approaches to community engagement deepen resident participation.

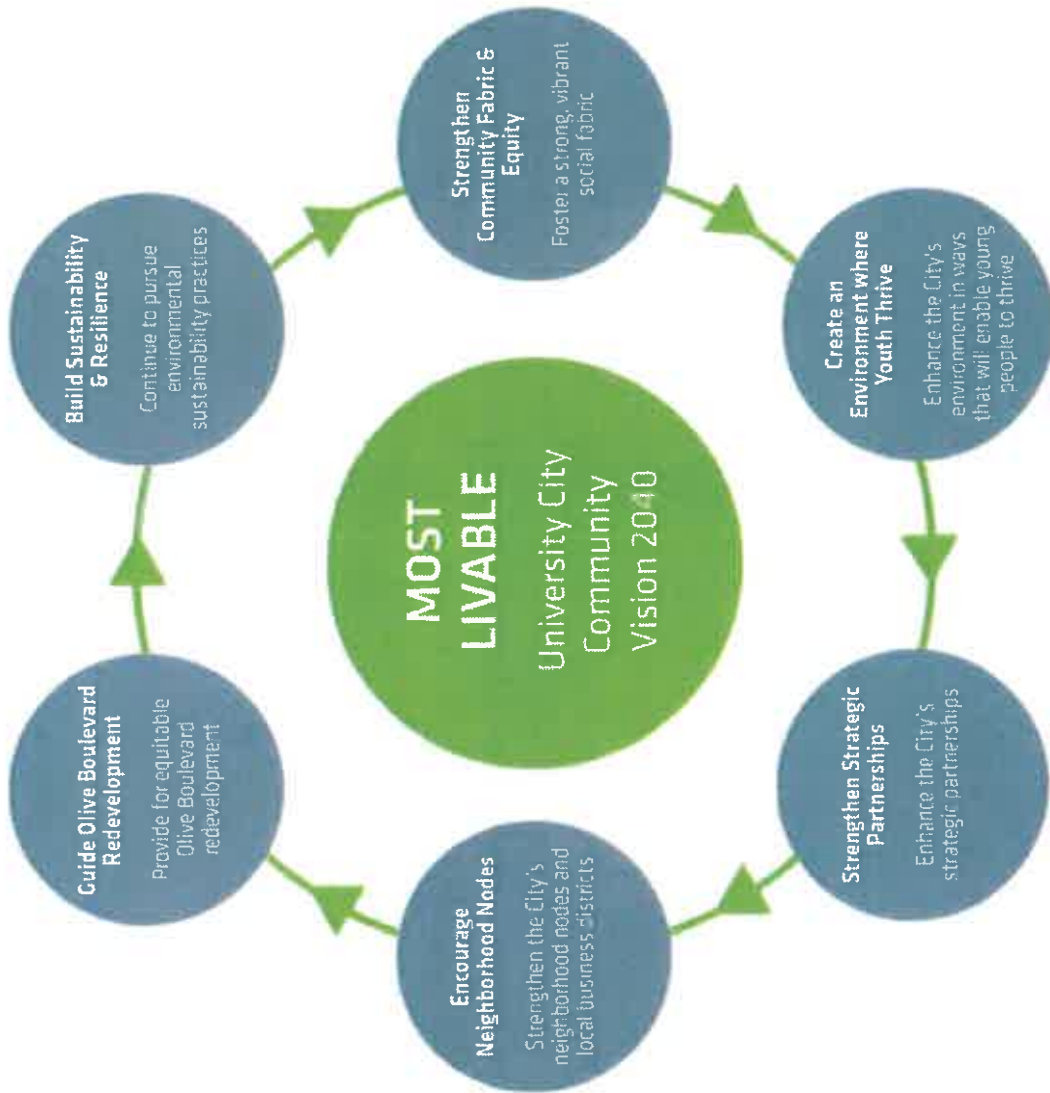
## Creative Development

New creative efforts spur development in the Loop and Olive Boulevard; and offer unique forward-looking economic models. Strong partnerships are developed with WashU which help solve challenges and create mutual benefit. New workplace and workforce models trigger new business activity. Walkability and local 'commercial and retail nodes' become a stronger feature in neighborhoods.



# Strategic Pillars

We identified 6 key strategic pillars and 18 key action areas

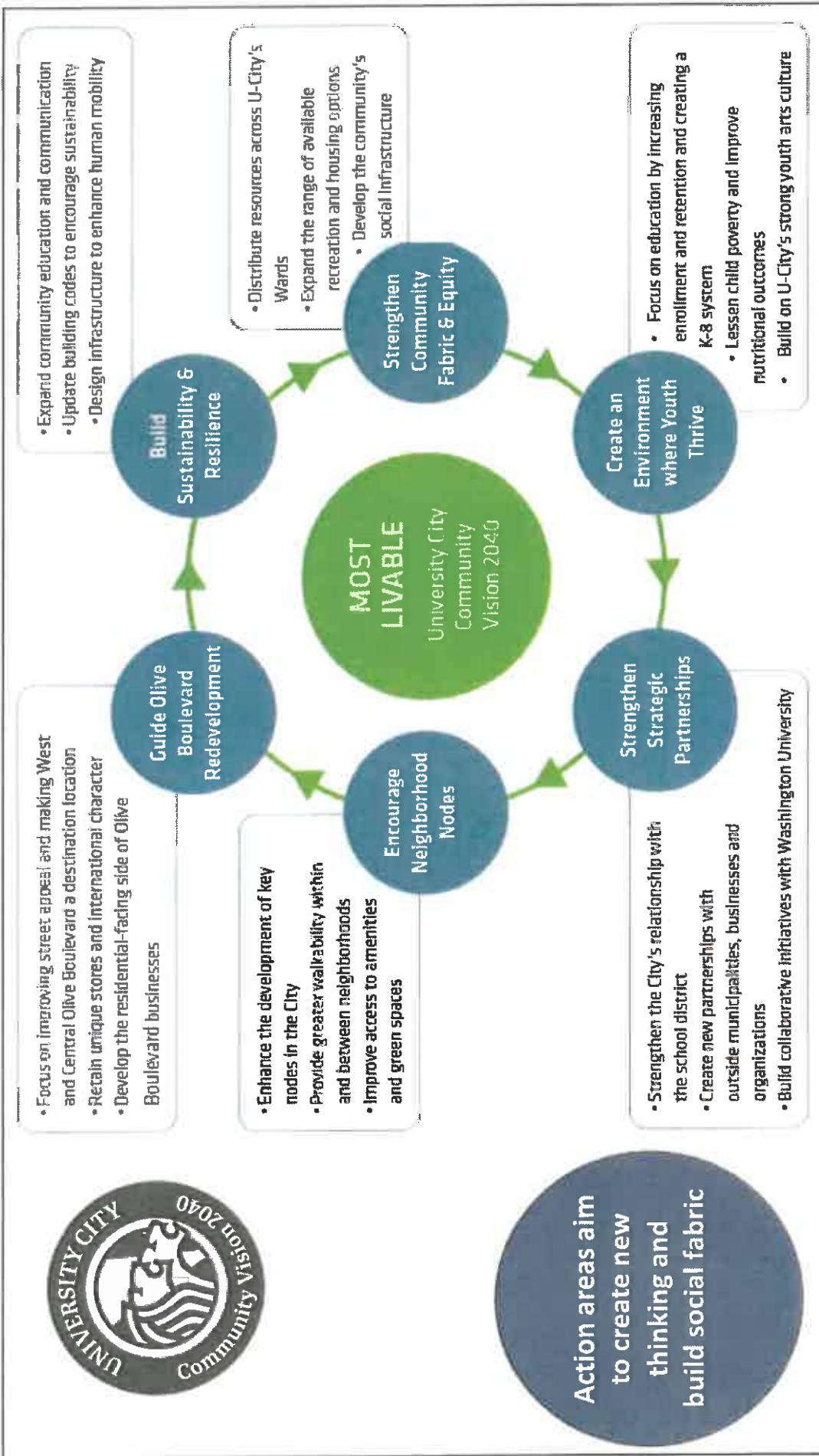








Action areas aim to create new thinking and build social fabric

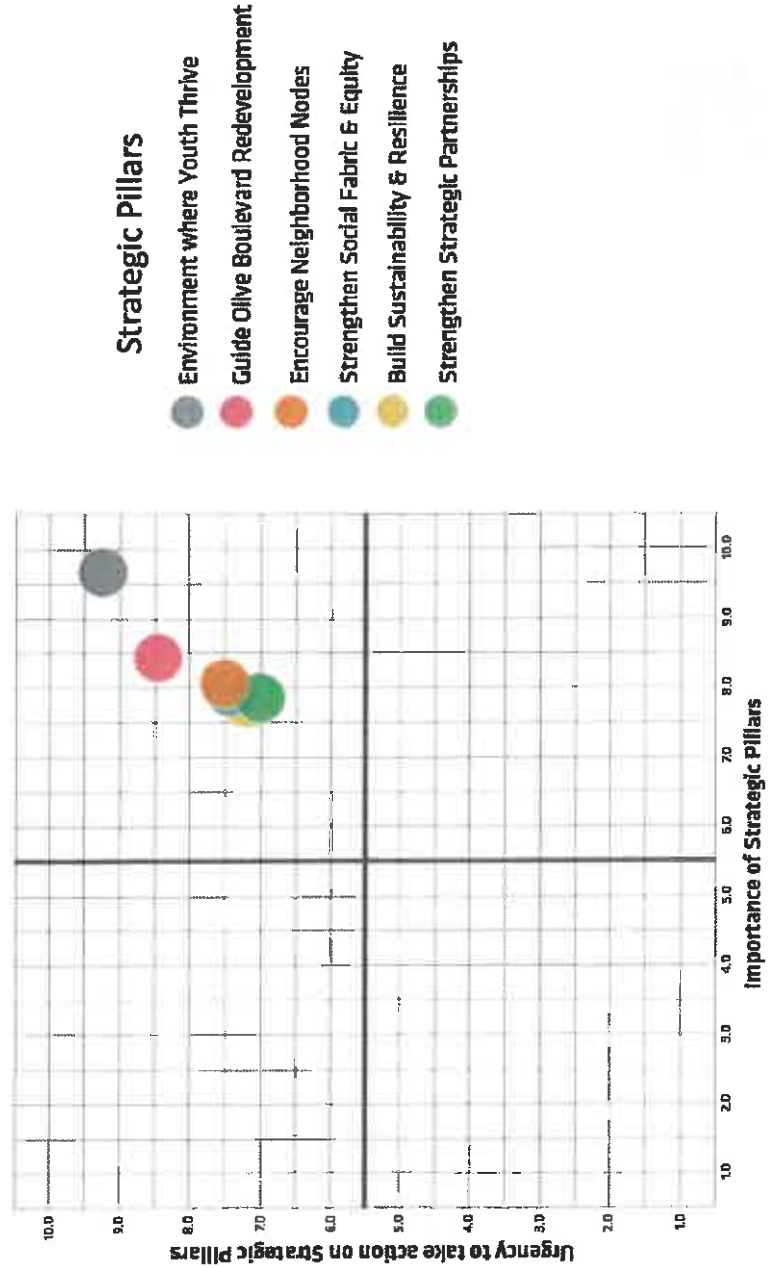


## IMPORTANCE AND URGENCY TO ACT - BY STRATEGIC PILLARS

X axis is Importance of the Strategic Pillars (1 = Not important; 10 = Critically Important)

Y axis is Urgency to take action on Strategic Pillars (1 = Not urgent; 10 = Critically urgent)

All pillars were viewed as important and there is an urgency to act



### Strategic Pillars

- Environment where Youth Thrive
- Guide Olive Boulevard Redevelopment
- Encourage Neighborhood Nodes
- Strengthen Social Fabric & Equity
- Build Sustainability & Resilience
- Strengthen Strategic Partnerships



## NEXT STEPS

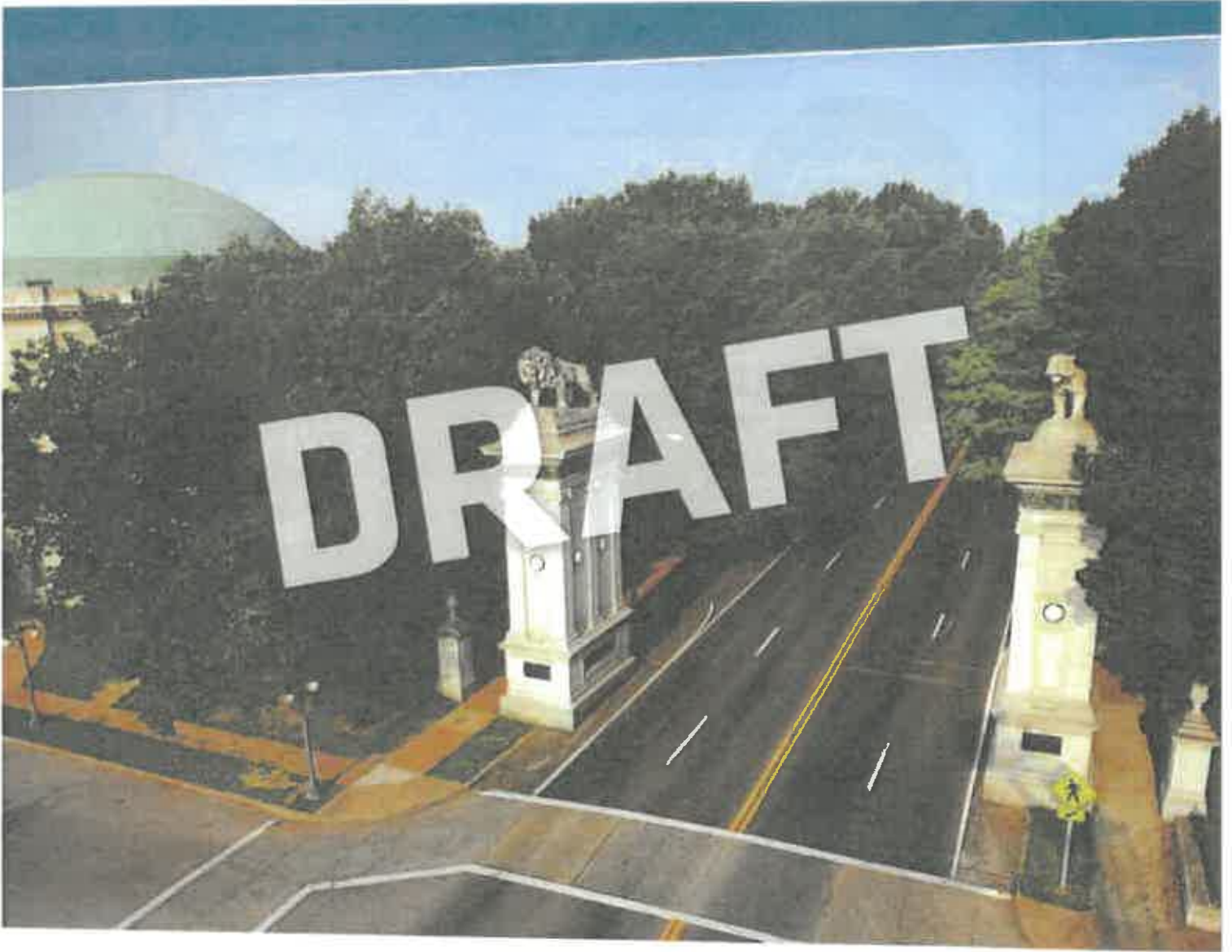
- Report to be considered and approved by Council
- Final Community Vision and Roadmap Report to be posted to the project portal
- Community Vision 2040 will be used to guide upcoming comprehensive planning process



## **Thank you, Task Force Members!**



- **Peggy Holly, Chair of Task Force, Chair of Plan Commission**
- **Edmund Acosta, Library Board**
- **Garry Aronberg, Commission on Storm Water Issues**
- **Dianne Benjamin, Urban Forestry Commission**
- **Dennis Fuller, Traffic Commission**
- **Sandra Hewitt, Commission on Senior Issues**
- **Richard Massey, Municipal Commission on Arts and Letters**
- **Joseph Miller, University City School District**
- **Ed Nickels, Historic Preservation Commission**
- **Bobette Patton, Economic Development Retail Sales Tax Board (EDRST)**
- **Adam Staudt, Green Practices Commission**
- **Joan Suarez, Commission for Access and Local Original Prog (CALOP)**
- **James Wilke, Park Commission**



# UNIVERSITY CITY

COMMUNITY VISION 2040  
ROADMAP REPORT

MISSOURI, USA

July 2022



# UNIVERSITY CITY

## COMMUNITY VISION 2040 ROADMAP REPORT

MISSOURI, USA

July 2022

This report presents the community vision that was developed following extensive community engagement undertaken during University City's Community Vision 2040 planning process. Beginning in July 2021 through to July 2022, the engagement process included two Community Surveys, four Listening Sessions, seven focus group sessions, on Student Survey, and two Think-Tank Workshops to explore the long-term future of University City. This engagement process was designed to provide an open, inclusive, and transparent platform for community members to help create a shared community vision.

This report represents Future IQ's analysis of the engagement outcomes, and how this data has informed the identification of a preferred future and strategic pillars. The analysis in this report builds on the preceding project report, meetings, and engagement analysis. The recommended Key Strategic Pillars have been developed from the community input gathered during the visioning process.

These reports and the associated data analysis are available on the project portal:

<https://lab2.future-iq.com/university-citys-community-visioning-project/>

Envisioning Project Hosted by:



Report Prepared by:



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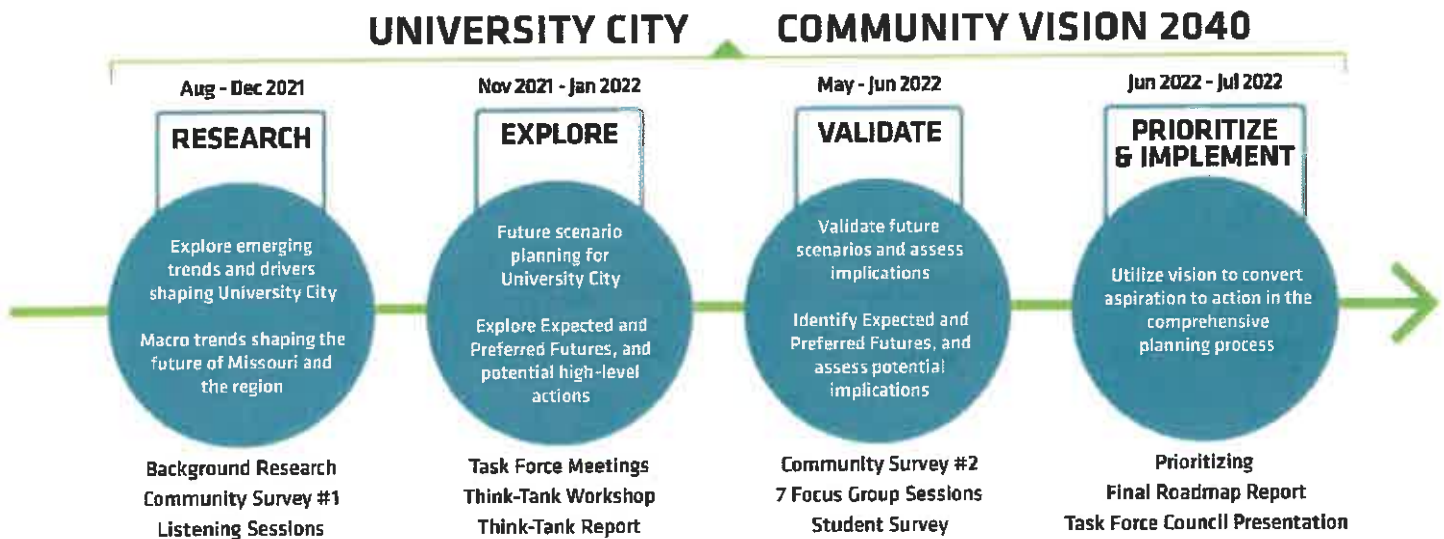


The University City Community Vision 2040 process offers a model for communities that are looking ahead to the future with an intentional equity lens. It emphasizes the importance of its historical context and looks ahead with optimism and hope for the future.

## 1.0 INTRODUCTION

The University City Roadmap Report represents the final element in the Community Vision 2040 process. The analysis in this report builds on the preceding project report and identifies the vision that is important to this community. This report represents Future IQ's analysis of the engagement outcomes and how this data has informed the identification of a preferred future and key focus areas for University City.

Community input and transparent, inclusive engagement was central to the visioning process. The comprehensive engagement and data-driven process progressively narrowed and focused the discussion on emerging key themes and community aspirations for the future. The purpose of the process was to arrive, as close as possible, at a "point of consensus" that represented the most widely shared vision for the future, and strategic pillars and action areas that guide the community towards that future.



This report examines the identification of the preferred future for University City, while discussing the stages of the overall visioning process. The key themes and aspirations that emerged from the engagement are included within the "strategic pillars" and further explored in the "key action areas" of the report.

## 1.1 SNAPSHOT - REPORT HIGHLIGHTS

This report lays out the findings from each step in the visioning process. The process identified key priorities for the future of University City. Community members imagined and considered possible directions and the impacts and consequences of those directions. The process, and the report, then drill down more deeply into what people saw as the preferred future for University City. This understanding helps lay the groundwork for figuring out "how we get there" and sets the City up for its comprehensive planning process to follow.

### KEY INSIGHTS FROM THIS REPORT



#### **1. Strong desire to incorporate intentional equity into community planning**

Throughout the visioning process, many community members expressed a desire to see amenities and services distributed more equitably across the City. Intentional actions that build more equity within the community, and especially in the 3rd Ward, is a primary feature of the preferred future for University City.



#### **2. Support for a creative approach to economic and urban development**

Many residents consider the upcoming comprehensive planning phase to be a critical opportunity to adopt a more creative approach to urban development. More walkability, green space, multi-modal transportation options, social infrastructure and funding options were consistent ideas discussed.



#### **3. Seek strengthened partnerships with the school district and outside municipalities**

University City residents highly value their school system and want to build an environment that enables local youth to thrive. Strengthening collaborative initiatives between the school district, our library, University City, Washington University, and outside municipalities is seen to be key to creating the support and wrap around services that youth need to thrive and grow.



#### **4. Use Olive Boulevard redevelopment as an opportunity to effect social change**

The homes and historical character of the 3rd Ward are unique elements of University City. Redevelopment along Olive Boulevard is seen as a wonderful opportunity to distribute more wealth and amenities to the 3rd Ward.



#### **5. Desire for bold ideas in urban design**

Many residents expressed the desire to implement new and bold approaches to designing the community and its urban landscape. Small Area Planning emerged as an idea to explore for the smaller scale development of neighborhood nodes and business districts.



#### **6. Willingness to recognize and address environmental issues**

Being a Tree City USA, residents indicated a staunch readiness to embrace new tools and processes to confront the various emerging challenges regarding greening, energy and climate change.



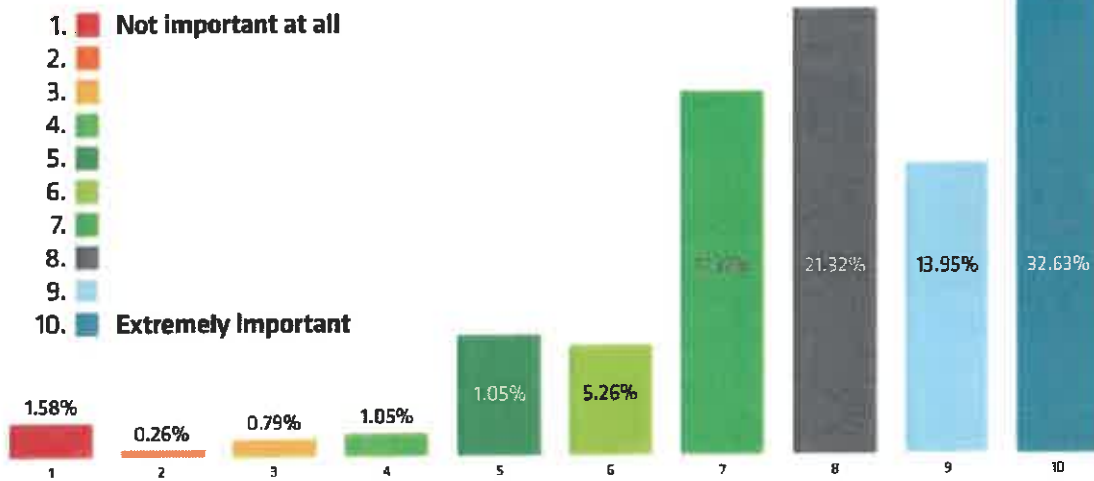
A shared vision for the future will be important for University City as it embarks on its comprehensive planning process. With most residents viewing a shared vision as important, this process is a foundational building block for the City's planning for the future.

## 1.2 IMPORTANCE OF VISIONING TO THE UNIVERSITY CITY COMMUNITY

University City's visioning process looked at how the community's evolution and what are the new trends and factors that are shaping the community's future. The visioning process was largely viewed as an opportunity to come together and shape the future trajectory of the community looking out to 2040. As the chart below shows, residents' belief in the importance of a shared vision was reflected in responses to Community Survey #1 which launched the visioning process in August 2021.

### IMPORTANCE OF A SHARED VISION

**Question: How important do you think it is to have a SHARED VISION (an agreed future plan) for the future of University City?**



**DataInsight**

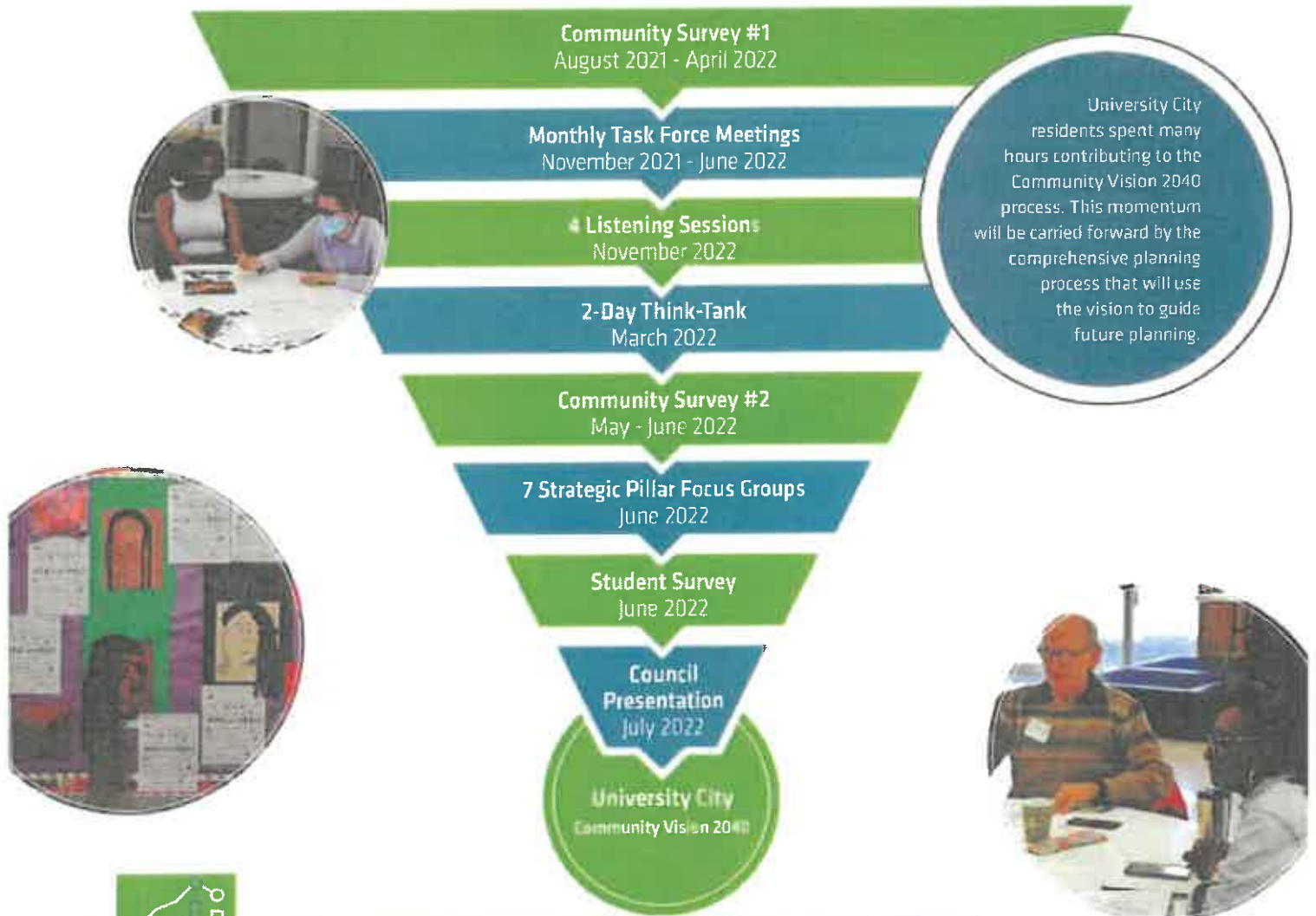
- Maintaining a shared vision for the community will involve clear and consistent communication that reaches all corners of the community, in various forms and formats.
- Applying the shared vision for the community will require regular check-ins with the City's Boards and Commissions to be sure to maintain an aligned approach to decision-making in the future.



## 2.0 THE PROCESS OF IDENTIFYING THE “PREFERRED FUTURE”

### 2.1 COMMUNITY ENGAGEMENT HIGHLIGHTS

The community of University City embarked on a participatory engagement process involving Community Surveys, monthly Task Force meetings, Listening Sessions, a Think-Tank, seven Focus Groups, and a Student Survey. This engagement was intended to create a unified community vision which will serve as the foundational support for the upcoming comprehensive planning process.





The community of University City did not allow the COVID-19 pandemic to deter their participation in the Community Vision 2040 process. This highlights their dedication to the future of University City.

## 2.2 COMMUNITY ENGAGEMENT METRICS

Community engagement was a key feature of University City’s Community Vision 2040 project. Efforts were made to ensure it was as easy as possible for residents to participate and provide meaningful input in a variety of formats. This allowed individuals to participate as much as they were able and to focus on topics of importance to them. The engagement was offered via two online community surveys, listening sessions, a Think-Tank, focus groups, and a student survey. Online, the project portal provided regular update information and will continue to serve as a central location where community members can go to view reports on the process.

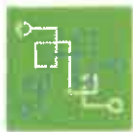
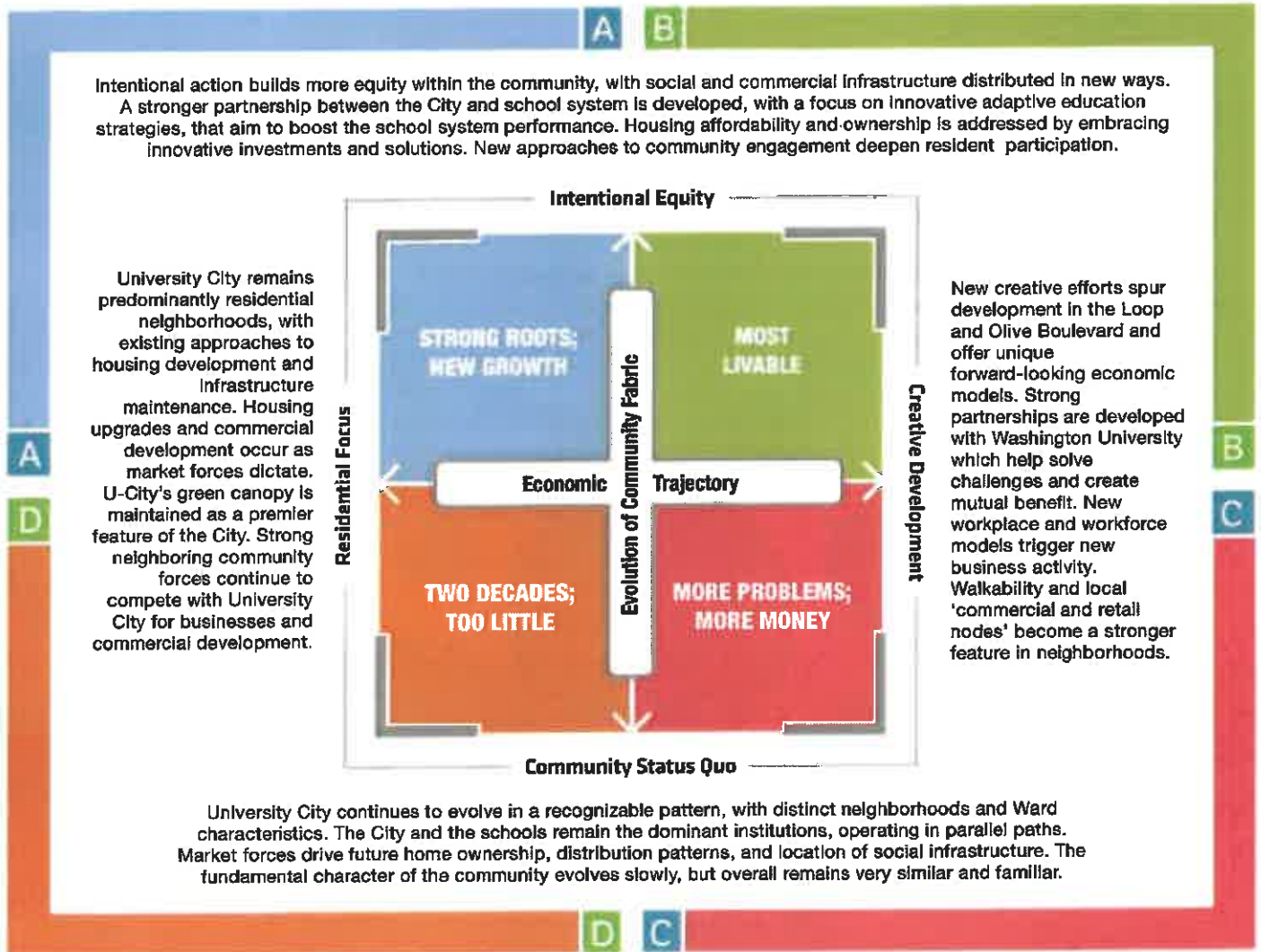


**DataInsight**

- A standout feature of the Community Vision 2040 process was the response rate to the Community Survey #1, with 524 collected.
- One of the key community engagement features for Community Vision 2040 was the project portal. The portal served as a central location where community members could go to find updated project information, take surveys, view survey results and data visualization, reports, and register to participate in project events. To explore the project portal, please visit: <https://lab2.future-iq.com/university-citys-community-visioning-project/>

## 2.3 SCENARIO-BASED FRAMEWORK FOR EXPLORING THE FUTURE

The Community Vision 2040 process was built on a scenario-planning methodology. The Think-Tank held in March 2022, began with examining external and internal trends shaping the future of University City. More detail on the process is available in the *University City Community Vision 2040 Think-Tank Report*, March 2022. (For more information visit <https://lab2.future-iq.com/university-city-community-visioning-project/>)



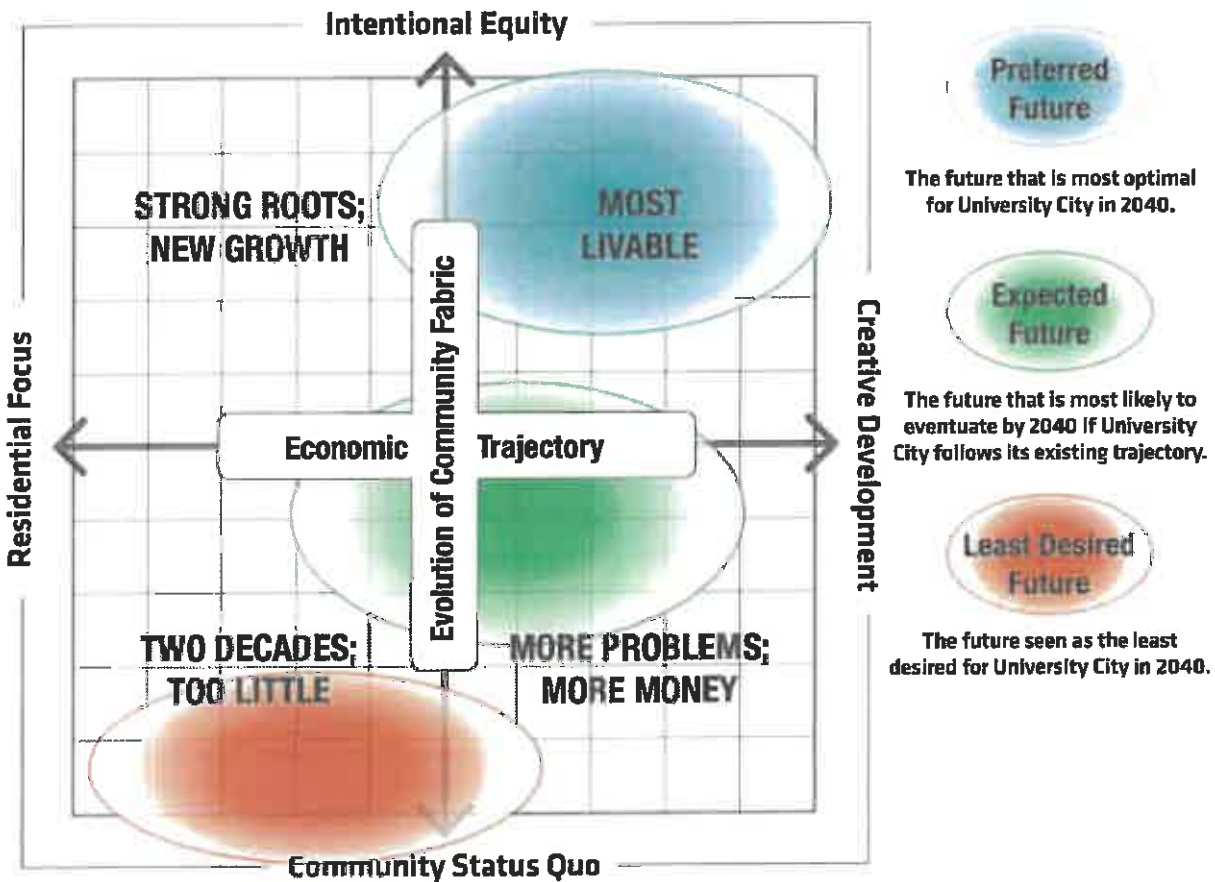
**FutureInsight**

- The scenario-based planning methodology is based on two key "Future-Splitting Themes" represented by the axes in the scenario matrix. Each axis represents a continuum with different future directions and outcomes at each end.

## 2.4 IDENTIFYING THE PREFERRED FUTURE

During the Think-Tank, participants were asked to consider what they thought was the preferred future for University City in 2040. This was derived by laying a 10x10 grid over the scenario matrix, creating the option for 100 slightly different versions of the future. The scenario matrix is defined by the main continuums (axes), the end point descriptions and the scenario narratives. The responses from the participants were grouped to create heatmaps, and the following diagram shows the main concentrations of responses.

### THINK-TANK HEATMAPS



#### DataInsight

- The heatmaps showed significant groupings of responses to the different futures, and these are stylized in the above chart. These responses were also validated with the Task Force and during Focus Group discussions.
- The responses highlight a desire to create the 'Most Livable' future scenario, which requires significant movement on the 'Evolution of community fabric' axis, and the 'Economic trajectory' axis. This data laid the foundation for the creation of the community vision and Strategic Pillars.



### 3.0 COMMUNITY VISION 2040

The visioning process allowed community members to explore the future evolution of the community around the two main themes of 'Evolution of community fabric' and 'Economic trajectory'. These themes allowed the community to wrestle with the implications and responses to changing demographic makeup and needs of the community, and the emerging impact that technology and redevelopment is having on multiple aspects of the community.

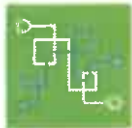
The future of 'Most Livable' reflects the community's desire to plan for a future that is equitable and inclusive of all University City residents. This Roadmap Report lays out a series of actions and ideas that can be incorporated into the upcoming comprehensive planning process to set the community on the path to its preferred future.

The preferred future identified for the community of University City is called 'Most Livable'. The preferred future was described as:

*This scenario forecasts a future where there is a prevailing attitude of 'a rising tide lifts all boats.' Intentional action builds more equity within the community and new creative development in the Loop and Olive Boulevard serves to increase prosperity across the community. Care is taken to protect and grow housing affordability with new mixed-use, multi-family and condominium options. Absentee landlords are discouraged from operating in the city. Walkability and local commercial and retail nodes including adjacent services become a stronger feature in neighborhoods as new workplace models allow work from home. Connectivity is strengthened with new multi-modal transportation throughout the city. New partnerships between the city, public schools, local business, and Washington University are fostered, and families choose to locate in University City. The existing cultural diversity of the city is celebrated and promoted; community engagement in civic affairs increases.*



For more information on the Think-Tank and the description of 'Most Livable', please visit <https://lab2.future-iq.com/university-citys-community-visioning-project/>



FutureInsight

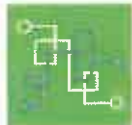
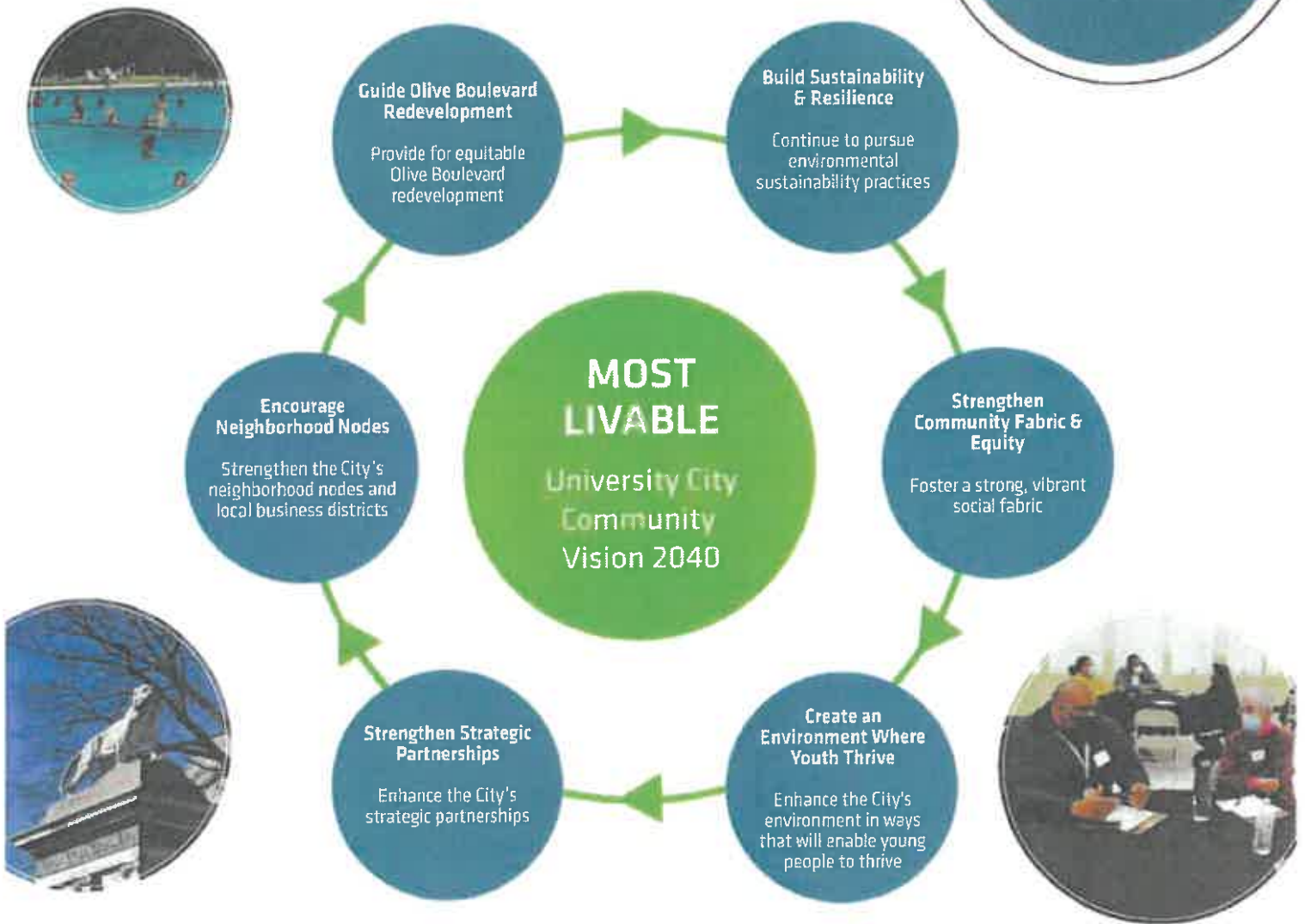
- University City is a historic community that shares a border with the City of St. Louis, Missouri. Its residents wish to maintain its special historical significance while at the same time embracing change and a forward-thinking approach to its development.
- The preferred future, 'Most Livable', reflects the community's ideal vision for the future. The vision was developed by community members and lays out the guiding principles for decision-making looking out to 2040.



## 4.0 STRATEGIC PILLARS FRAMEWORK

The Strategic Pillars of the Community Vision 2040 visioning process were developed from the community input and data that was gathered over the course of the entire engagement process. The 'pillars' represent the major themes or topic areas that underpin the preferred future for University City. The key action areas listed under each pillar are the building blocks to achieve the preferred community future. The community ideas are suggested steps by community members that could be taken to put the community on the path to its preferred future.

The strategic pillars help to organize future thinking into six important elements for University City. These are intended to be the foundational building blocks that support and guide the community towards its preferred future, 'Most Livable.'



**FutureInsight**

- The Strategic Pillars create a framework that draws together important elements identified by community members as being most critical in terms of the future.
- The Strategic Pillars are not intended to solve all of the community's challenges in the medium and short term. Rather, they represent a series of key focus areas that can guide future planning for University City.



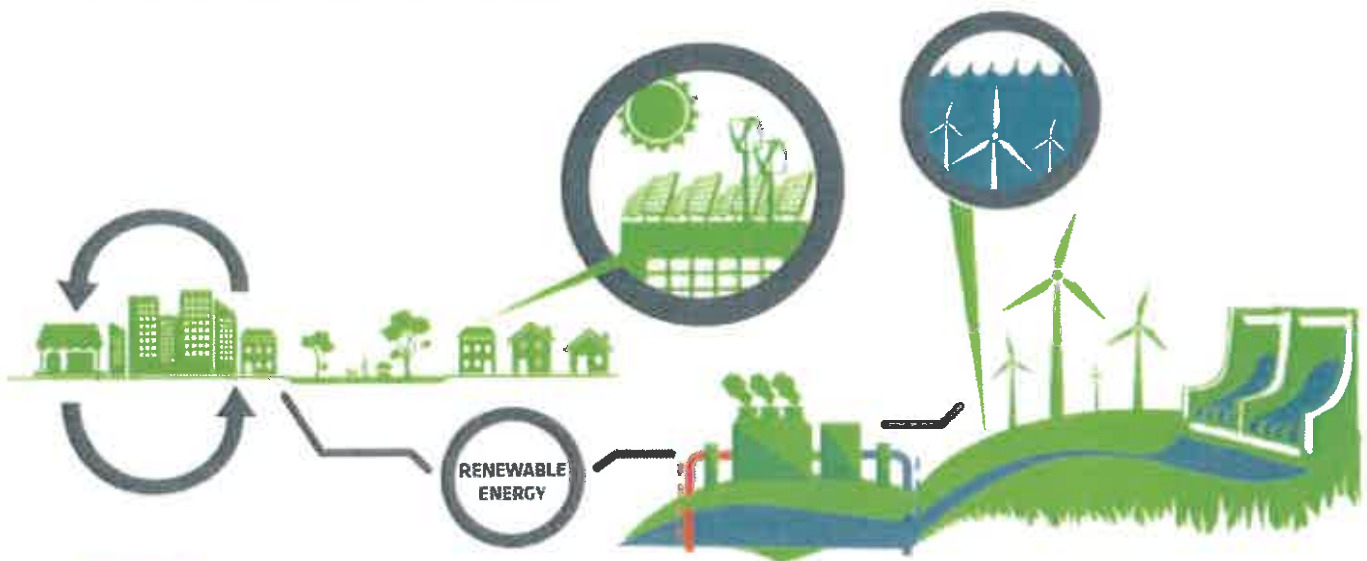
Community residents reflected a desire to adopt more sustainability measures, especially improved incorporation of modern urban design approaches that enhance the urban landscapes.

## 4.1 PILLAR 1: BUILD SUSTAINABILITY AND RESILIENCE

There is a clear desire in the community to pursue environmental and sustainability practices. Adjustment to climate change, and mitigating impacts of extreme weather events, such as floods, was seen as a key planning priority.

### 4.1.1 IMPORTANCE OF SUSTAINABILITY & RESILIENCE

Urban environments across the planet are beginning to wrestle with the impacts of climate change. In University City, the implications include increased flood potential, hotter urban landscapes, and more dramatic weather events. Building resilience will be a feature of future urban planning and embracing sustainability practices will be essential. Over the coming decade, there will be shifts in community expectations across a range of sustainability issues, such as renewable energy, electrification of cars, reduced waste and emissions, and more sophisticated resource management.



#### Value to Residents

- A sustainability approach in University City is fundamentally about creating and maintaining high quality living experiences in an urban landscape. Adapting this urban landscape to increase shade and pedestrian protection was seen as high priority.
- Embracing sustainability and building environmental resilience will require new thinking and change, however it has the potential to deliver multi-faceted benefits to the community and residents.
- With the support of community members, University City has the opportunity to lead by example in the explicit spirit of Tree City, USA, Greening, and Sustainability.





*"University City can become a leader in sustainability (green) practices. We can capitalize on the diversity of our residential community by becoming a model of racial and ethnic harmony."  
Community Survey #1 Respondent*

### 4.1.2 KEY ACTION AREAS

The following three key action areas consolidate ideas and priorities identified by the community during the Community Vision 2040 process.

#### 1. Expand community education and communication

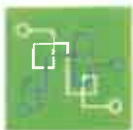
Educating the public about the importance of sustainability practices such as growing more trees, increasing green space, energy efficiency, recycling, and waste management are fundamental elements in building the City's resiliency in the future. Focus Group participants recognized the potential for resistance to change in these areas. This emphasized the need for increased City communications that raise awareness about the value of sustainability practices.

#### 2. Update building codes to encourage sustainability

A key desire of University City community members is to incorporate environmental sustainability into City goals and to implement supporting initiatives. By updating building codes, the City could encourage LEED and ISO14000 certifications and green building, alternative energy use, codify sidewalks and concrete, and move to achieve carbon neutrality by 2040. The City itself could lead by example and by becoming LEED and/or ISO14000 certified. As more municipalities move towards electric fleets for City services, adding charging stations throughout the City would help transition the City to renewables.

#### 3. Design Infrastructure to enhance human mobility

Streets and public spaces are essential to our mobility, making them crucial aspects of how we get from one place to another. The increasing importance of all types of mobility is a global trend that accelerated during the pandemic. Community support for street design that emphasizes human mobility provides the opportunity to prioritize enhanced multi-use streets and multi-modal transportation. Examples include bicycling, walking, and micro-transit that enables safe access to services and amenities throughout the City.



#### FutureInsight

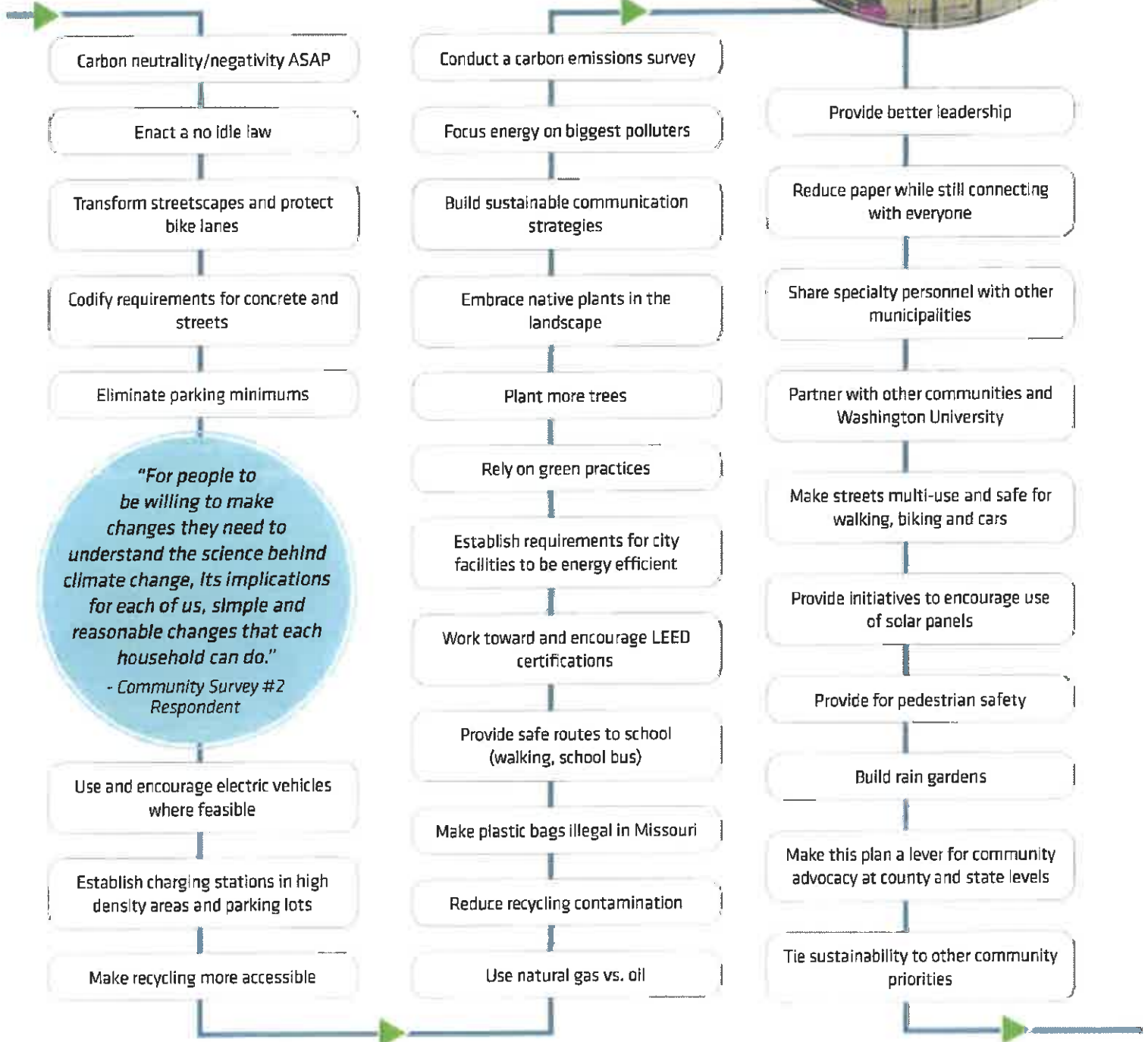
- Designing streets with a 'Complete Streets' approach is a trend in transportation that focuses on providing access and connectivity for all people who use streets, not just drivers of cars. Street networks using this concept are designed to provide better and safer streets for people walking, biking, driving, riding transit, and moving actively with assistive devices.
- Treating public space as key infrastructure increases cities' abilities to prepare for, address and recover from natural hazards. Designing open spaces and buildings to protect against disasters such as flooding helps communities become more resilient.

### 4.1.3 IDEAS FROM THE COMMUNITY

The following bullet points are ideas that emerged during the community engagement process. Focus group participants and survey respondents were asked for specific ideas on actions the community could take to achieve the preferred future, 'Most Livable.' Below are their original ideas.



#### Community Ideas for pursuing environmental and sustainability practices





University City residents have expressed desire to take bold action to address equity in an intentional and creative manner. People believe it is time to address old issues. In new and collaborative ways to better serve our under-served areas and cohorts.

## 4.2 PILLAR 2: STRENGTHEN COMMUNITY FABRIC & EQUITY

An outstanding highlight of the University City visioning work was the deep desire expressed by residents to foster a strong and vibrant social fabric.

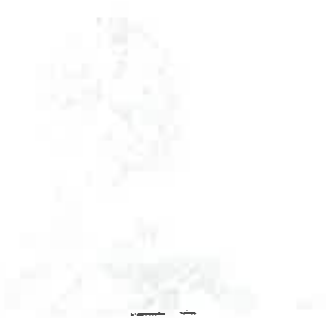
### 4.2.1 IMPORTANCE OF STRENGTHENING COMMUNITY FABRIC & EQUITY

Participants in the University City visioning process highlighted the importance of diversity and inclusivity, and on many occasions, people discussed how proud they were of their community diversity. However, the historic inequalities between parts of the City are recognized, and still exist today. There was an especially strong desire to address community equity and find ways to bolster the prosperity and pathways to success for residents in the 3rd Ward. The appetite is to not merely make the 3rd Ward better; but to create new and ambitious models that help shape new 'neighborhoods of the future'. In these models, issues of home ownership, sustainable housing and affordability are addressed in creative new ways.



#### Value to Residents

- There is a desire to create a strong 'declarative statement' that reflects the importance and history of the 3rd Ward. This would aim to safeguard and to protect the heritage and cultural fabric, and ensure it is not the unintended victim of gentrification.
- This pillar has a primary focus on the 3rd Ward; however the benefits would be felt across the whole community.





#### 4.2.2 KEY ACTION AREAS

The following three key action areas consolidate ideas and priorities identified by the community during the Community Vision 2040 process.

##### 1. Distribute resources across U-City's Wards

Building the social fabric in a community happens on many different levels. Critical to success is providing equitable access to programs and services so that community members are cared for and nurtured. Throughout the visioning process, participants expressed a clear desire to improve access to resources such as healthcare, safety, and lending/financing opportunities in the 3rd Ward. This redistribution of resources will take intentionality and persistence over time.

##### 2. Expand the range of available recreation and housing options

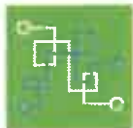
The livability of a community is significantly influenced by its recreation opportunities and housing stock. Throughout the visioning process, residents expressed a desire for increased recreational programming in the community to bring people together across the City. They also pointed to the real need to address housing that accommodates a broad set of current and future needs in the community. Focus Group participants supported establishing a City backed risk pool for home buyers in the 3rd Ward to increase purchasing opportunities and to reduce rentals and absentee landlords in the area.

##### 3. Develop the community's social infrastructure

Social infrastructure are those elements of a community that enable people to come together for various purposes. Examples include schools, churches, libraries, barbershops, restaurants, social clubs, parks, trails, community gardens, green spaces, city sponsored events, as well as neighborhood get-togethers. There is a strong desire in the community to increase opportunities for University City residents to gather and to celebrate its rich history of diversity and inclusion. Increasing access to and developing the City's social infrastructure is a critical part of building the social fabric of University City.

*"In 2040, I would like to U-City to be a better functioning community with more inclusiveness. U-City is home to so many different races and cultures that should all be celebrated!"*

*- Community Vision 2040 Student Survey Respondent*



#### FutureInsight

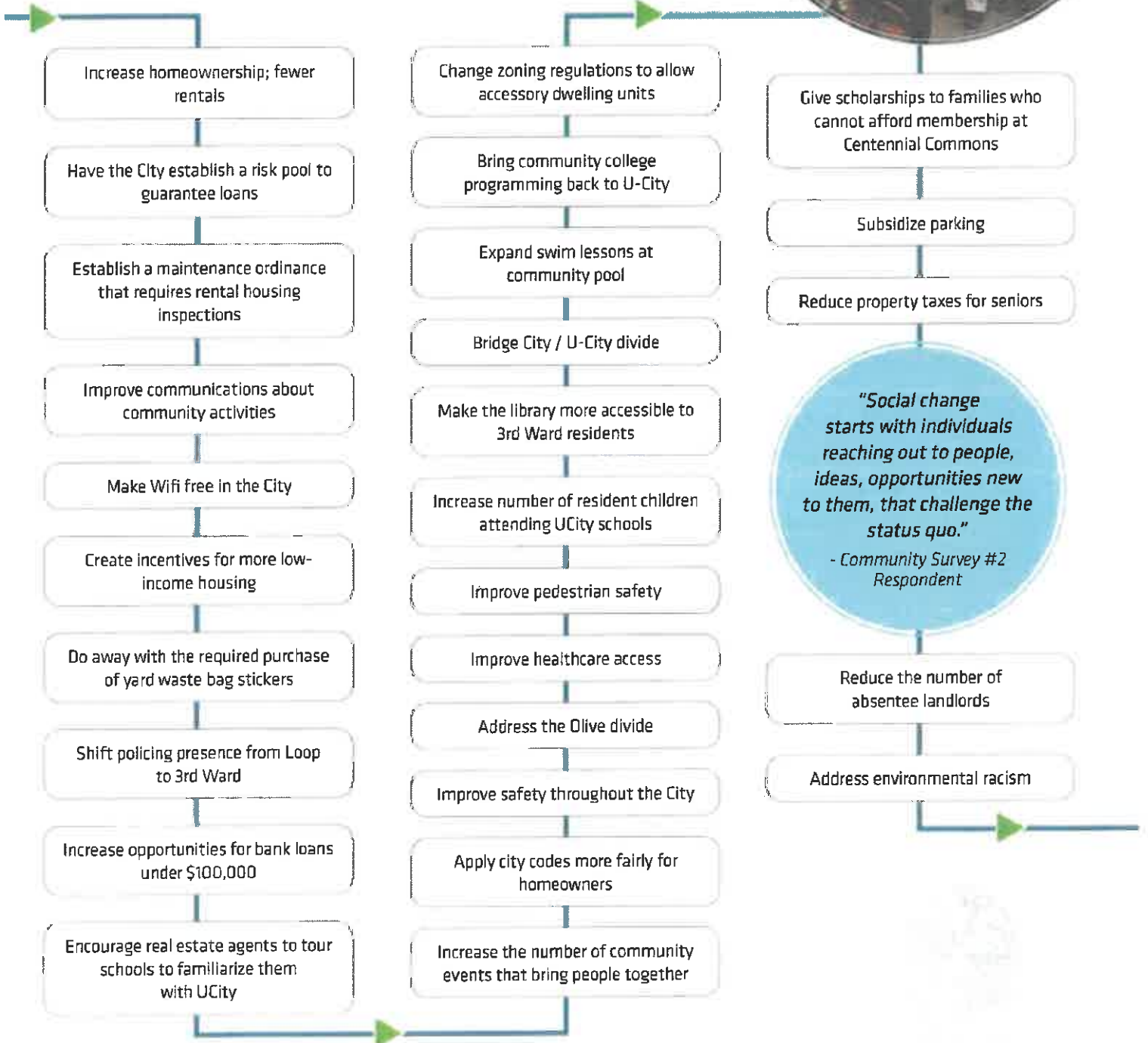
- Ensuring widespread accessibility to social infrastructure is an increasingly vital issue worldwide. As City demographics change, ensuring that public spaces remain inclusive and accessible becomes increasingly important to maintaining residents' qualities of life.
- A shortage of housing options in the U.S. is causing many communities to rezone City spaces to allow alternative housing options for current and future residents. Examples include accessory dwelling units (ADUs), senior living, tiny homes, and apartments. These additional options allow people to transition through their life and have housing available to suit their changing needs of life.

### 4.2.3 IDEAS FROM THE COMMUNITY

The following bullet-points are ideas that emerged during the community engagement process. Focus group participants and survey respondents were asked for specific ideas on actions the community could take to achieve the preferred future, 'Most Livable'. Below are their original ideas.



#### Community ideas for fostering a strong & vibrant social fabric





University City residents have suggested that a positive promotional program is warranted, that helps communicate the successes in the youth population, and the positive steps that are being taken.

### 4.3 PILLAR 3: CREATE AN ENVIRONMENT WHERE YOUTH THRIVE

The visioning process has highlighted the importance residents place on the education system and a desire to boost the school district performance. The relative strength of the school district is also associated with home values that would be raised by improved performance. By creating an environment in which young people can grow and thrive, school district performance will improve and home values will increase as people move here to send their children to University City schools.

#### 4.3.1 IMPORTANCE OF CREATING AN ENVIRONMENT WHERE YOUTH THRIVE

Throughout the community discussions, the issue of education and performance of schools, was highlighted. There was considerable discussion about the interaction between the institutions of the City and School District. It should be noted that the School District boundaries are almost a perfect match for the City's boundaries. Overall, people saw advantage in a stronger collaborative approach, that would help build the total experience and environment for youth to thrive. For example, better integrating recreational programming and assets was seen as an area of opportunity. There was also a view that the current reputation lags reality, and that school and educational performance is improving. The perception of the quality of University City schools must be improved within the community and beyond.

*"The thing that most excites me about the future is me pursuing my dreams."*  
 - Community Vision 2040 Student Survey Respondent



#### Value to Residents

- Education is a key value proposition for many residential communities. This can attract families, and build longer multi-generational stability in a community fabric.
- At first glance, the performance of the schools might not appear to be central to the City's visioning process, as they are separate institutions. However, the institutions both play critical roles in the broader infrastructure for youth and community development.





*"I think that cultural consciousness is extremely important. Knowing and understanding that all people have environmental factors and an identity that shapes them into the person that they are; and also being able to, not agree with them necessarily, but to respect them."*

*- Community Vision 2040 Student Survey Respondent*

### 4.3.2 KEY ACTION AREAS

The following three key action areas consolidate ideas and priorities identified by the community during the Community Vision 2040 process.

#### 1. Focus on education by increasing enrollment and retention and creating a K-8 system

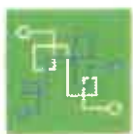
Community members are very aware that University City public schools are a critical glue in the community's social fabric. Perceptions vary widely about the existing quality of education and many students leave for private schools at the high school level. However, with high school student numbers recently on the rise, visioning participants proposed re-imagining K-8 to be a single system and eliminating the stigma of the middle school years. A Task Force of school district personnel, City staff, parents and students could be created to explore this possibility.

#### 2. Lessen child poverty and improve nutritional outcomes

Key to providing a nurturing environment that enables youth to thrive is to address the many elements of child poverty and improving nutritional outcomes. Partnering with Washington University's social work programs, instituting home visit programs, healthy foods in schools, preschool beginning at infancy, and creating reading programs at the Library were identified as first steps for this action area.

#### 3. Build on U-City's strong youth arts culture

A strong arts and culture environment is a critical element in building a sense of place, unity, and belonging in communities. One of the primary ideas that emerged from the visioning process was to create a series of unique 'draws' to U-City to rebuild its youth population. University City's youth arts culture is strong and is seen as an area that could be further developed to pursue this idea by celebrating youth.



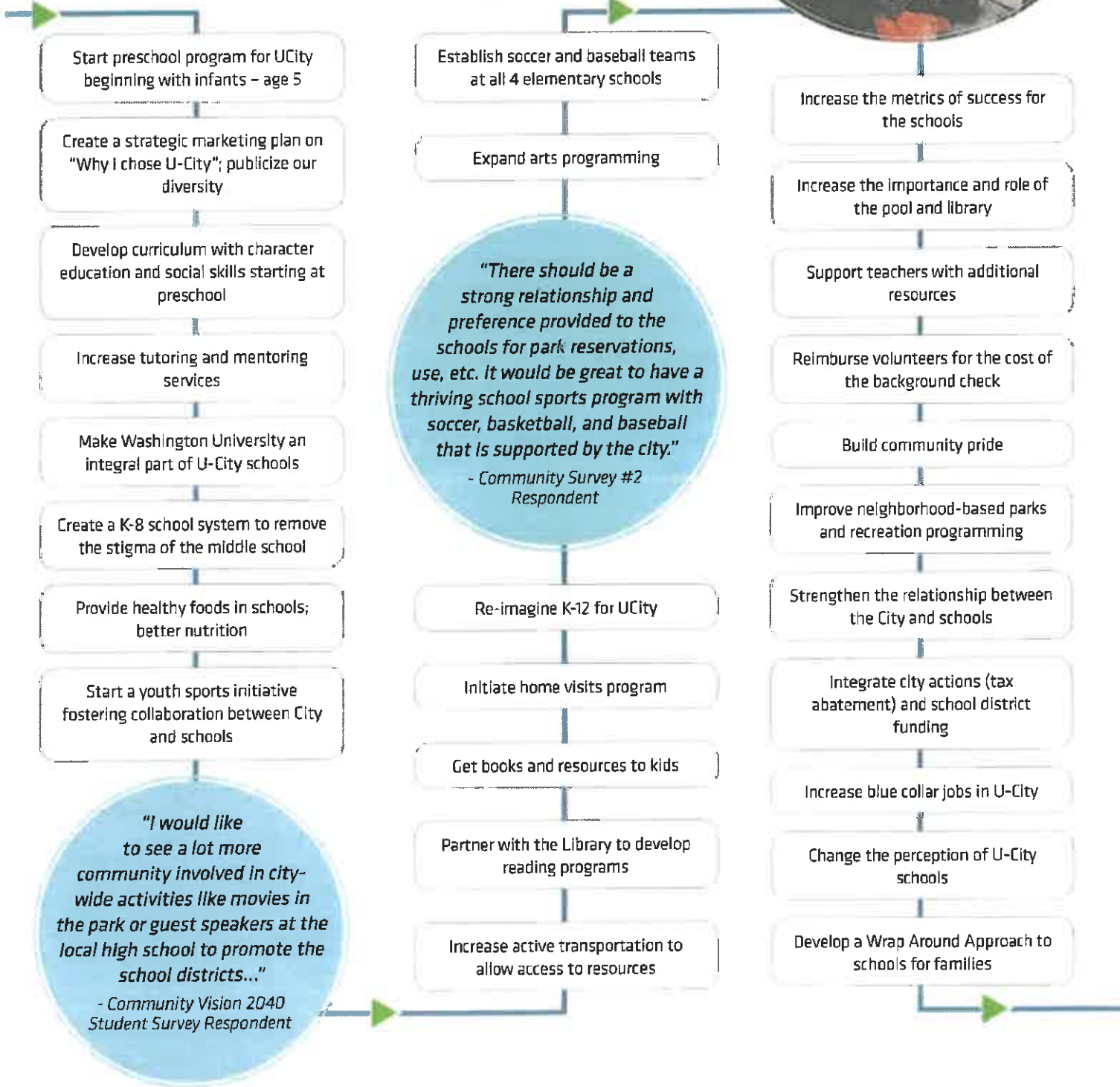
#### FutureInsight

- One of the Ideas generated at the Focus Groups was to actively seek out and recruit a community college to University City. This would increase the educational opportunities for local students and provide much needed trained talent that could be tied to area businesses with internships, mentorships, and apprenticeships.
- Like many communities, University City's residents are aging and there are more active retirees living in the community. As people live longer, research is showing that mentally active people enjoy a better quality of life. Intergenerational programs that support lifelong learning will deliver benefits at many levels and increase social connections and understanding for both young and old.

### 4.3.3 IDEAS FROM THE COMMUNITY

The following bullet-points are ideas that emerged during the community engagement process. Focus group participants and survey respondents were asked for specific ideas on actions the community could take to achieve the preferred future, 'Most Livable'. Below are their original ideas.

#### Community ideas for an environment where young people can thrive





University City is fortunate to have an overlapping interest with Washington University, one of the country's premier educational and research institutions. Leveraging this partnership could offer exciting new approaches for University City.

## 4.4 PILLAR 4: STRENGTHEN STRATEGIC PARTNERSHIPS

The visioning process has highlighted the need and desire to enhance the City's strategic partnerships with other key institutions. The purpose of these partnerships is to collaborate to solve some of the grand challenges and leverage new ideas in creative ways.

### 4.4.1 IMPORTANCE OF STRENGTHENING STRATEGIC PARTNERSHIPS

University City is a community that is home to and is surrounded by many institutions. The obvious institutions include the School District, the University City Public Library, and Washington University, but it also includes the surrounding municipalities and business districts. The visioning process has identified a desire to be bold in addressing creative urban and economic development, and work intentionally on evolving the social fabric. These endeavors are likely beyond the immediate resources of the City and could become real life testing grounds for new ideas – which could offer a practical opportunity for institutions such as Washington University and others.



#### Value to Residents

- Leveraging partnerships is a clever way for communities to boost their access to best practice thinking, new resources and expertise. Enhanced collaboration also allows potential conflicts to be identified and resolved before they create friction.
- Residents in University City have expressed a desire to be 'best in class' in future community and urban development. Creating key partnerships will help achieve this ambition.



#### 4.4.2 KEY ACTION AREAS

The following three key action areas consolidate ideas and priorities identified by the community during the Community Vision 2040 process.

##### 1. Strengthen the City's relationship with the school district

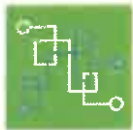
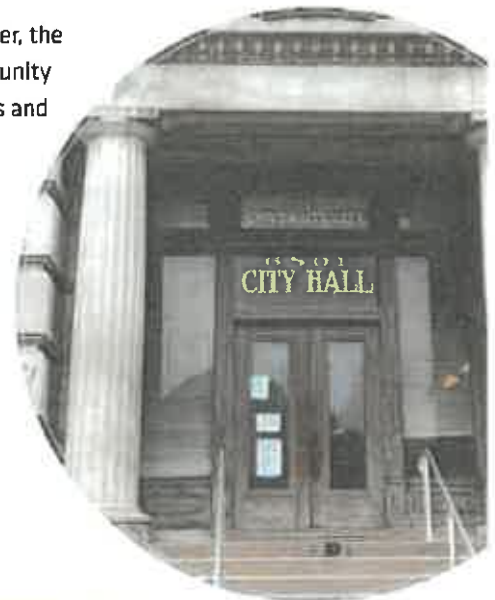
Throughout the visioning process, community members encouraged the integration of actions between the school district and the City. In an effort to build a stronger connection, the City requested that a school district representative join the Community Vision 2040 Task Force. This Task Force member's participation was critical to obtaining venues and guiding discussions about the school district throughout the community's visioning process. Suggestions for working together going forward include opportunities to collaborate on federal funding programs with entities such as the Federal Reserve and providing tax abatements for the school district.

##### 2. Create new partnerships with outside municipalities, businesses, and organizations

University City has traditionally been self-sufficient with regards to City services. However, the impact of the pandemic emphasized the need for more amenities at home and in community neighborhoods. Sharing services and partnering with adjacent municipalities, businesses and organizations enables cities to save money and resources together.

##### 3. Build collaborative initiatives with Washington University

Washington University is a tremendous resource to University City. Focus Group participants emphasized the need for increased public-private connections between the City, U-City public schools, and Washington University to develop career pathways for students and to assist with the development of community wellbeing programs. Additionally, the University is currently generating its strategic plan for the next 5-10 years. One of its strategic pillars is Community Engagement. Now would be a good time for the City to reach out to Washington University to get involved in the development of action areas for the Community Engagement pillar.



FutureInsight

- Strengthening partnerships between the City and other entities was a recurring theme throughout the visioning process. In doing so, participants envisioned the creation of a 'Neighborhood of the Future' that relies on the contributions of multiple entities to support the needs of community members.
- Developing stronger partnerships requires flexibility, consistency, and dedication. Partnerships of the future may not look the way they do now. Focus Group participants emphasized the need to negotiate quality partnerships that are mutually beneficial and can evolve over time.

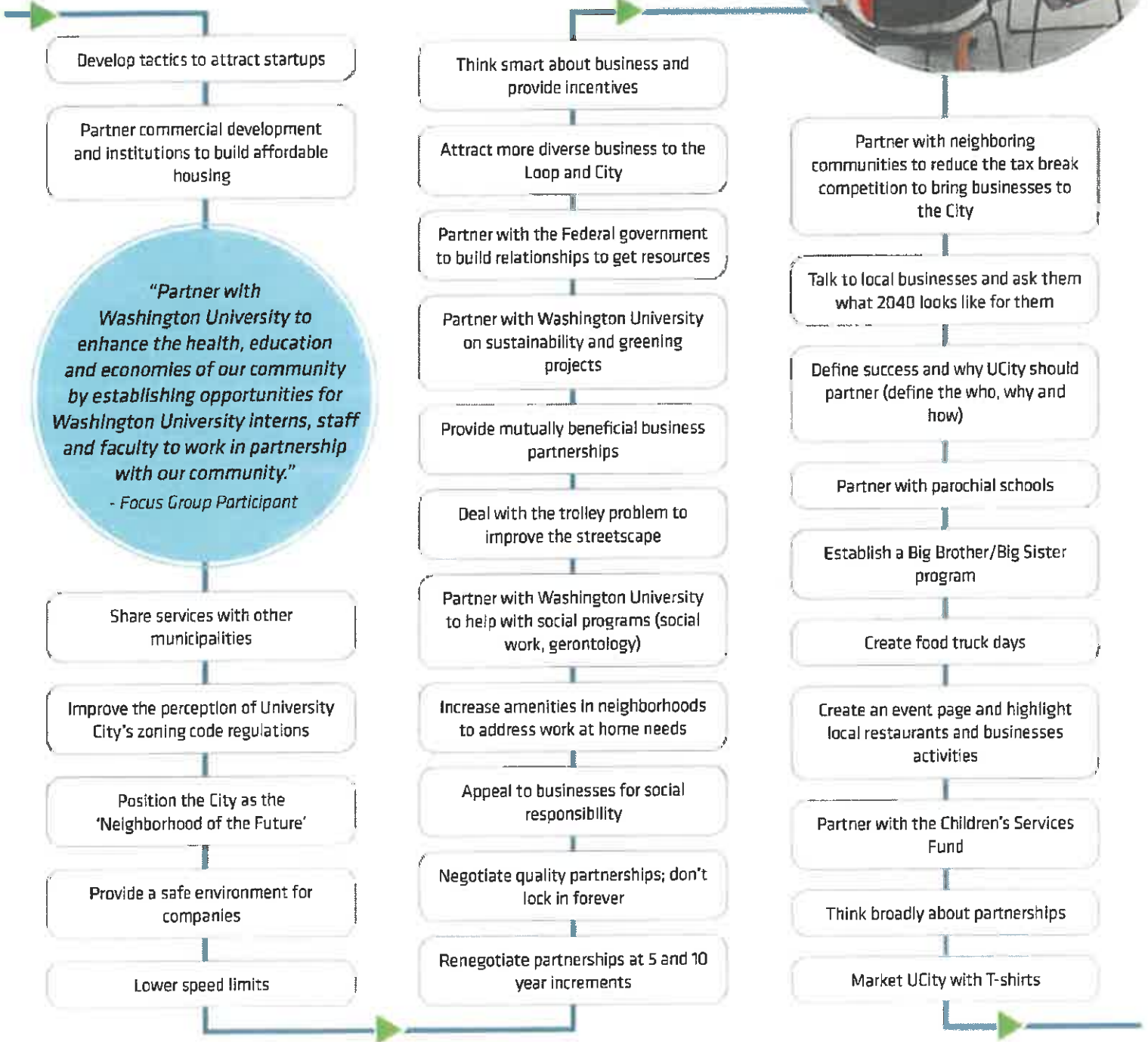


### 4.4.3 IDEAS FROM THE COMMUNITY

The following bullet points are ideas that emerged during the community engagement process. Focus group participants and survey respondents were asked for specific ideas on actions the community could take to achieve the preferred future, 'Most Livable'. Below are their original ideas.



#### Community Ideas for how to strengthen strategic partnerships





University City has the potential to reinvigorate its traditional neighborhood nodes by using new urban design models and walkable routes. These nodes can provide important connection points that help build community fabric.

## 4.5 PILLAR 5: ENCOURAGE NEIGHBORHOOD NODES

University City has a unique residential fabric that still retains some neighborhood nodes and local business districts. These types of features are assets that can be built on to recreate walkable neighborhood experiences.

### 4.5.1 IMPORTANCE OF ENCOURAGING NEIGHBORHOOD NODES

Modern urban trends include a return to walkable neighborhoods, and the intentional recreation of community connectivity around small local business and retain nodes. This is often complemented by community amenities such as recreation infrastructure. These concepts are being developed in new planning approaches such as 'small area plans' that look to create intimate community connection points, often with unique urban design and character. This trend is being further amplified by the shift to greater 'work at home' models, where people occupy and use residential neighborhoods for more time each day.



#### Value to Residents

- Many people in the visioning process have expressed a desire to create more intimate neighborhood experiences and connections. This reflects larger urban living trends of more innovative use and redevelopment of shared public spaces.
- Over the next decade, transportation is likely to evolve to provide more abundant multi-modal systems, as people look for healthier outdoor living. This offers the opportunity to enhance the residential experience across University City.



## 4.5.2 KEY ACTION AREAS

The following three key action areas consolidate ideas and priorities identified by the community during the Community Vision 2040 process.

### 1. Enhance development of key nodes in the City

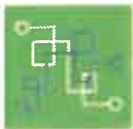
Neighborhood nodes are identifiable by the intersection of streets or central square that host local businesses and services in a neighborhood. They are the essentials that connect people to where they live. Development of these areas will be key to providing equal access to services and businesses for University City residents. Focus Group participants proposed the mechanism of small area planning for each neighborhood node to plan for better livability for all sectors of the City. Small area plans can help identify and plan for the best mix of businesses, services, green space, and residential options in the City's neighborhoods. They can also be used to address current inequities in livability that exist between the Wards.

### 2. Provide greater walkability within and between neighborhoods

Current trends show that connectivity around mobility and transportation are highly valued amenities that are sought out by community members of all ages. Providing greater walkability within and between neighborhoods will provide a healthier, safer environment for walkers of all age groups. Of particular importance to visioning participants was providing safer 'walk to school' routes and improving accessibility to City streets.

### 3. Improve access to amenities and green spaces

Visioning participants recognized that access to amenities is not uniform across University City's three Wards. The preferred future created by participants envisions improved conditions and access to amenities for the under-served, and a more equitable distribution of amenities for all residents. U City in Bloom is an example of a local volunteer organization that highlights the community's value of public gardens and planters throughout the City. Green spaces that function as viable habitats also provide important ecosystem services, such as filtering dust, absorbing carbon dioxide from the air, improving air quality, infiltrating, and filtering stormwater runoff, and reducing the urban heat island effect.



#### FutureInsight

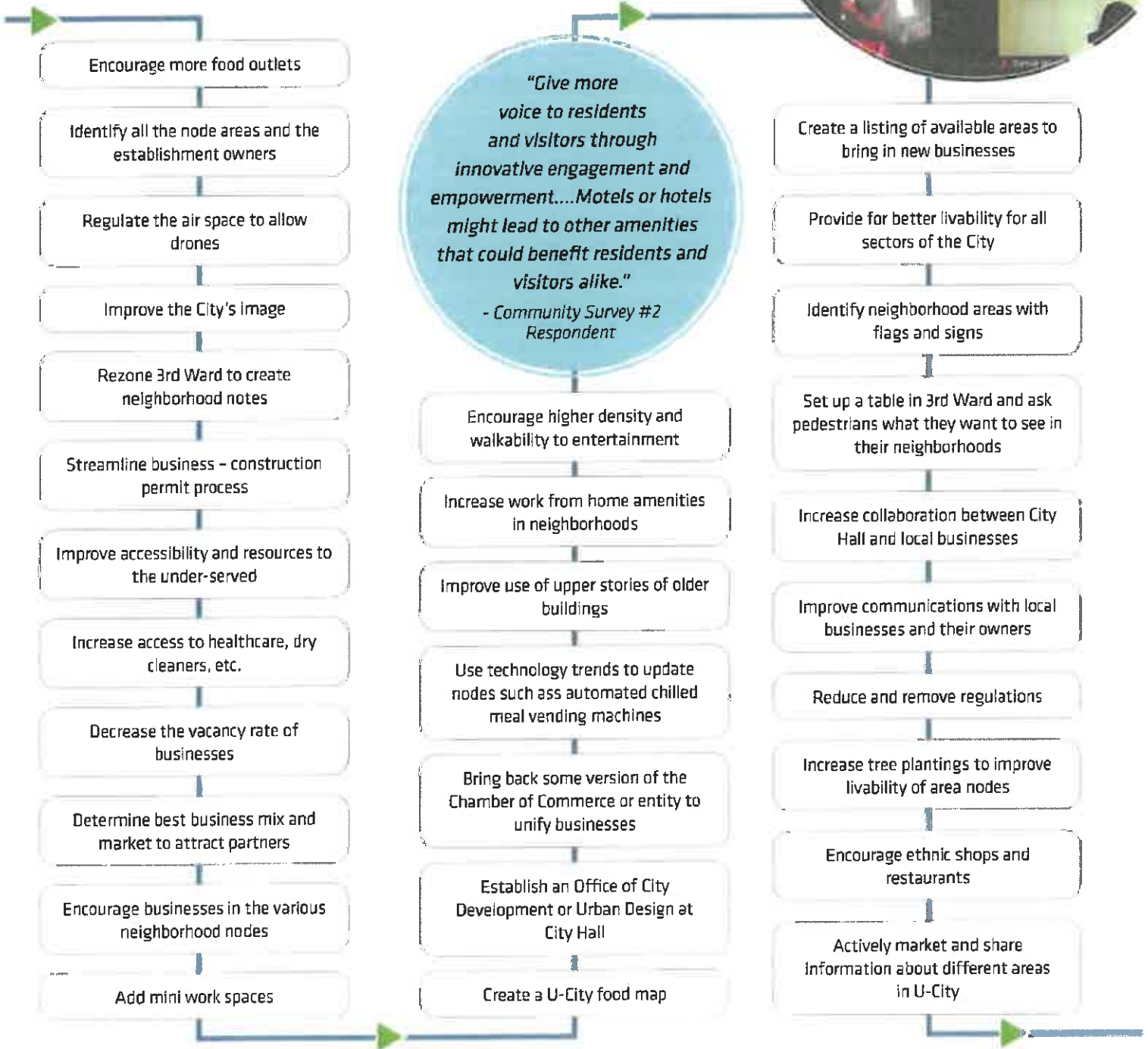
- Initiatives to re-purpose vacant lots or warehouses are becoming more frequent as cities age.
- Attracting start-ups to cities is important to the renewal of many aging city areas and brings innovative thinkers to a community. A successful model that could be considered for University City is the Venture Café in St. Louis. The Venture Café is a nonprofit organization and global network that seeks to further local innovation ecosystems.
- Integrating urban farms and community gardens into cities can help to minimize sprawl and spark economic growth.
- Shade equity (lack of tree canopy) is an increasingly important issue in cities worldwide. Focus Group participants highlighted this as a problem in certain neighborhood areas that should be addressed.

### 4.5.3 IDEAS FROM THE COMMUNITY

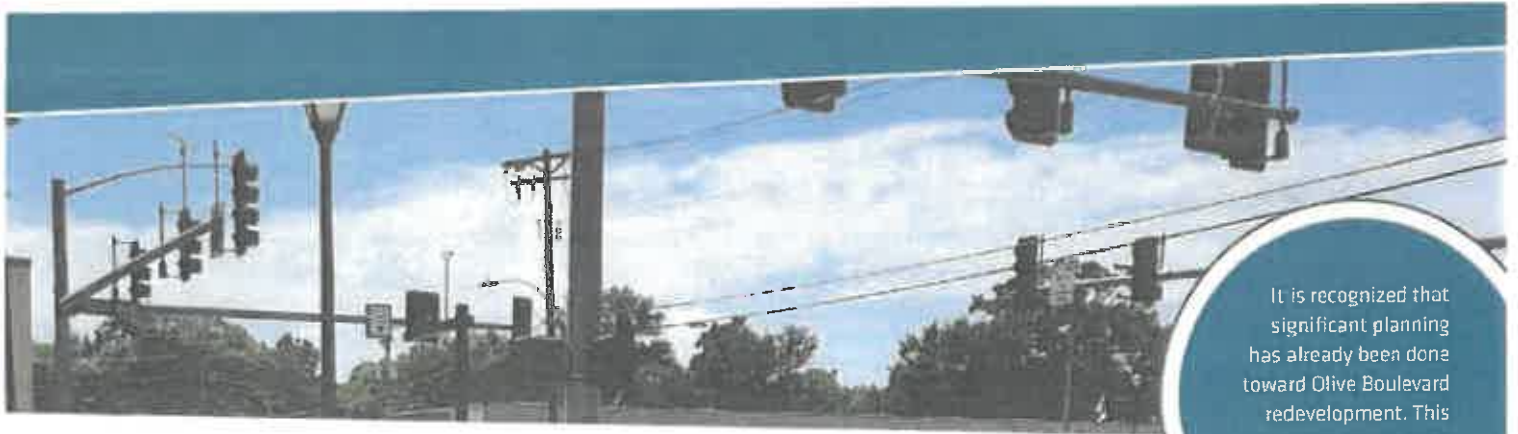
The following bullet-points are ideas that emerged during the community engagement process. Focus group participants and survey respondents were asked for specific ideas on actions the community could take to achieve the preferred future, 'Most Livable'. Below are their original ideas.



#### Community ideas for encouraging neighborhood nodes







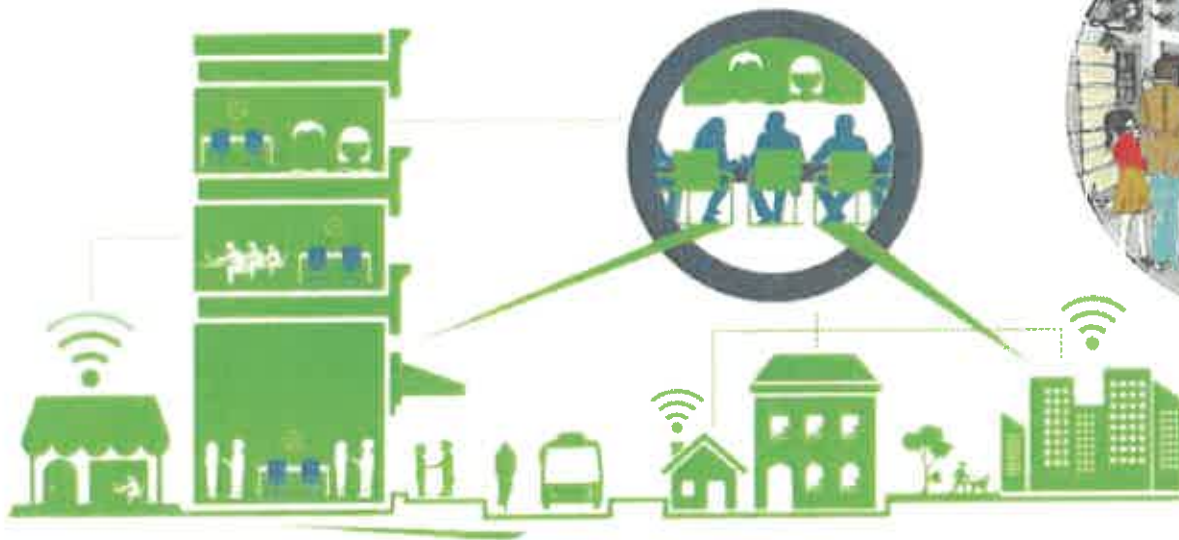
It is recognized that significant planning has already been done toward Olive Boulevard redevelopment. This visioning process is intended to expand and build on that thinking.

## 4.6 PILLAR 6: GUIDE OLIVE BOULEVARD REDEVELOPMENT

The redevelopment of Olive Boulevard is viewed by many as a 'once in a lifetime' opportunity to guide beneficial economic development and urban renewal in the 3rd Ward. How this corridor develops will have lasting impact on the community and surrounding neighborhoods.

### 4.6.1 IMPORTANCE OF GUIDING OLIVE BOULEVARD REDEVELOPMENT

Throughout the visioning work, there was a repeated desire to see an intentional, thoughtful, and purposeful approach to further redevelopment along Olive Boulevard. Of particular importance is how this development interfaces with, and impacts, the surrounding neighborhoods. The desire is for development that enhances the neighborhood experience and includes social and community amenities. In addition, there was considerable discussion about the type of development, with a desire by some to maintain the multicultural feel, and that it retains unique dining and retail options. It was also recognized that mixed use development could provide new housing options, and sympathetic commercial development.



#### Value to Residents

- The creative redevelopment of Olive Boulevard would establish a new center of economic growth and community opportunity, in the north side of the community. This would produce numerous benefits, including boosting the tax base for the City.
- The Eastern end of Olive Boulevard also has the potential to grow as a base for small scale manufacturing, commercial and start-up businesses.



## 4.6.2 KEY ACTION AREAS

The following three key action areas consolidate ideas and priorities identified by the community during the Community Vision 2040 process.

### 1. Focus on improving street appeal and making West and Central Olive Boulevard a destination location

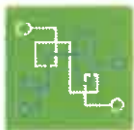
Destination locations are places that attract residents and visitors seeking certain features or amenities. The opportunity exists to re-imagine and redevelop West and Central Olive Boulevard as a destination location that can both serve the needs of residents and provide added commercial and environmental amenities to attract visitors. The economic impacts of this redevelopment have the potential to redistribute wealth and commercial heft to the 3rd Ward where it is much needed. Increasing street appeal by consistent branding, more green space, streetscaping, updated storefronts, and walkability would contribute to the creation of a destination location.

### 2. Retain unique stores and international character

It became clear throughout the visioning process that area residents love the unique stores and international character of West Olive Boulevard. Although there is excitement around the potential rejuvenation of the area by the construction of the new Costco, residents are concerned about the loss of small businesses and the potential for 3rd Ward gentrification. Careful consideration for the mix of businesses and commercial development along the Boulevard is desired by area residents. The establishment of an Olive Boulevard Business District Community organization was recommended to work with the City in the planning of Olive's redevelopment.

### 3. Develop the residential-facing side of Olive Boulevard businesses as part of neighborhood

In addition to the Boulevard-facing side of Olive Boulevard, visioning participants highlighted the importance of the residential-facing side of the Boulevard businesses. This is an opportunity to expand neighborhood nodes into innovative mixed-use live and work areas. Neighborhoods could be potentially protected from increased commercial traffic by innovative solutions such as the creation of cul-de-sacs and road diets, with added pedestrian access to the commercial activity on Olive Boulevard. This type of planning will require unique urban design features that focus on increased livability and placemaking.



FutureInsight

- Increasingly, cities are looking to placemaking to develop specific areas within their boundaries. Placemaking means creating places and focuses on transforming public spaces to strengthen the connections between people and those places. (see Resources Section 10.D)
- Olive Boulevard redevelopment will require sensitive planning that incorporates the needs of area residents looking out to 2040 and beyond. For example, the 15-minute city strategy re-imagines streets and public space in a way that benefits local people of all backgrounds, ages and abilities. It involves reclaiming space for people not driving to build thriving neighborhoods with vibrant main streets, where walking and cycling are the main ways of getting around.

### 4.6.3 IDEAS FROM THE COMMUNITY

The following bullet-points are ideas that emerged during the community engagement process. Focus group participants and survey respondents were asked for specific ideas on actions the community could take to achieve the preferred future, 'Most Livable'. Below are their original ideas.

#### Community Ideas for Olive Boulevard redevelopment



- Hire an Urban Design arm in U-City's Community Development Department
- Keep traffic to Olive
- Keep local, unique stores and restaurants (non-chain)
- Make décor and signage consistent
- Make Olive Boulevard pet and pedestrian friendly for all age groups
- Include charging stations in parking areas
- Achieve a brand for the Olive shopping/restaurant district
- Limit road through ways on residential roads (consider 'road diets'); turn streets into cul-de-sacs
- Collect tax benefits from development (poll tax)
- Encourage high tech businesses on Eastern Olive
- Create an Olive Special Business District Committee

- Rezone to increase green space and accessibility
- Make parking easy access
- Develop Olive to attract tourism
- Reduce concrete orientation
- Plant more trees, lawns and gardens
- Encourage diversity on Olive
- Invest in walkability and transportation options
- Create a TIF district for Olive

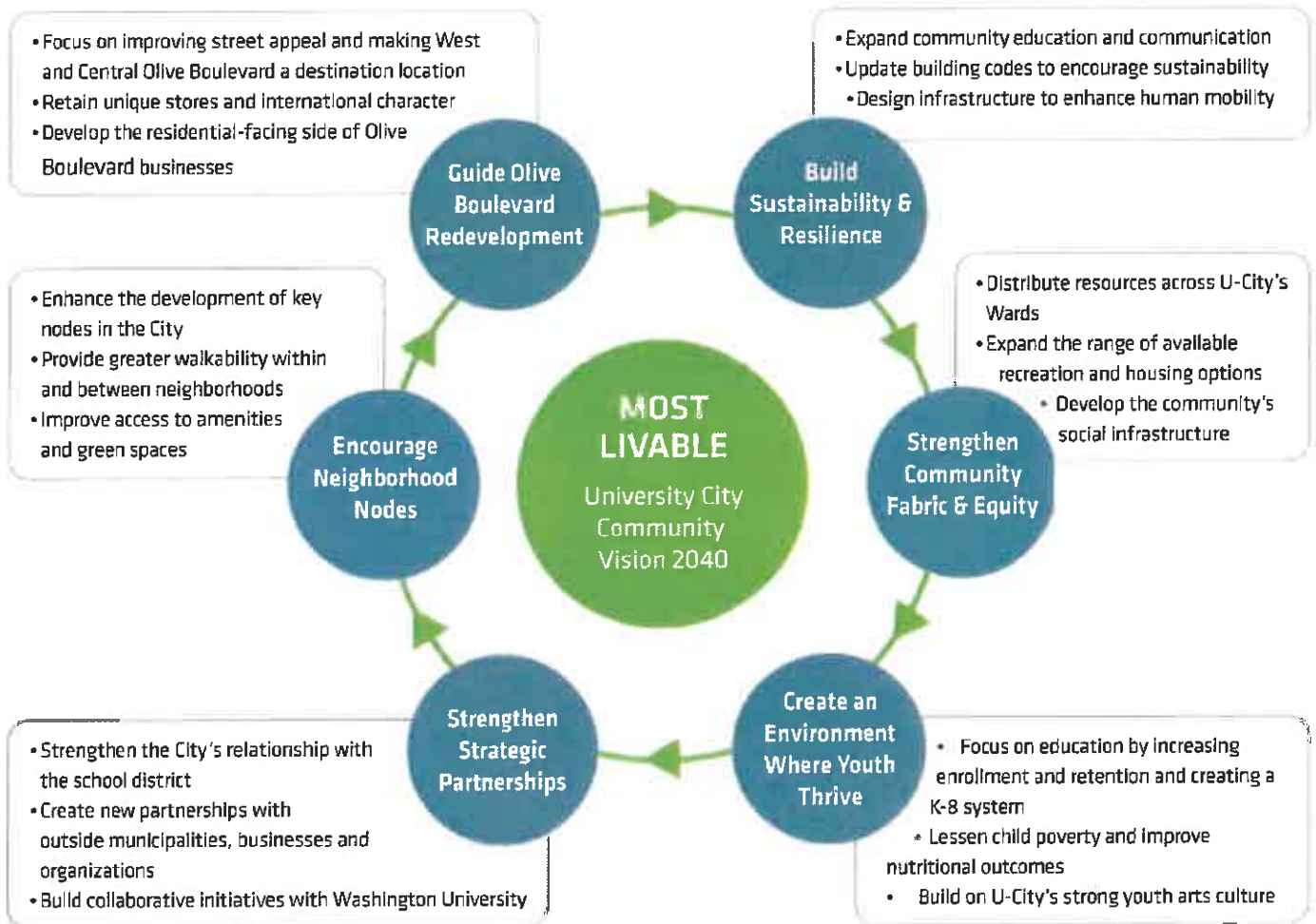
- Plan to manage taxes and a tax base for Olive
- Add bikeways to Olive
- Keep and update legacy buildings; improve efficiency and accessibility
- Invest in beautification efforts for Olive
- Remember to balance between becoming a destination and serving the needs of neighborhoods

*"An important thing for Olive Boulevard is becoming more aesthetically pleasing. Redoing or adding sidewalks and adding boulevard space with trees/plants. Providing funding for small businesses to improve their exterior. Make Olive Blvd feel like an inviting space."*  
 - Community Survey #2 Respondent



## 5.0 COMBINED STRATEGIC ACTION FRAMEWORK

The framework for action developed through the visioning process has identified a set of 18 key actions that will help University City pivot its trajectory towards the 'Most Livable' future. This framework is the culmination of community input, surveys and deliberation by the focus groups. The resulting overall framework creates the basis of the roadmap to the future and the guiding vision that will inform the upcoming comprehensive planning process for University City.



## 5.1 IMPORTANCE AND URGENCY TO ACT ON THE STRATEGIC PILLARS

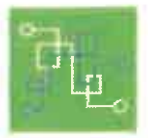
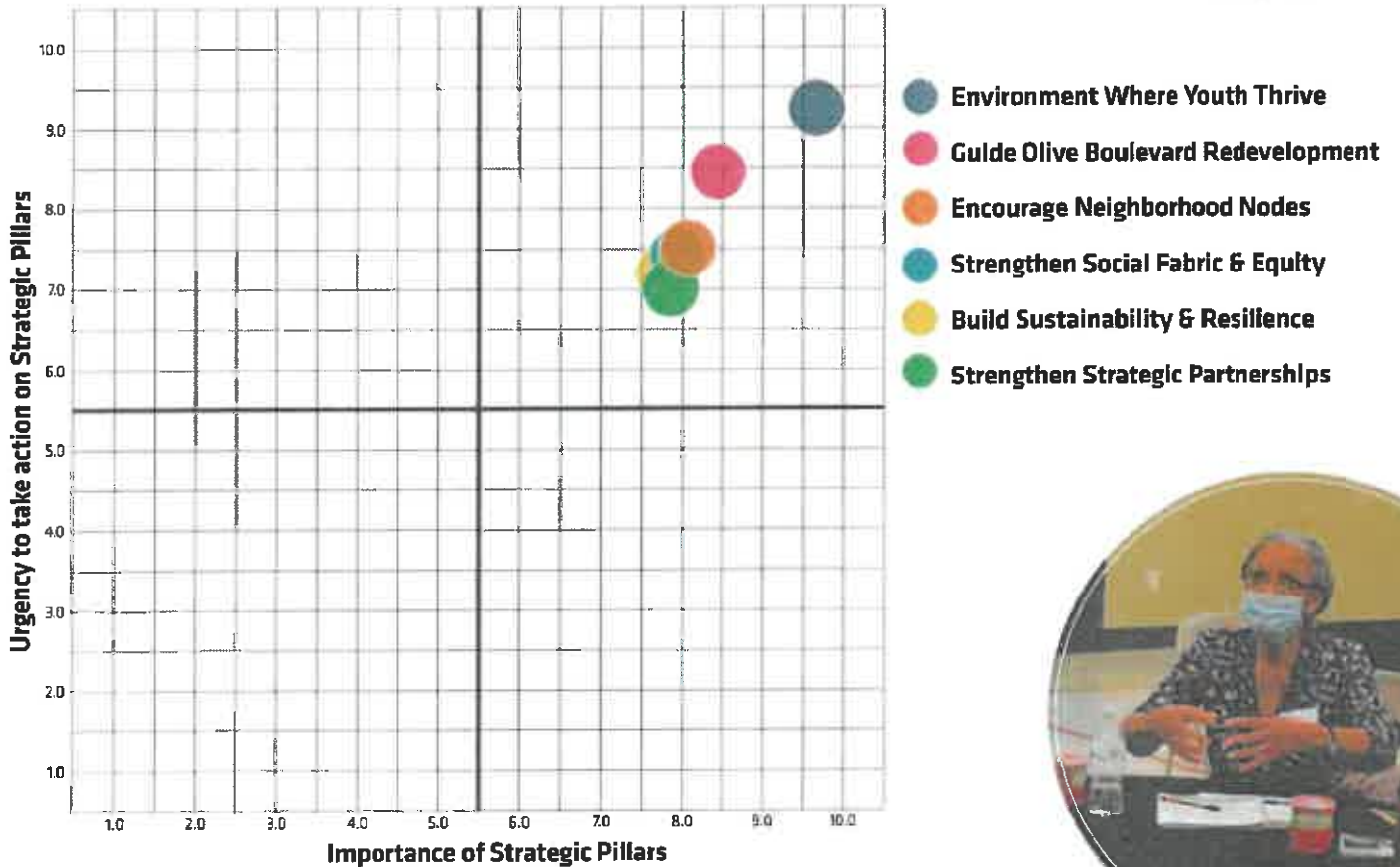
In preparation for the Focus Groups in June, community members were asked to consider both the importance and sense of urgency to act on the six key focus areas (strategic pillars) that emerged from the visioning process up and through the Think-Tank. Where all of the strategic pillars were considered important and urgent, three of the areas were deemed more critically important and urgent: Education and schools (later to become 'Create an Environment Where Youth Thrive'), Olive Boulevard redevelopment, and Social fabric and equity.

With all six of the strategic pillars of the vision identified as both important and urgent to take action on, the City has been given a mandate to pursue initiatives in these areas.

### IMPORTANCE AND URGENCY TO ACT - BY STRATEGIC PILLARS

X axis is Importance of the Strategic Pillars (1 = Not important; 10 = Critically Important)

Y axis is Urgency of take action on Strategic Pillars (1 = Not urgent; 19 = Critically urgent)



**FutureInsight**

- Community members are eager to see the preferred vision for the future, 'Most Livable', come to life in University City. There is a definite sense of urgency to 'get going now' and to seize the opportunity that presents itself with the upcoming comprehensive planning initiative.
- The next 10 years will present significant 'future-splitting questions' to the community of University City that are yet to play out. The community's vision will serve as a compass that will guide the community towards the preferred future, 'Most Livable'.

## 6.0 DYNAMIC SYSTEMS-THINKING APPROACH

The framework for action developed through the visioning and planning process has identified a set of 18 key actions that will help University City pivot its trajectory towards the 'Most Livable' future. This framework is the culmination of community input, surveys and deliberation by the focus groups. The resulting overall framework creates the basis of the roadmap to the future and the guiding vision that will inform the upcoming comprehensive planning process for University City.

University City is at a tipping point in its redevelopment. There is an opportunity to leverage the community vision and utilize the upcoming comprehensive planning process to redistribute resources and create a more equitable and inclusive community environment.



*"University City is a microcosm of diversity. We have an opportunity to show our larger metropolitan area of St Louis, the country and the world that a diverse city is the best city to live in. The variety of cultures living and working together add so much value and reward to both residents and businesses."*

*- Community Survey #1 Respondent*





The community of University City has shown a healthy appetite for change going forward. This is the first step toward the preferred future 'Most Livable' that will guide the City's next planning phase to develop a new Comprehensive Plan.

## 7.0 NEXT STEPS - ROADMAP TO THE FUTURE

University City has undertaken an extensive community visioning process that has produced the following outcomes:

- Documented a detailed understanding of the community's views across a range of important topics and future shaping factors.
- Allowed detailed examination of plausible future scenarios, explored expected, least desired, and preferred futures, and built an understanding of the implications of these future options.
- Identified a vision for the future, acknowledging that there are a variety of viewpoints, with the majority in a central range.
- Identified key strategic pillars, action areas, and community ideas.

This work has been built on extensive public participation and open and transparent dialogue. The vision looks out to 2040.

Now, the next phase of work needs to begin. The following immediate next steps are recommended:

- Consideration and acceptance of the **Community Vision 2040 Roadmap Report** by the City Council.
- Incorporation of the key elements of the community vision into the City's upcoming **Comprehensive Planning Process**



*"U-City has a real opportunity to build on the educational (public school) reputation they've built through their handling of the pandemic. They've done an excellent job for students, staff, and caregivers alike. There's also room for growth in affordable home ownership, particularly among BIPOC homeowners. We're riding the edge of gentrification in Ward 3, so it's a great time to focus on community led initiatives in regard to development."*

- Community Survey #1 Respondent



## 8.0 ACKNOWLEDGMENTS

City staff, City Council, Task Force Members, and community members have engaged in the visioning process with great enthusiasm. Their passion and interest ensured the discussions were thoughtful, and the outcomes reflective of the myriad of perspectives that exist within University City. This dedication is reflective of the deep commitment participants have to the future of University City. Future iQ would like to acknowledge the substantial background support from City staff. We would also like to thank Community Vision 2040 Task Force members for the many hours they have given to this project. Besides monthly meetings and helping to get the word out about the project, many attended the Listening Sessions, Think-Tank, and Focus Groups. Your time and dedication is very much appreciated.

### COMMUNITY VISION 2040 TASK FORCE MEMBERS

**Peggy Holly**  
Chair of Task  
Force, Chair of Plan  
Commission

**Dianne Benjamin**  
Urban Forestry  
Commission

**Sandra Hewitt**  
Commission on Senior  
Issues

**Joan Suarez**  
Commission for  
Access and Local  
Original Prog (CALOP)

**Adam Staudt**  
Green Practices  
Commission

**Richard Massey**  
Municipal Commission  
on Arts and Letters

**Ed Nickels**  
Historic Preservation  
Commission

**Joseph Miller**  
University City School  
District

**James Wilke**  
Park Commission

**Dennis Fuller**  
Traffic Commission

**Edmund Acosta**  
Library Board



**Garry Aronberg**  
Commission on Storm  
Water Issues

**Bobette Patton**  
Economic Development  
Retail Sales Tax Board  
(EORST)





## 9.0 FOR MORE INFORMATION

For more information on University City's Community Vision 2040 project, please contact:



**Dawn Beasley**, Assistant City Manager  
City of University City  
6801 Delmar Boulevard  
University City, MO 63130  
Tel: 314-505-8533  
[dbeasley@ucitymo.org](mailto:dbeasley@ucitymo.org)  
[www.ucitymo.org](http://www.ucitymo.org)

To read all reports and to explore the Community Vision 2040 visioning process, please visit the project portal <https://lab2.future-iq.com/university-citys-community-visioning-project/>



**University City Think-Tank Report**  
*March 2022*



**University City Roadmap Report**  
*June 2022*



**University City Lab Portal**

# 10.0 RESOURCES - LINKS TO FURTHER READING

## Placemaking

<https://www.archdaily.com/961333/what-is-placemaking>

## Complete Streets

<https://smartgrowthamerica.org/what-are-complete-streets/>

## Accessory Dwelling Units

<https://www.oarp.org/livable-communities/housing/info-2019/accessory-dwelling-units-adus.html>

## Urban Design

<https://www.udg.org.uk/about/what-is-urban-design>

## Urban Land Institute

<https://uli.org>

## Example of Small Area Planning: Minneapolis

<https://minneapolis2040.com/small-area-plans/>

## ISO 4000

<https://www.iso.org/iso-14001-environmental-management.html>

## LEED Certifications

<https://www.usgbc.org/leed>

## 15-Minute City

[https://www.c40knowledgehub.org/s/article/15-minute-cities-How-to-develop-people-centred-streets-and-mobility?language=en\\_US](https://www.c40knowledgehub.org/s/article/15-minute-cities-How-to-develop-people-centred-streets-and-mobility?language=en_US)

## U City in Bloom

<https://www.ucityinbloom.org>

## Example of Small Area Planning: Baton Rouge

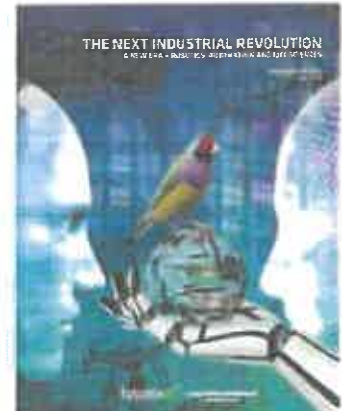
<https://www.brlo.gov/2641/Small-Area-Plans>



Future of Urban Living



Cities of the Future



The Next Industrial Revolution



## 11.0 ABOUT FUTURE IQ

Future iQ specializes in applying innovative tools and approaches to assist cities, organizations, regions and industries shape their economic and community futures. With nearly two decades of experience, the company has a global clientele spanning three continents.

To learn more about Future iQ and our recent projects, visit [www.future-iq.com](http://www.future-iq.com) or by email at [info@future-iq.com](mailto:info@future-iq.com)

### Workshops & Reports Prepared by:



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VP - Foresight Research



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Creative Director







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City of University City

[dbeasley@ucitymo.org](mailto:dbeasley@ucitymo.org)

future*→*iQ

Create Future Intelligence™



**CITY OF UNIVERSITY CITY COUNCIL MEETING  
AGENDA ITEM**



<b>NUMBER:</b> <i>For City Clerk Use</i>	<b>CM20220711-02</b>
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<b>SUBJECT/TITLE:</b> SPR 22-02 - Application for Site Plan Review and Approval for the Crescent Plumbing Supply Company at 6610 Olive Boulevard.			
<b>REQUESTED BY:</b> John L. Wagner		<b>DEPARTMENT / WARD:</b> Community Development/Ward 2	
<b>AGENDA SECTION:</b> City Manager's Report	<b>CAN ITEM BE RESCHEDULED?</b>		Yes
<b>CITY MANAGER'S RECOMMENDATION OR RECOMMENDED MOTION:</b> City Manager recommends approval			
<b>FISCAL IMPACT:</b> N/A			
<b>AMOUNT:</b>		<b>ACCOUNT No.:</b>	
<b>FROM FUND:</b>		<b>TO FUND:</b>	
<b>EXPLANATION:</b> N/A			
<b>STAFF COMMENTS AND BACKGROUND INFORMATION:</b> The Applicant's request is for Site Plan approval for the development of an approximately 76,640 square-foot plumbing supply warehouse, office, and retail showroom for Crescent Plumbing Supply Company.			
<b>CIP No.</b>			
<b>RELATED ITEMS / ATTACHMENTS:</b> Attached are the Staff Report, Applicant Memorandum, Site Development Plan, Landscape Plan, Architectural Renderings and Photometric Plan.			
<b>LIST CITY COUNCIL GOALS (S):</b>			
<b>RESPECTFULLY SUBMITTED:</b>	City Manager, Gregroy Rose	<b>MEETING DATE:</b>	July 11, 2022







**Department of Community Development**

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

**STAFF REPORT**

**City Council**

MEETING DATE: July 11, 2022  
FILE NUMBER: SPR 22-02  
COUNCIL DISTRICT: 2  
Type of Review: Site Plan  
Location: 6610 Olive Boulevard  
Property Owner: Opus Development Company, LLC  
Applicant: Opus Development Company, LLC  
Requested Action: Site Plan approval for the proposed Crescent Plumbing development in the "IC" – Industrial Commercial District

**STAFF RECOMMENDATION**

Approval       Approval with Conditions       Denial

Existing Zoning: "IC" – Industrial Commercial District  
Existing Land Use: Vacant, Black Rep Theater  
Proposed Zoning: No change – "IC" District  
Proposed Land Use: Plumbing showroom, office and warehouse space

**Surrounding Zoning:**

North: IC-Industrial Commercial District  
East: IC-Industrial Commercial District  
South: IC-Industrial Commercial District  
West: IC-Industrial Commercial District

**COMPREHENSIVE PLAN CONFORMANCE**

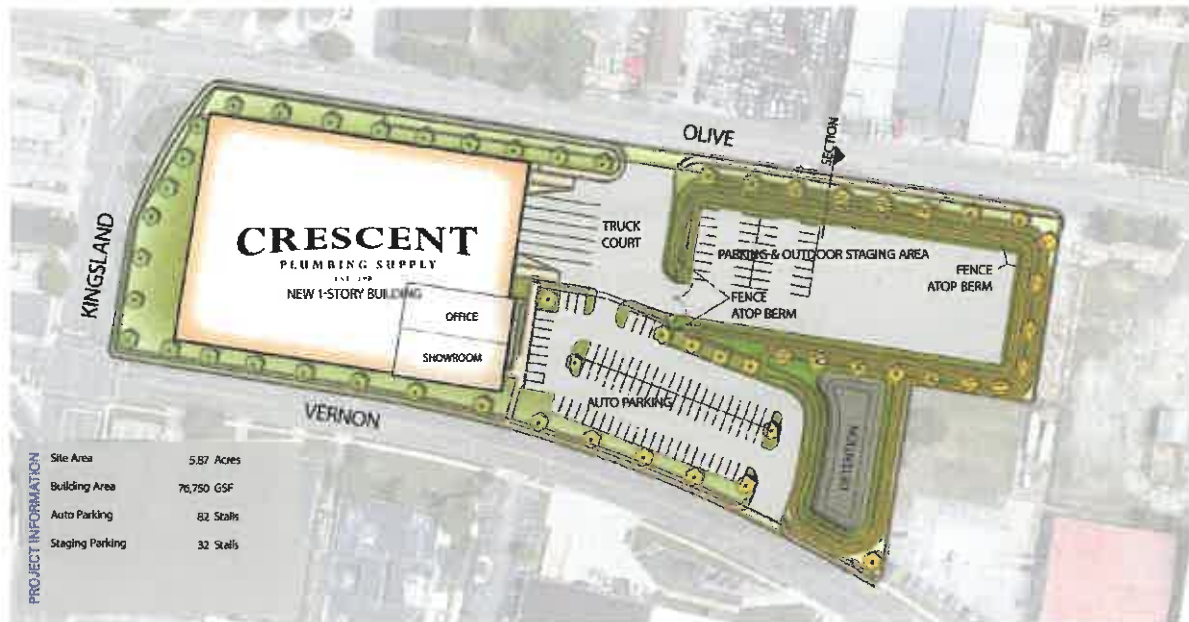
Yes       No       No reference

**ATTACHMENTS:**

1. Applicant Memorandum
2. Site Plan
3. Landscape Plan
4. Architectural Renderings
5. Photometric Plan

## Existing Property and History

The subject property is approximately 5.69 acres in area and is occupied by the existing Black Rep Theater as well vacant land. There were originally three (3) parcels involved in the project: 6610 Olive Boulevard, 6662 Olive Boulevard and 950 Kingsland Avenue. The lots have since been consolidated. The larger of the three (3) parcels, 6610 Olive Boulevard, was rezoned from "GC" General Commercial District to "IC" Industrial Commercial District earlier this year on April 25, 2022, to match the existing "IC" zoning of the other two (2) parcels. A Conditional Use Permit was also approved to allow the proposed building to be located two (2) feet from the adjacent property owned by the City of University City at 6664 Olive Boulevard, and to allow the proposed building to maintain a height of 42 feet above the average grade of the site. Lastly, a four (4)-foot variance was granted on April 13, 2022, allowing the building to maintain a setback of eleven (11) feet in lieu of fifteen (15) feet in the northwestern corner of the site. The design of the site was driven by the location of an MSD easement, as shown on the attached site plan. The layout of the building and parking areas is shown in the figure below.



## Applicant's Request

The Applicant's request is for Site Plan approval for the development of an approximately 76,640 square-foot plumbing supply warehouse, office, and retail showroom for Crescent Plumbing Supply Company.

## Process – Required City Approvals

City Council: Sections 400.2590 and 400.2630 of the Zoning Code require that site plans for new non-residential additions be reviewed and approved by City Council. In conducting its review, City Council shall consider the staff report and the application to determine if the proposed site plan application meets the requirements of the Zoning Code. No public hearing is required.

## **Analysis**

Review of this application focuses on two aspects of Site Plan: the overall site, including the building, landscape plan and the parking requirements. The other facet of my review involves adherence to the Olive Boulevard Design Guidelines. The Applicant has submitted a Memorandum that addresses site plan specifics and, more specifically, the Olive Boulevard Design Guidelines. This Memorandum is extremely well-written and concise, outlining in remarkable clarity how well the development follows the City's site plan review and design requirements.

The site plan adheres to all requirements for Site Plan Review. The proposal development meets all applicable setback and parking requirements. (*See History paragraph above regarding Conditional Use Permit and Variance approvals*) As outlined in the Memorandum, the traffic circulation for delivery trucks is satisfactory, and the plan to separate customer traffic from delivery vehicles provides a safe environment for both.

While the building permit will be reviewed by public works, the plan to address stormwater detention is appropriate. The Bioretention nature of the basin along Vernon Avenue is in line with green stormwater practices encouraged by the City.

The Landscape Plan satisfies the City requirements as well, with one exception. The Plan Commission recommended that the *Foerster's Feather Reed Grass* be replaced with the native *Little Blue Stem*. The Applicant agreed to this change.

### Compliance with Olive Boulevard Design Guidelines

The Site Plan is consistent with the Olive Boulevard Design Guidelines, addressing issues specific to the *Industrial District*, including circulation, access, and visibility. I won't repeat what is adeptly written in the Applicant's Memorandum, but Staff is satisfied that the proposed Site Plan satisfies the Olive Boulevard Design Guidelines. Please note that page C4.0 of the Site Plan provides an enhanced, close-up view of the section of the Olive Boulevard corridor affected by the plan.

## **Staff Recommendation**

The proposal complies with all applicable provisions of the Zoning Code and with the Site Plan Review findings of fact as set forth in the Zoning Code. Accordingly, conditional on the aforementioned change to the landscape plan, staff recommends approval of the proposed Site Plan.

**Memorandum**

**To:** John Wagner, Zoning Administrator

**From:** Opus Development Company, LLC

**Date:** June 7, 2022

**Subject:** Site Plan Review of Proposed Development for Crescent Plumbing Supply Company

---

Opus Development Company, LLC (“Opus”) proposes the construction of an approximately 76,640 square foot plumbing supply warehouse, office, and retail showroom (the “Development”) for Crescent Plumbing Supply Company (“Crescent Plumbing”) located at 6610 Olive Boulevard, 6662 Olive Boulevard, and 950 Kingsland Avenue in University City (the “Site”).

In connection with the Development, Opus has submitted the following applications to the Zoning Administrator, as required under the University City Zoning Code (the “Code”): (1) a conditional use permit application to reduce the property line setback and increase the building height; (2) a variance application to reduce the applicable right-of-way setback; (3) a subdivision application to consolidate the three parcels that comprise the Site; (4) a zoning map amendment application to re-zone 6610 Olive Boulevard from “GC” General Commercial District to “IC” Industrial Commercial District to conform to the existing zoning of the remainder of the Site; (5) a site plan review application; and (6) a demolition permit application for the existing building on the Site. A copy of the site plan for the Development is attached for reference.

The variance application was unanimously approved by the Board of Adjustment on April 13, 2022. Moreover, the Plan Commission made a recommendation of approval on the conditional use permit application, lot consolidation, and zoning map amendment on April 11, 2022, and City Council affirmatively voted to approve all three items on April 25, 2022.

Because the Development is adjacent to the Olive Boulevard Historic District (the “District”), Opus is seeking review of the site plan for compliance with the Olive Boulevard Design Guidelines (the “Guidelines”). Section 400.1930 of the Code provides that review of applications within the District shall be guided by the following standards: (1) a proposed undertaking that involves a significant change to the streetscape must properly preserve the historical and general architectural character of the district; (2) while no specific architectural style is required, the undertaking must be compatible with the historic nature of the district; and (3) all new development and redevelopment along the Olive Boulevard corridor must adhere to the Olive Boulevard Design Guidelines.

**I. Preservation of Historical and Architectural Character of the District**

Although the Development will change the Olive Boulevard streetscape, the historical and architectural character of the District will nonetheless be preserved. Neither the Site nor the area

surrounding the Development have a distinct architectural or historical character. The area surrounding the Development is predominantly used for industrial and commercial purposes and includes a variety of building types and styles. For example, the area includes industrial warehouses similar to the proposed Development, like Missouri Ornamental Iron (6733 Olive Boulevard) and Princeton Manufacturing Company (6722 Olive Boulevard), as well as restaurants, a gas station, automotive shops, and a number of vacant lots. Given the varied types and uses of the buildings near the Site, the Development will not disrupt any existing architectural scheme. Additionally, construction of a new building at the Site will not alter the historic character of the District. The ages of nearby buildings significantly vary, with dates of the original constructions ranging from the early 1900s to the early 2000s. The existing building at the Site was originally constructed in approximately 1947 and expanded in 1963. Given the varied ages of surrounding buildings and that the existing building was constructed relatively recently, the Development will not significantly alter the historic character of the District.

## **II. Compatibility with Historic Nature of the District**

The Development is also compatible with the historic nature of the District. Pursuant to the Olive Boulevard Design Guidelines, the Olive Boulevard corridor is divided into four segments: the Industrial District from the City's eastern boundary to Kingsland Avenue, the Parkway District from Kingsland Avenue to Midland Avenue, the International District from Midland Avenue to Grant Avenue and the Interchange District from Grant Avenue to the Interstate-170 Interchange. The Development is located at the westernmost edge of the Industrial District along Kingsland Avenue, abutting the eastern side of the Parkway District. While the Industrial District is predominantly used for industrial and commercial purposes, the corridor transitions into residential, commercial, and light industrial uses in the Parkway District.

The proposed building will consist of a plumbing supply showroom, office, and warehouse space. With this mix of uses, the Development is not only compatible with the surrounding area, but actually serves as an ideal connector between the Industrial District and the Parkway District. Moreover, replacing the existing building at the Site with a more modern construction is consistent with the goals of the District. As noted in Section 400.1915(B) of the Code, promoting improvements in the quality of infrastructure along the Olive Boulevard corridor is a goal of the Olive Boulevard Historic District. Furthermore, the existing building on the Site is part of the City's tax increment financing redevelopment area and, pursuant to the City's tax increment financing redevelopment plan (the "Redevelopment Plan"), the Site has been identified as having one or more conditions of obsolescence, deterioration and depreciation of physical maintenance. Consistent with the City's aims for the Olive Boulevard Corridor and in furtherance of the Redevelopment Plan, the Development will enhance the District by replacing an obsolete building with construction of a modern one.

## **III. Compliance with Olive Boulevard Design Guidelines**

### **A. District Guidelines - Industrial District**

Consistent with Section 2.21 of the Olive Boulevard Design Guidelines (the "Guidelines"), the Development has been designed to address issues specific to the Industrial District, including circulation, access, and visibility, as follows:

- As shown in the landscape plan, low hedges will be planted along Olive Boulevard at the entrance to the Site to improve visibility, add interest to the streetscape, and clearly define this access point.

- The Development has been designed to address increases in traffic. As shown in the site plan, the Development will provide ample parking in compliance with Code requirements and will have two separate entrances – one on Olive Boulevard and one on Vernon Avenue. The customer parking lot will have an entrance off Vernon Avenue, and the additional parking and staging area and the truck court/docks will have an entrance off Olive Boulevard. Both entrances will be designed to St. Louis County standards and include directional signage to enable trucks to use the designated entrance off Olive Boulevard and customers to use the designated entrance off Vernon Avenue.
- The Development has been designed to accommodate commercial truck traffic. As shown on the site plan, the Olive Boulevard entrance includes a 40' wide drive (the largest allowed by St. Louis County) and 24' radii to accommodate wider turns. Both entrances will be concrete, and all pavement subject to truck traffic or in main drive aisles will be either concrete or heavy-duty asphalt, per the Geotechnical Engineer's recommendation.
- Public art that imitates industrial district activities and reflects the commercial aspects of the district will be incorporated into the streetscape. As indicated on the site plan, space is available within the approximately seven-foot-wide spillway zone for placement of public art. The exact location has yet to be determined, as this will depend on the type of art, final tree and light fixture placement, final building design, and potential changes to the existing bus stop at Olive Boulevard.

#### **B. Building Type Guidelines - Industrial Structures**

In addition to complying with Building Type "General Principles," the Development has incorporated the following features to address conditions resulting from the industrial use of the Site which may affect adjacent retail and commercial investments. Specifically, per Section 3.29 of the Guidelines:

- A landscaped buffer zone will line the outer perimeter of the Development, separating it from adjacent properties.
- The Development has been designed to address increases in traffic volumes and complies with minimum parking requirements under the Code (see discussion above in Part 3.B).
- Stormwater management for the Development incorporates low impact design (LID). As shown on the site plan, the Development utilizes a bioretention basin to treat the roof drainage and underground storage with an infiltration bed to treat the majority of the pavement. While the Guidelines also encourage the use of pervious pavement, this technique is not appropriate for the Site. However, the infiltration bed with the underground storage provides a similar benefit. Moreover, the Development also satisfies MSD's "back-to-grass" detention requirement, as it will reduce the runoff (as compared to a completely undeveloped site and not taking credit for any existing or previous buildings or pavement on the Site).
- Lights will be installed on the exterior of the building and along the frontage of Olive Boulevard to enhance the perception of safety at the Development.
- Variation in detail and site design has been used to provide visual interest to the Olive Boulevard streetscape. The Development is uniquely designed to function as a warehouse space, retail showroom, and office. Because it has been tailored to serve this mix of uses within a single site, the Development avoids monotony of design while remaining cohesive.

In addition, enhanced architectural features have been added to the corner of the building facing the intersection of Olive Boulevard and Kingsland Avenue to provide more visual interest and appeal.

- The loading dock area is designed to face away from Olive Boulevard and will be screened by trees and shrubs.
- Landscaping has been used to complement and enhance building design, color, and material. As shown in the attached landscape plan, trees placed within the spillway zone along Olive Boulevard frame the outer perimeter of the Development. Additional trees and shrubs have been placed throughout the Development to delineate entrances and screen the parking lot and loading dock area.
- All exterior mechanical, electrical, rooftop equipment, and other exterior equipment will be placed so that it is screened from highway, street, and any residential development along adjoining streets.
- With the exception of the conditional uses and the variance identified above, the Development design will fully comply with setback, access, and parking requirements for industrial commercial zones under the Code.
- The Development's lot coverage (69.5%) is below the maximum amount permitted in an industrial commercial zone under the Code (70%).

### **C. Streetscape Guidelines**

The Development has incorporated the following streetscape features, consistent with Section 2.1 of the Guidelines:

- *Sidewalk Guidelines:* As shown in the site plan, the Development will include a five-foot streetscape zone, five-foot pedestrian zone, and an approximately seven-foot spillway zone in accordance with Section 2.6 of the Guidelines. All sidewalks will be handicap accessible pursuant to ADA standards, match St. Louis County paving standards, and follow the specifications of the Metropolitan St. Louis Sewer District with respect to stormwater management.
- *Streetscape Materials - Planting:*
  - The Guidelines require that two "street" trees (Zelkova) be installed at every seventy feet along Olive Boulevard, with one "ornamental" tree (Amur Maackia) in the center of every two street trees. However, the St. Louis County Department of Transportation has indicated that those species are unsuitable along the Olive Boulevard right-of-way due to potential visibility issues. Additionally, due to the very limited number of tree species that the County would consider acceptable, alternating street trees and ornamental trees is not feasible. In light of the foregoing, Opus has proposed, subject to approval by the City and County, that an alternative tree species (English Oak) be planted every thirty-five feet along the frontage of Olive Boulevard as shown in the attached landscape plan.

- Tree cages will be installed, and all new trees will have at least a two-inch caliper trunk when planted.
- Hedges and planting screens will be placed to conceal the parking lots. Evergreen shrubs with a maximum height of three feet will be used in front of the fenced berm along Olive Boulevard.
- *Street Furnishings:*
  - Figure 2.7 of the Guidelines suggests that decorative streetlights should be placed every thirty-five feet within the streetscape zone. However, this configuration is unworkable with the existing fixtures at the Site. Existing streetlights and power feed occupy the western portion of the streetscape zone, and power poles with transmission lines occupy the eastern portion. To address these issues, Opus proposes to remove the existing streetlights and power feed on the western portion (as shown on the site plan in red) but retain the transmission lines on the eastern portion (as shown on the site plan in blue). To avoid conflicts with the power lines and maintain a consistent appearance throughout the Site, new decorative streetlights will be installed within the seven-foot spillway zone south of the sidewalk. Thirty-five-foot spacing will be used to the extent possible; however, adjustments must be made around the existing power poles and the proposed sidewalk bump-outs.
  - There is currently a bus stop and sign located within the streetscape zone. Opus proposes to remove the sign and replace it in approximately the same location. Additionally, as shown on the site plan, there is space available within the spillway zone for Bi-State to construct a new bus shelter if desired.

#### **D. Signage Guidelines**

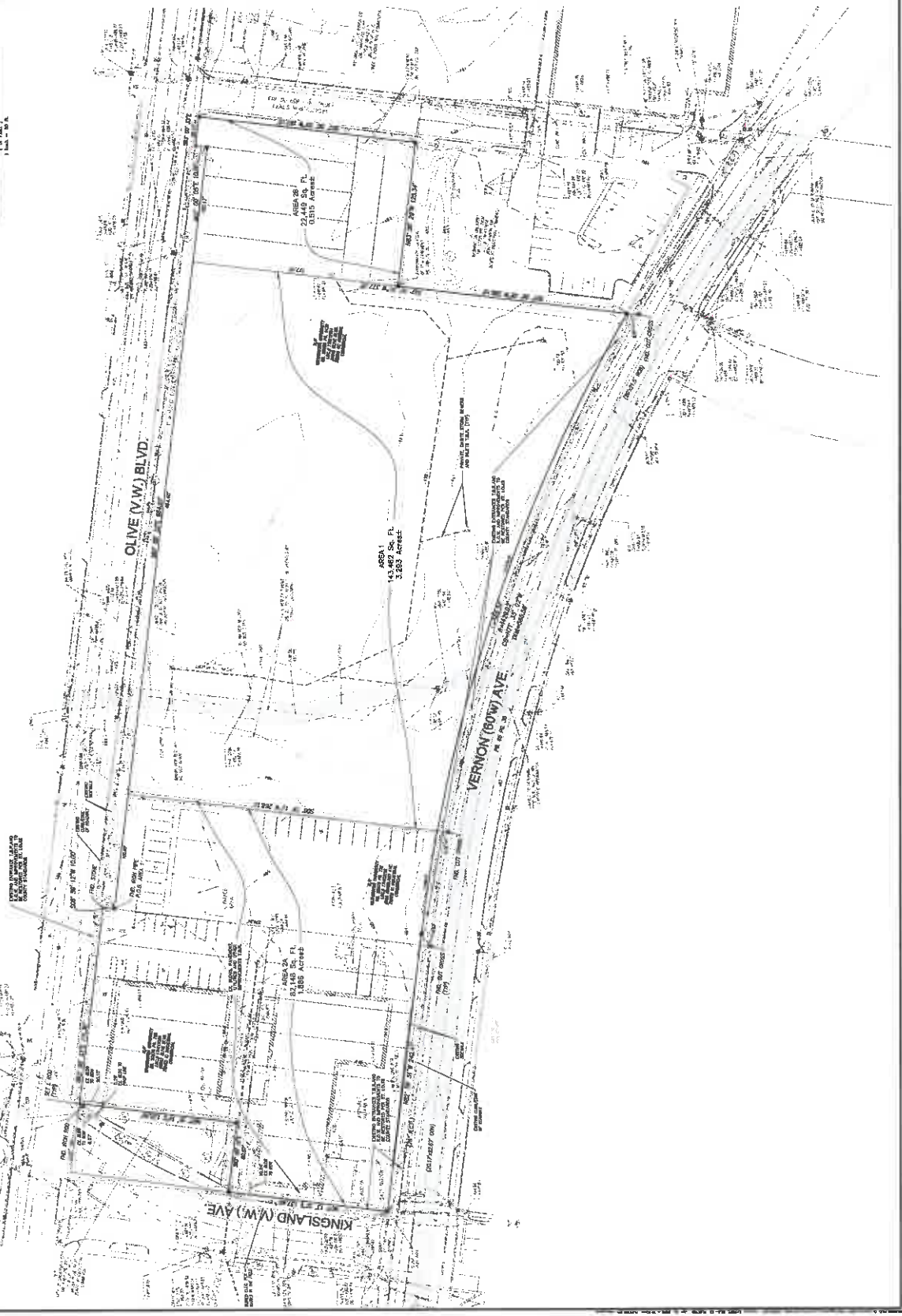
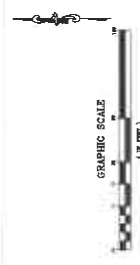
As shown in the attached site plan, all signage for the Development will comply with the Guidelines and the Code. The Site will include one monument sign located at the entrance along Olive Boulevard and another located at the entrance along Vernon Avenue. Both monument signs will comply with restrictions applicable to “special purpose signs” under the Section 400.2340 of the Code.

To add visual interest to the northwest corner of the Development at the Olive Boulevard and Kingsland Avenue intersection, one open letter wall sign of approximately sixty (60) square feet will be placed on the Olive Boulevard (north) side of the building and another on the Kingsland Avenue (west) side of the building. Additionally, a third sixty-square foot wall sign will be placed on the side of the building along Vernon Avenue (south). Because only two-thirds of the sign area is included for purposes of calculating the total area of open letter signs, the three wall signs comply with the 120 square-foot limit for primary signage under the Code.

Finally, in compliance with requirements applicable to monument and fascia signage under the Guidelines, there will be landscaping around the monument signs at the Olive Boulevard and Vernon Avenue entrances, and both the monument signs and the wall signs will be illuminated.









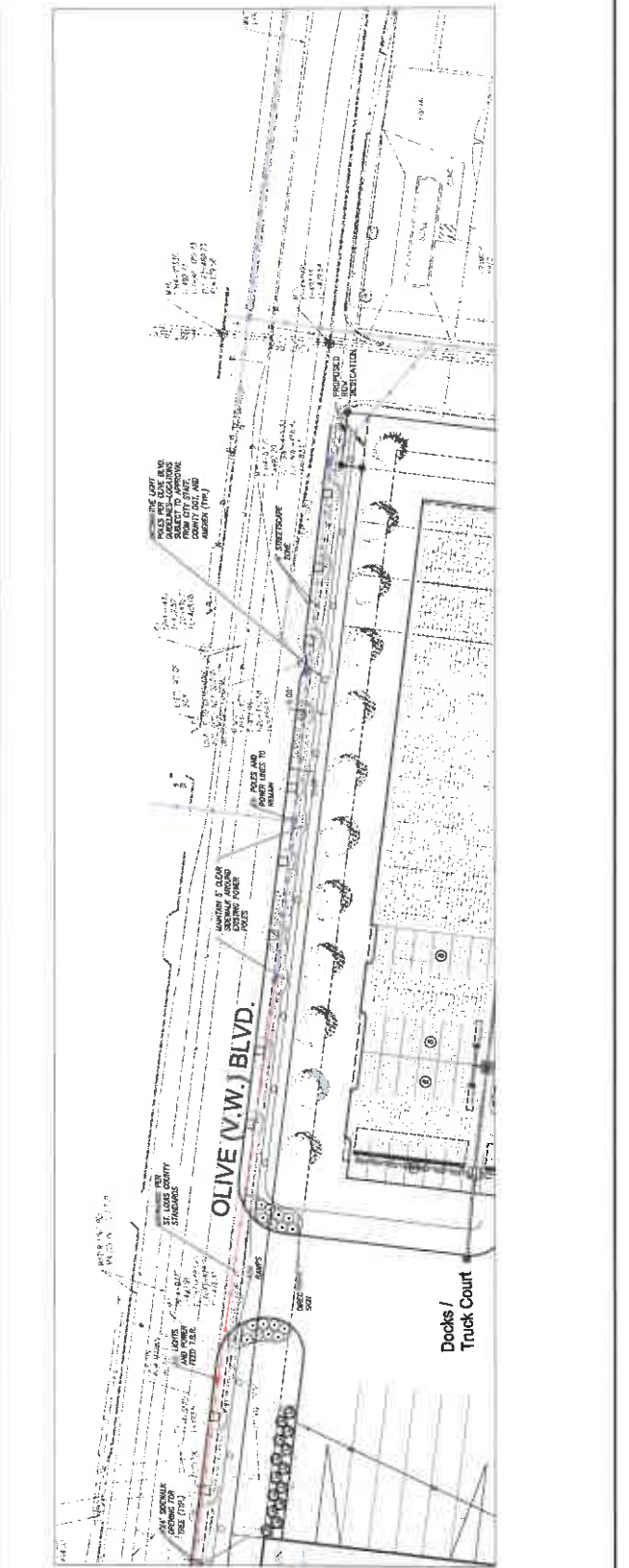
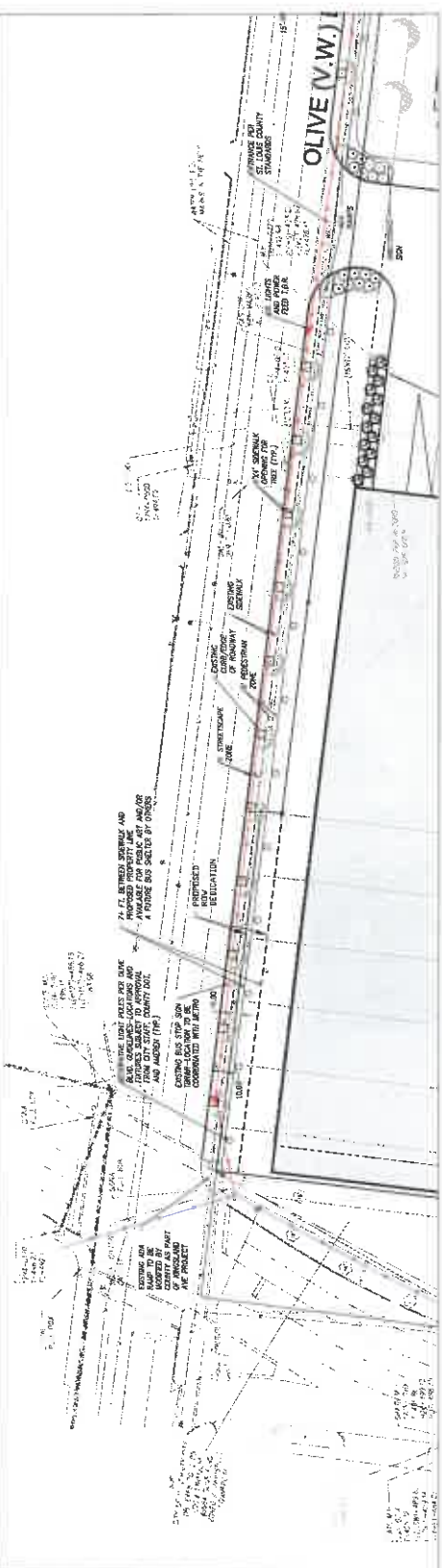
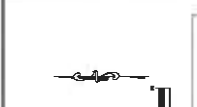


REVISIONS:

NO.	DATE	DESCRIPTION
1	01/02/15	PROPOSED

DATE: 01/02/15  
 SHEET NO.: 26-437  
 OF: 27  
 TOTAL SHEETS: 27  
 PROJECT NO.: 15-0003-001

C4.0  
 OLIVE BLVD.  
 GUIDELINES  
 EXHIBIT



L1.0

22-0041

AS SHOWN

DATE

2015

BY

301

DATE

2015

BY

301

**cole**

LANDSCAPE ARCHITECTURE

PROFESSIONAL SEAL AND EXP. NO.

STATE OF CALIFORNIA

NO. 11333

EXPIRES 12/31/15

2509068

1301 S. GARDEN STREET, SUITE 200, ANAHEIM, CA 92805

(714) 993-2100

www.coledesign.com

CRESCENT SUPPLY

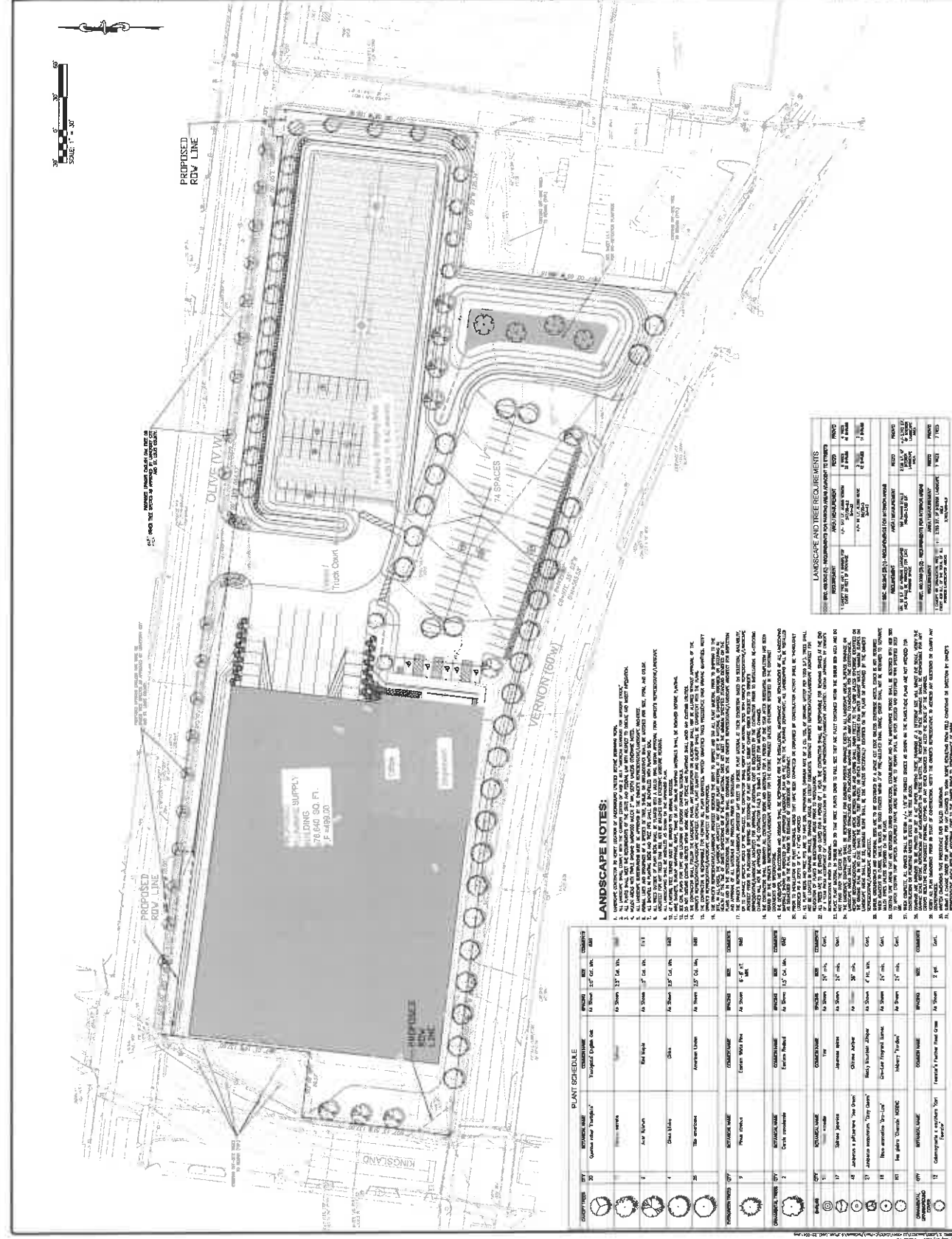
LANDSCAPE PLAN

6515 OLIVE RD. 2ND & 950 KINGSLAND ST.

THE CRIS GROUP

123 & HALEY RD., FLOOR 1 SUITE 100

ST. LOUIS, MO 63103



**LANDSCAPE AND TREE REQUIREMENTS**

REQUIREMENT NO.	REQUIREMENT DESCRIPTION	REQUIREMENT	REQUIREMENT	REQUIREMENT
1	PLANT SCHEDULE	AS SHOWN	AS SHOWN	AS SHOWN
2	PLANT SCHEDULE	AS SHOWN	AS SHOWN	AS SHOWN
3	PLANT SCHEDULE	AS SHOWN	AS SHOWN	AS SHOWN
4	PLANT SCHEDULE	AS SHOWN	AS SHOWN	AS SHOWN
5	PLANT SCHEDULE	AS SHOWN	AS SHOWN	AS SHOWN

**LANDSCAPE NOTES:**

1. THE LANDSCAPE PLAN IS THE PROPERTY OF COLE AND SHOULD NOT BE REPRODUCED OR COPIED WITHOUT WRITTEN PERMISSION.
2. THE LANDSCAPE PLAN IS SUBJECT TO THE PLANNING AND ZONING DEPARTMENT'S REVIEW AND APPROVAL.
3. THE LANDSCAPE PLAN IS SUBJECT TO THE CITY OF ANAHEIM'S REVIEW AND APPROVAL.
4. THE LANDSCAPE PLAN IS SUBJECT TO THE STATE OF CALIFORNIA'S REVIEW AND APPROVAL.
5. THE LANDSCAPE PLAN IS SUBJECT TO THE LOCAL GOVERNMENT'S REVIEW AND APPROVAL.
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**PLANT SCHEDULE**

ID	SYMBOL	PLANT NAME	COUNT	SIZE	COMMENTS
1	(Symbol)	Common Name	12	12" CA. Ht.	REPLANT
2	(Symbol)	Common Name	12	12" CA. Ht.	REPLANT
3	(Symbol)	Common Name	12	12" CA. Ht.	REPLANT
4	(Symbol)	Common Name	12	12" CA. Ht.	REPLANT
5	(Symbol)	Common Name	12	12" CA. Ht.	REPLANT
6	(Symbol)	Common Name	12	12" CA. Ht.	REPLANT
7	(Symbol)	Common Name	12	12" CA. Ht.	REPLANT
8	(Symbol)	Common Name	12	12" CA. Ht.	REPLANT
9	(Symbol)	Common Name	12	12" CA. Ht.	REPLANT
10	(Symbol)	Common Name	12	12" CA. Ht.	REPLANT
11	(Symbol)	Common Name	12	12" CA. Ht.	REPLANT
12	(Symbol)	Common Name	12	12" CA. Ht.	REPLANT
13	(Symbol)	Common Name	12	12" CA. Ht.	REPLANT
14	(Symbol)	Common Name	12	12" CA. Ht.	REPLANT
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19	(Symbol)	Common Name	12	12" CA. Ht.	REPLANT
20	(Symbol)	Common Name	12	12" CA. Ht.	REPLANT
21	(Symbol)	Common Name	12	12" CA. Ht.	REPLANT
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28	(Symbol)	Common Name	12	12" CA. Ht.	REPLANT
29	(Symbol)	Common Name	12	12" CA. Ht.	REPLANT
30	(Symbol)	Common Name	12	12" CA. Ht.	REPLANT

**BMP PLANT MATERIAL SCHEDULE - TREES**

SYM.	QTY.	SYMBOL/NAME	COMMON NAME	COL.	DET.	BRAND
<p>REVISIONS:</p> <p>1. SEE CIVIL DRAWINGS FOR SETBACKS, POLES, UTILITIES, ETC.</p> <p>2. SEE ALL OTHER DRAWINGS FOR SETBACKS, POLES, UTILITIES, ETC.</p> <p>3. SEE ALL OTHER DRAWINGS FOR SETBACKS, POLES, UTILITIES, ETC.</p> <p>4. SEE ALL OTHER DRAWINGS FOR SETBACKS, POLES, UTILITIES, ETC.</p>						

- 1. SEE CIVIL DRAWINGS FOR SETBACKS, POLES, UTILITIES, ETC.
- 2. SEE ALL OTHER DRAWINGS FOR SETBACKS, POLES, UTILITIES, ETC.
- 3. SEE ALL OTHER DRAWINGS FOR SETBACKS, POLES, UTILITIES, ETC.
- 4. SEE ALL OTHER DRAWINGS FOR SETBACKS, POLES, UTILITIES, ETC.

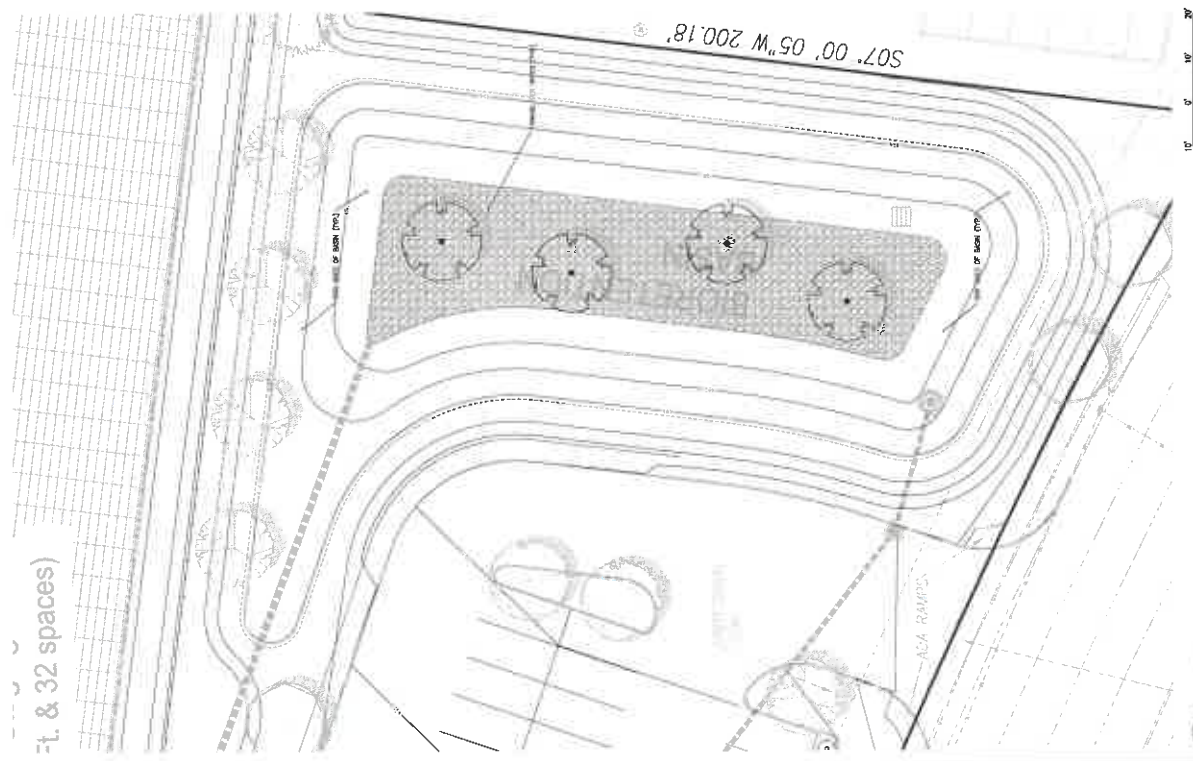
ALL SETBACKS SHALL BE MAINTAINED AS SHOWN UNLESS OTHERWISE NOTED.

ALL PLANT MATERIAL SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF CHICAGO PLANTING SPECIFICATIONS.

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**1 BIO-BASIN**  
REGULATED - 10'

**CRESCENT SUPPLY**  
8610 BOND ST. # 250  
CHICAGO, IL 60617

**BIG LANDSCAPE MAN**

**COLE**  
L1.1

BMP LANDSCAPE SPECIFICATIONS

- 1.1. GENERAL
1.2. PURPOSE
1.3. SCOPE
1.4. REFERENCES

- 2.1. DESIGN
2.2. INSTALLATION
2.3. MAINTENANCE

- 3.1. PLANTING
3.2. IRRIGATION
3.3. LIGHTING

- 4.1. MATERIALS
4.2. CONSTRUCTION
4.3. TESTING

- 5.1. INSPECTION
5.2. RECORDS
5.3. GUARANTEE

- 6.1. APPENDICES
6.2. NOTES
6.3. REVISIONS

- 7.1. CONTACT INFORMATION
7.2. PROJECT INFORMATION

- 8.1. SIGNATURES
8.2. DATES

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6.1. APPENDICES
6.2. NOTES
6.3. REVISIONS

7.1. CONTACT INFORMATION
7.2. PROJECT INFORMATION

8.1. SIGNATURES
8.2. DATES

THE CRIS GROUP
123 ST. LOUIS MO 63102

CRESCENT SUPPLY
6142 OAK ST. #200
ST. LOUIS MO 63114



PROJECT SPECIFICATIONS
BMP SPECIFICATIONS

COLE
22-0041

DATE: 12/15/2023
DRAWN BY: JHS

SCALE: AS SHOWN

PROJECT NO: 22-0041



**Crescent Pumping**  
University City, MO

**Rendering - View at East Entrance**  
03.01.2022

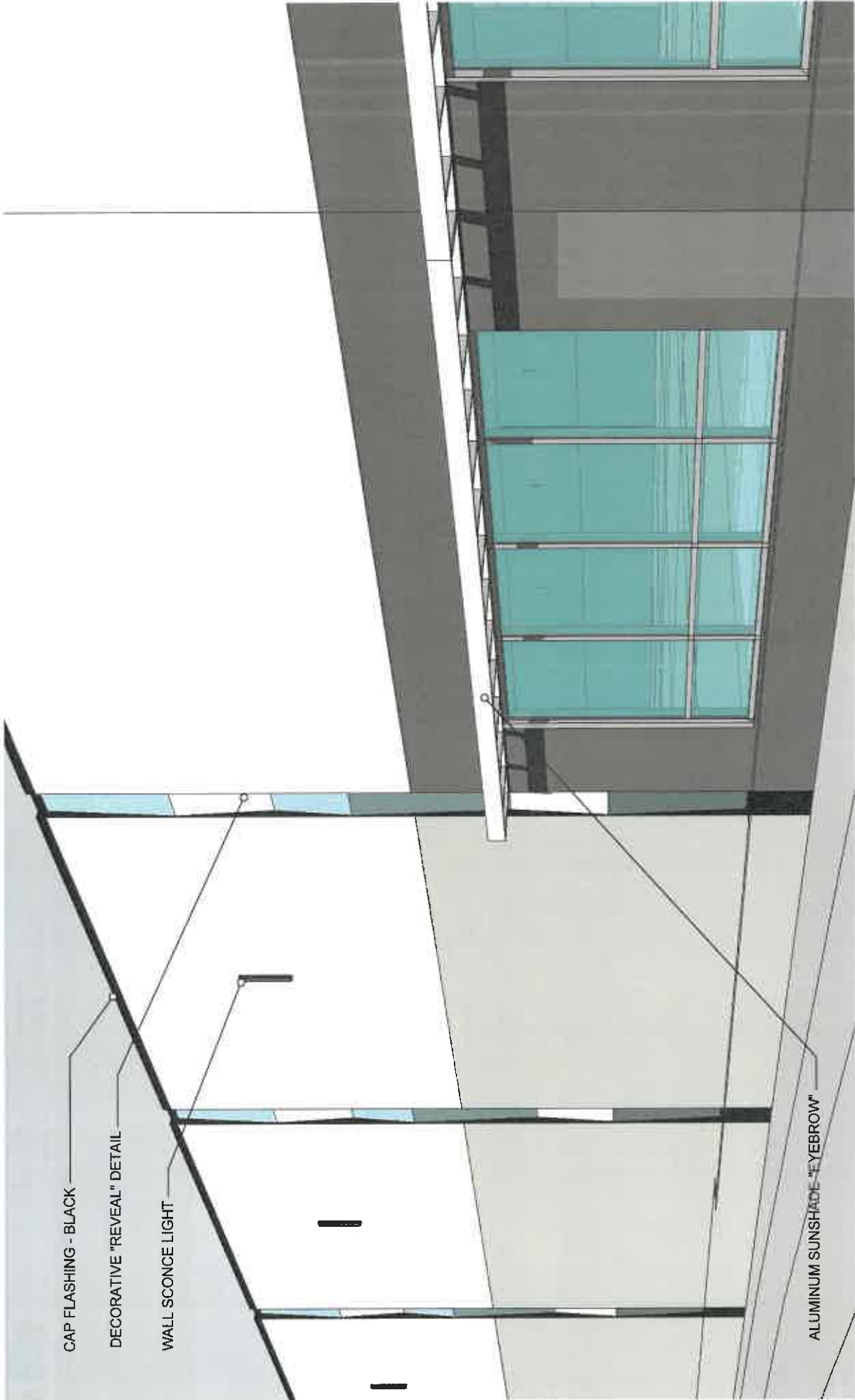




Rendering - View at Olive Looking West  
03.01.2022

Crescent Pumping  
University City, MO



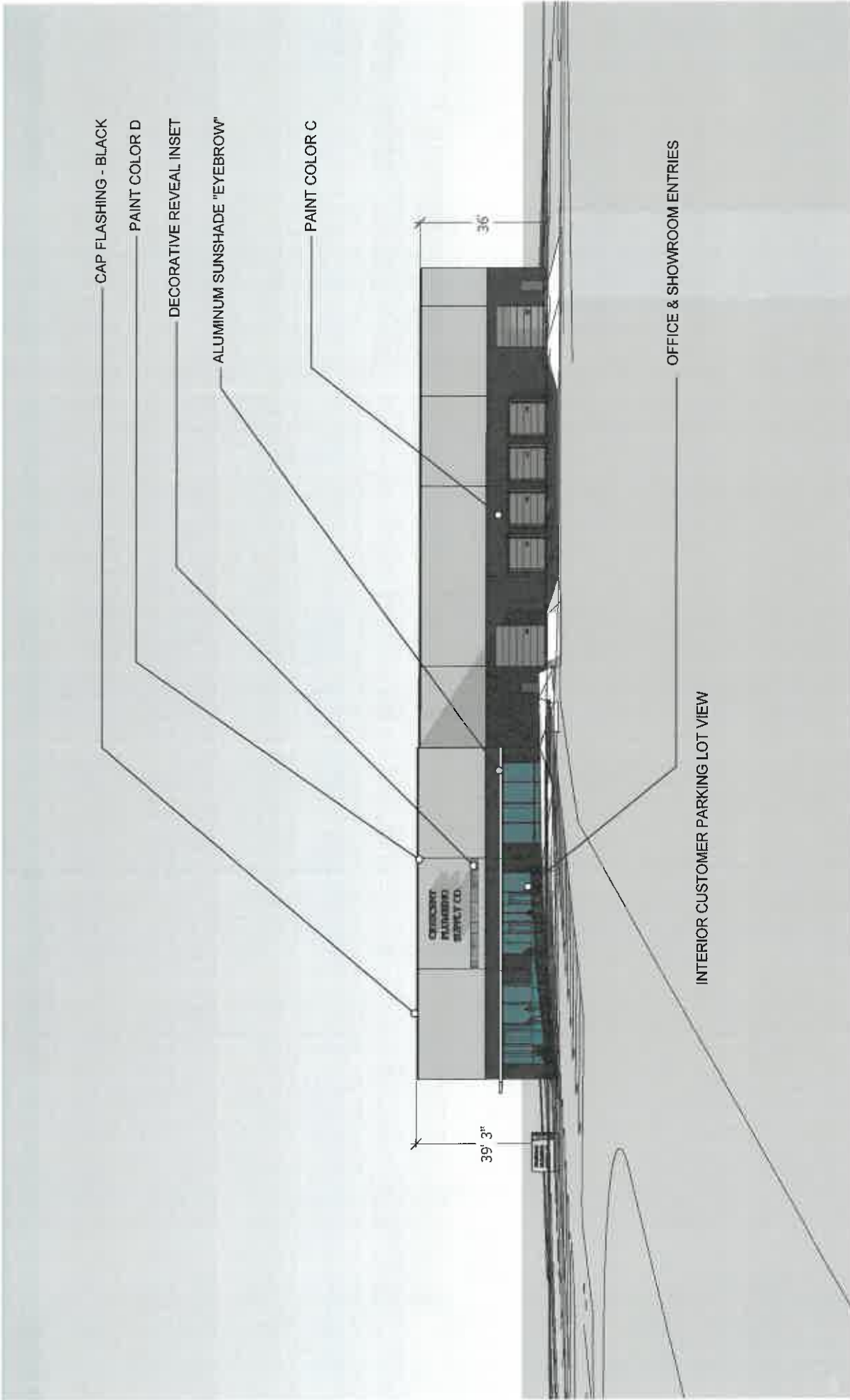


CAP FLASHING - BLACK

DECORATIVE "REVEAL" DETAIL

WALL SCONCE LIGHT

ALUMINUM SUNSHADE "EYEBROW"



CAP FLASHING - BLACK

PAINT COLOR D

DECORATIVE REVEAL INSET

ALUMINUM SUNSHADE "EYEBROW"

PAINT COLOR C

36'

39' 3"

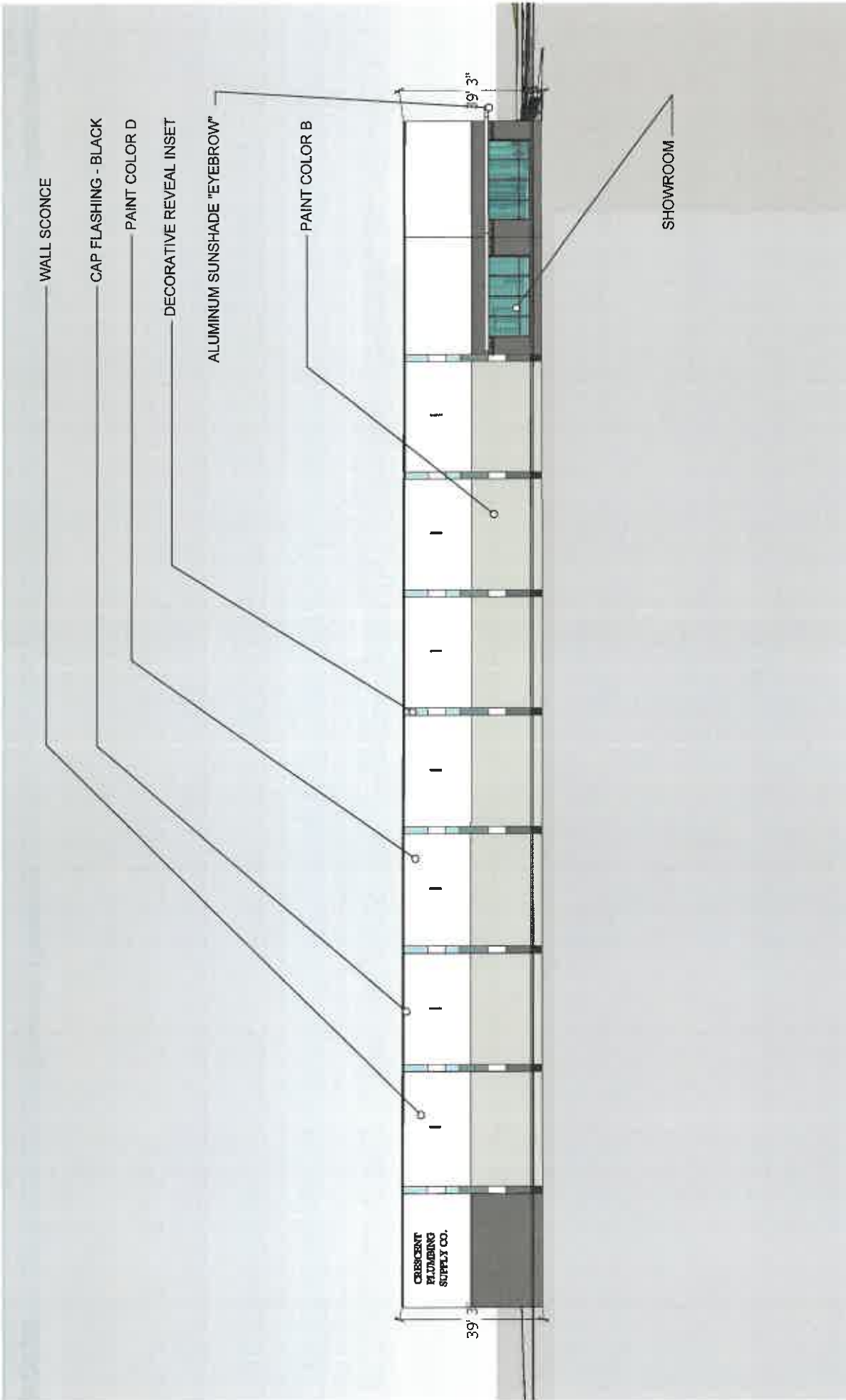
OFFICE & SHOWROOM ENTRIES

INTERIOR CUSTOMER PARKING LOT VIEW

East Elevation  
03.01.2022

Crescent Plumbing  
University City, MO





South Elevation  
03.01.2022

Crescent Plumbing  
University City, MO



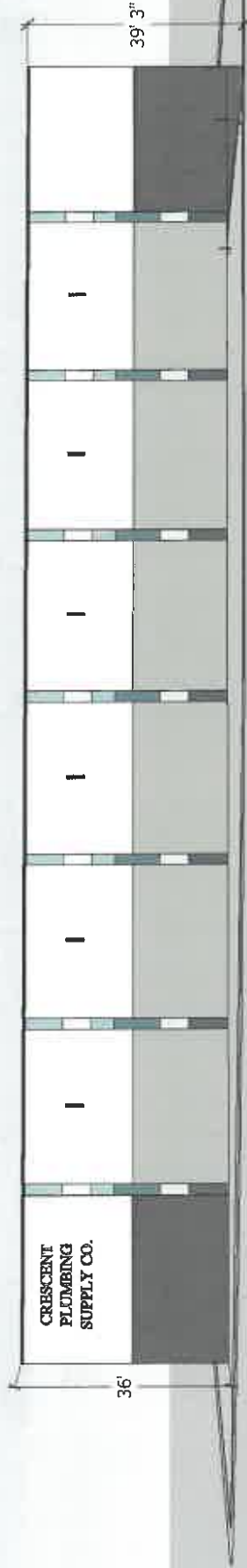
**BUILDING HEIGHT ANALYSIS:**

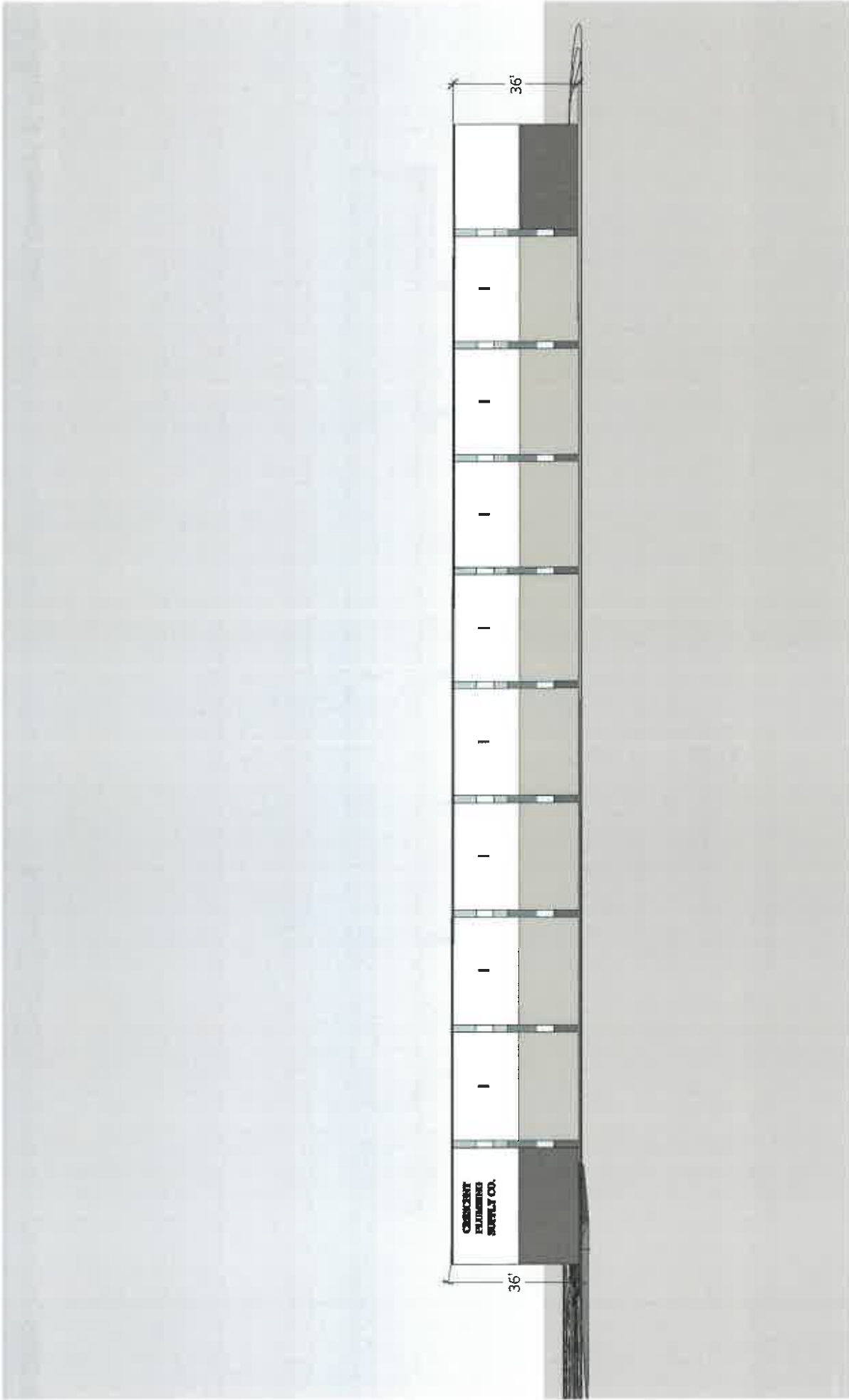
AVERAGE GRADE PLANE ELEVATION: 495.50'

BUILDING FINISHED FLOOR: 499.00'

HEIGHT OF PARAPET ABOVE FINISHED FLOOR: 36'

HEIGHT OF PARAPET ABOVE AVERAGE GRADE PLANE: 39.50' or +/- 40'





CRESCENT  
PLUMBING  
SUPPLY CO.

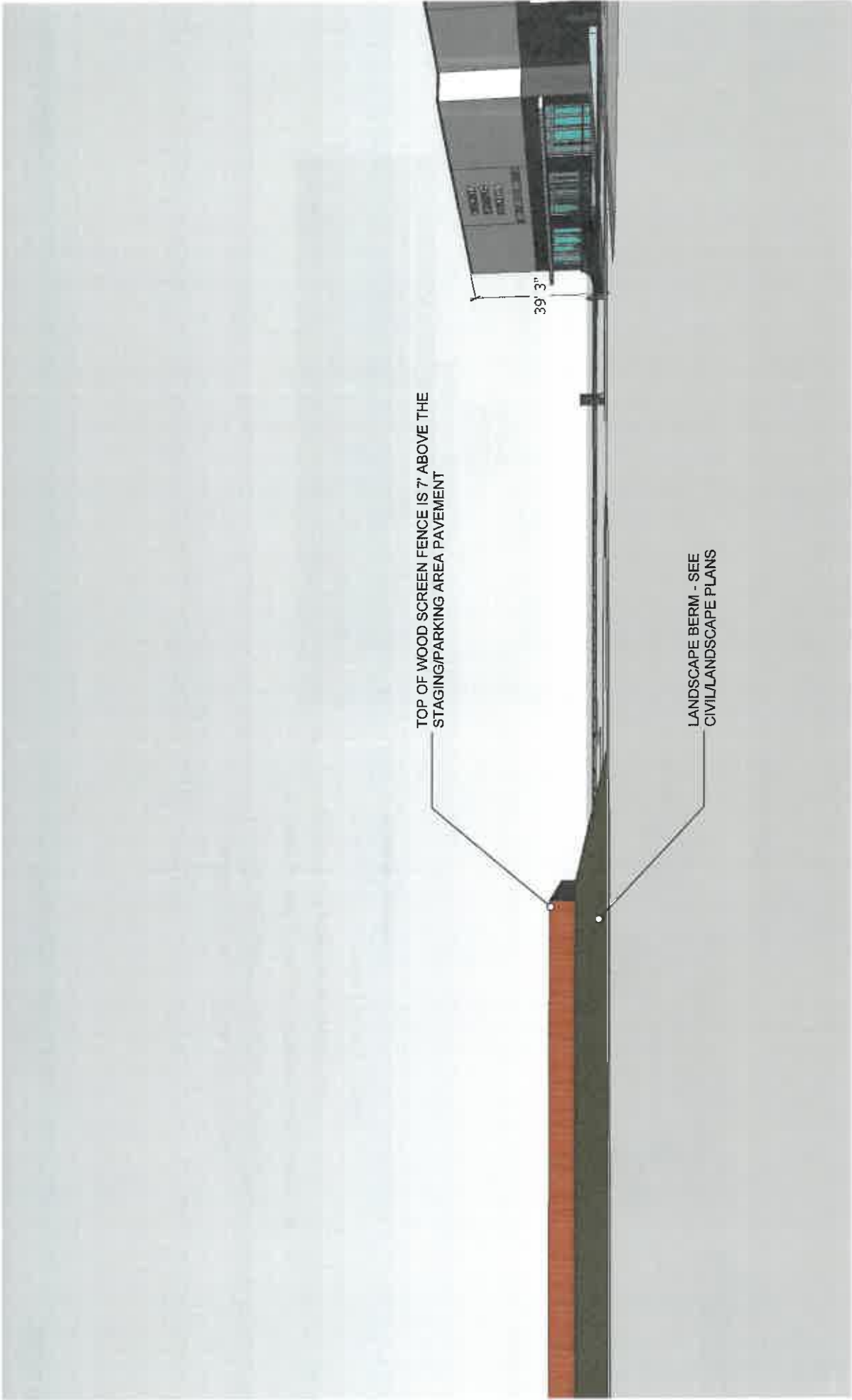
36'

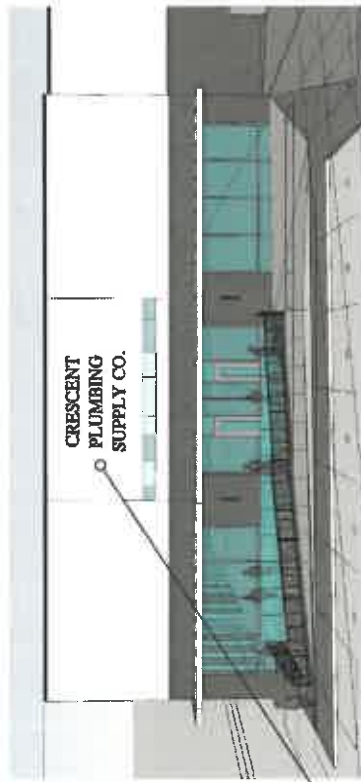
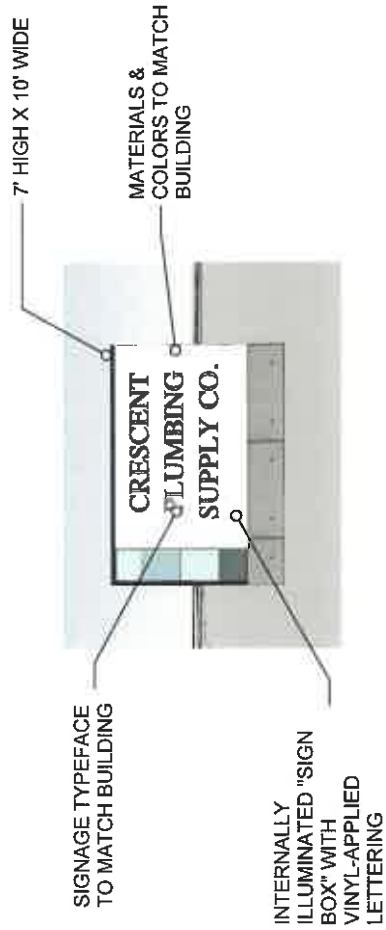
36'



**Crescent Plumbing**  
University City, MO

**North Elevation**  
03.01.2022





**BUILDING SIGNAGE:**

OVERALL AREA IS 8' HIGH X 15' LONG = 120 SF

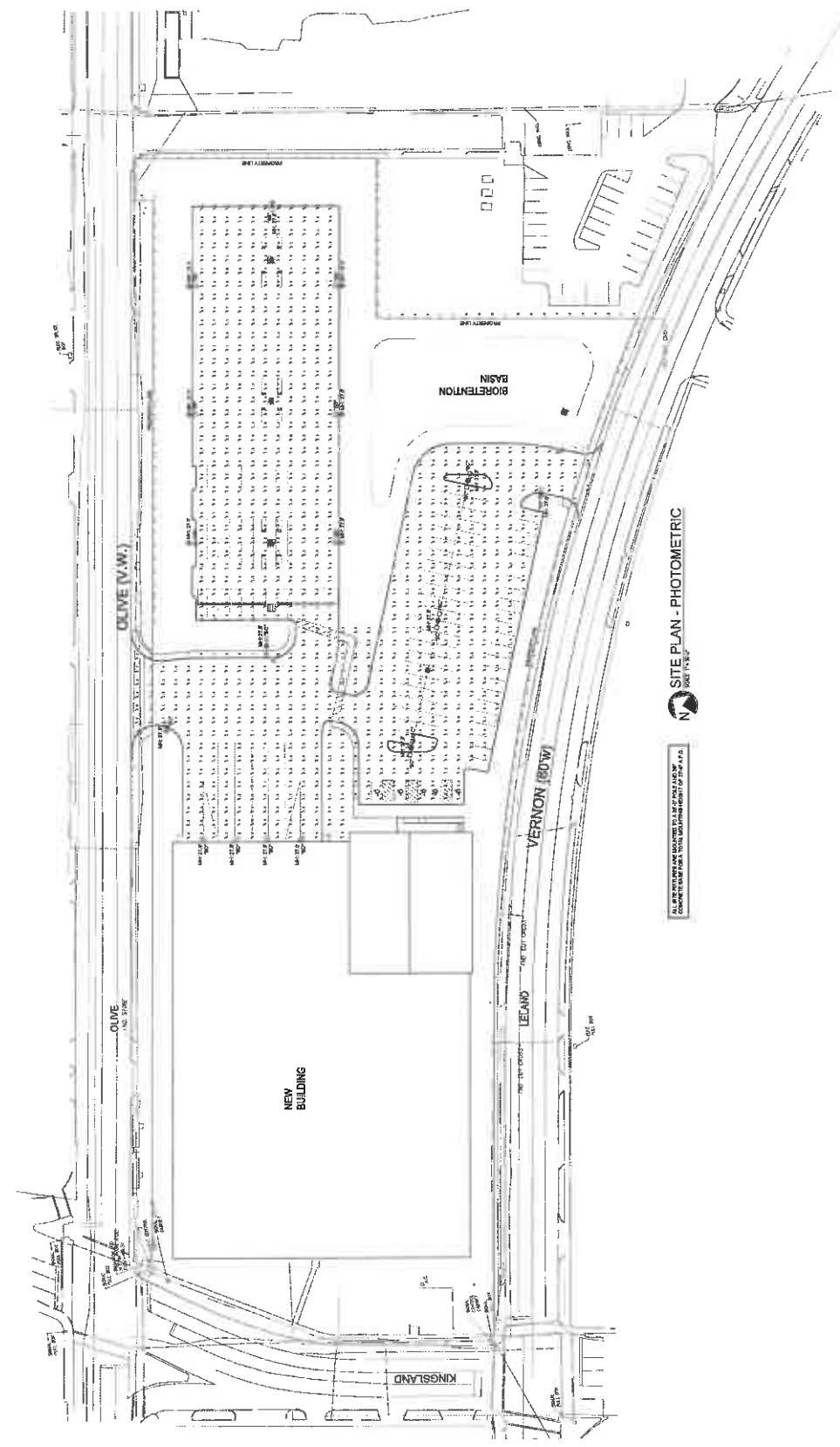
ONE SIGN AT EACH BUILDING ELEVATION

SIGNAGE STYLE IS INDIVIDUAL LETTERS, 5" SIDE RETURNS.

STYLE OPTION "A": INTERNALLY ILLUMINATED SIGN FACE

STYLE OPTION "B": BACKLIT "HALO" ILLUMINATION





**PHOTOGRAPHIC SITE PLAN**

ALL NEW BUILDING FOOTPRINTS TO BE AS SHOWN ON THIS PLAN. ALL EXISTING BUILDING FOOTPRINTS TO BE AS SHOWN ON THIS PLAN.

LUMINAIRE SCHEDULE		
Symbol	Qty	Label
1	2	GL50W-SAC-740-0-0-T3
2	2	GL50W-SAC-740-0-0-T3
3	7	GL50W-SAC-710-0-0-TFP-185
4	5	GL50W-SAC-710-0-0-TFP-185
5	1	GL50W-SAC-710-0-0-TFP-185
6	4	GL50W-SAC-740-0-0-T3
7	5	GL50W-SAC-740-0-0-T3
8	2	GL50W-SAC-740-0-0-T3
9	2	GL50W-SAC-740-0-0-T3

Calculation Summary		
Label	Qty	Calc. Unit
1	2	GL50W-SAC-740-0-0-T3
2	2	GL50W-SAC-740-0-0-T3
3	7	GL50W-SAC-710-0-0-TFP-185
4	5	GL50W-SAC-710-0-0-TFP-185
5	1	GL50W-SAC-710-0-0-TFP-185
6	4	GL50W-SAC-740-0-0-T3
7	5	GL50W-SAC-740-0-0-T3
8	2	GL50W-SAC-740-0-0-T3
9	2	GL50W-SAC-740-0-0-T3
PROPERTY LINE CALC		11 Luminaire



**McGraw-Edison**  
GLENN Gallison  
Area / Site Luminaire

**Product Features**

- High Quality
- Long Life
- Energy Efficient
- Easy to Install
- Low Maintenance
- Durable Construction
- Compact Design



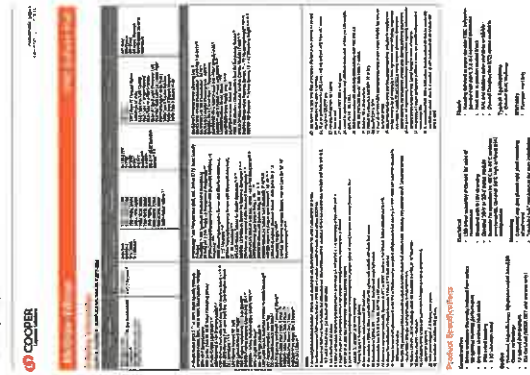
**McGraw-Edison**  
GWC Gallison Wall  
Wall Mount Luminaire

**Product Features**

- High Quality
- Long Life
- Energy Efficient
- Easy to Install
- Low Maintenance
- Durable Construction
- Compact Design

Calculation Summary		
Label	Qty	Calc. Unit
PROPERTY LINE CALC		11 Luminaire

Calculation Summary		
Label	Qty	Calc. Unit
PROPERTY LINE CALC		11 Luminaire



**COOPER LIGHTING**  
GLENN Gallison  
Area / Site Luminaire

**Product Features**

- High Quality
- Long Life
- Energy Efficient
- Easy to Install
- Low Maintenance
- Durable Construction
- Compact Design

Calculation Summary		
Label	Qty	Calc. Unit
PROPERTY LINE CALC		11 Luminaire



**CITY OF UNIVERSITY CITY COUNCIL MEETING  
AGENDA ITEM**

<b>NUMBER:</b> <i>For City Clerk Use</i>	<b>UB20220711-01</b>
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<b>SUBJECT/TITLE:</b> Pershing Avenue Improvement Project			
<b>REQUESTED BY:</b> Darren Dunkle		<b>DEPARTMENT / WARD</b> PW/Engineering Ward 1	
<b>AGENDA SECTION:</b> Unfinished Business - Bill 9470		<b>CAN ITEM BE RESCHEDULED?</b> No	
<b>CITY MANAGER'S RECOMMENDATION OR RECOMMENDED MOTION:</b> City Manager recommends approval of the proposed Enabling Ordinance and signing and entering into the proposed Program Agreement for the project.			
<b>FISCAL IMPACT:</b> \$1,343,673.00			
<b>AMOUNT:</b>	\$1,343,673.00	<b>ACCOUNT No.:</b>	12-40-90-8080
<b>FROM FUND:</b>		<b>TO FUND:</b>	
<b>EXPLANATION:</b> The Pershing Ave. Improvements Project has gained approval for federal funds to improve Pershing Road - Linden Ave. to Forest Park Parkway. The project scope includes Americans with Disabilities Act (ADA) sidewalk and curb ramp improvements and pavement resurfacing.  The Missouri Department of Transportation requires that University City execute the attached "Missouri Highways and Transportation Commission STP-Urban Program Agreement" between the Federal Highway Administration and City of University City.			
<b>STAFF COMMENTS AND BACKGROUND INFORMATION:</b> The total budget for this project is \$1,343,673.00 The federal share will be 80% of the cost of the project, not to exceed \$1,119,728.00 University City's share will be the remaining cost equivalent to 20% or \$223,945.00.  The Capital Improvement Program (CIP) accounts for the related expenditures for this project under the project PWST23/25/02.			
<b>CIP No.</b>	PWST23/25/02.		
<b>RELATED ITEMS / ATTACHMENTS:</b> 1. Missouri Highways and Transportation Commission STP-Urban Program Agreement 2. University City's Enabling Ordinance			
<b>LIST CITY COUNCIL GOALS (\$):</b>			
<b>RESPECTFULLY SUBMITTED:</b> Gregory Rose, City Manager		<b>MEETING DATE:</b> July 11, 2022	

CCO Form: FS11  
Approved: 07/96 (KMH)  
Revised: 03/17 (MWH)  
Modified:

CFDA Number: CFDA #20.205  
CFDA Title: Highway Planning and Construction  
Award name/number: STP-5402(620)  
Award Year: 2023  
Federal Agency: Federal Highway Administration, Department of Transportation

**MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION  
STP-URBAN PROGRAM AGREEMENT**

THIS STP-URBAN AGREEMENT is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission") and the City of University City, St. Louis County, Missouri (hereinafter, "City").

WITNESSETH:

WHEREAS, the Fixing America's Surface Transportation Act (FAST) 23 U.S.C. §133, authorizes a Surface Transportation Program (STP) to fund transportation related projects; and

WHEREAS, the City desires to construct certain improvements, more specifically described below, using such STP funding; and

WHEREAS, those improvements are to be designed and constructed in compliance with the provisions of this Agreement.

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

(1) PURPOSE: The purpose of this Agreement is to grant the use of STP funds to the City. The improvement contemplated by this Agreement and designated as Project STP-5402(620) involves:

Resurfacing, upgrade sidewalks and curb ramps.

The City shall be responsible for all aspects of the construction of the improvement.

(2) LOCATION: The contemplated improvement designated as Project STP-5402(620) by the Commission is within the city limits of University City, Missouri. The general location of the improvement is shown on an attachment hereto marked "Exhibit A" and incorporated herein by reference. More specific descriptions are as follows:

Pershing Avenue from Linden Avenue to Forest Park Parkway. The limits on Pershing Avenue from N. Hanley Road to Linden Avenue is not eligible for STP funds and will be funded 100% by the City.

(3) REASONABLE PROGRESS POLICY: The project as described in this agreement is subject to the reasonable progress policy set forth in the Local Public Agency (LPA) Manual and the final deadline specified in Exhibit B attached hereto and incorporated herein by reference. In the event, the LPA Manual and the final deadline within Exhibit B conflict, the final deadline within Exhibit B controls. If the project is within a Transportation Management Area that has a reasonable progress policy in place, the project is subject to that policy. If the project is withdrawn for not meeting reasonable progress, the City agrees to repay the Commission for any progress payments made to the City for the project and agrees that the Commission may deduct progress payments made to the City from future payments to the City.

(4) LIMITS OF SYSTEM: The limits of the surface transportation system for the City shall correspond to its geographical area as encompassed by the urban boundaries of the City as fixed cooperatively by the parties subject to approval by the Federal Highway Administration (FHWA).

(5) ROUTES TO BE INCLUDED: The City shall select the high traffic volume arterial and collector routes to be included in the surface transportation system, to be concurred with by the Commission, subject to approval by the FHWA. It is understood by the parties that surface transportation system projects will be limited to the said surface transportation system, but that streets and arterial routes may be added to the surface transportation system, including transfers from other federal aid systems.

(6) INVENTORY AND INSPECTION: The City shall:

(A) Furnish annually, upon request from the Commission or FHWA, information concerning conditions on streets included in the STP system under local jurisdiction indicating miles of system by pavement width, surface type, number of lanes and traffic volume category.

(B) Inspect and provide inventories of all bridges on that portion of the federal-aid highway systems under the jurisdiction of the City in accordance with the Federal Special Bridge Program, as set forth in 23 U.S.C. §144, and applicable amendments or regulations promulgated thereunder.

(7) CITY TO MAINTAIN: Upon completion of construction of this improvement, the City shall accept control and maintenance of the improved street and shall thereafter keep, control, and maintain the same as, and for all purposes, a part of the City street system at its own cost and expense and at no cost and expense whatsoever to the Commission. Any traffic signals installed on highways maintained by the Commission will

be turned over to the Commission upon completion of the project for maintenance. All obligations of the Commission under this Agreement shall cease upon completion of the improvement.

(8) INDEMNIFICATION:

(A) To the extent allowed or imposed by law, the City shall defend, indemnify and hold harmless the Commission, including its members and the Missouri Department of Transportation (MoDOT or Department) employees, from any claim or liability whether based on a claim for damages to real or personal property or to a person for any matter relating to or arising out of the City's wrongful or negligent performance of its obligations under this Agreement.

(B) The City will require any contractor procured by the City to work under this Agreement:

1. To obtain a no cost permit from the Commission's district engineer prior to working on the Commission's right-of-way, which shall be signed by an authorized contractor representative (a permit from the Commission's district engineer will not be required for work outside of the Commission's right-of-way); and

2. To carry commercial general liability insurance and commercial automobile liability insurance from a company authorized to issue insurance in Missouri, and to name the Commission, and MoDOT and its employees, as additional named insureds in amounts sufficient to cover the sovereign immunity limits for Missouri public entities as calculated by the Missouri Department of Insurance, Financial Institutions and Professional Registration, and published annually in the Missouri Register pursuant to Section 537.610, RSMo. The City shall cause insurer to increase the insurance amounts in accordance with those published annually in the Missouri Register pursuant to Section 537.610, RSMo.

(C) In no event shall the language of this Agreement constitute or be construed as a waiver or limitation for either party's rights or defenses with regard to each party's applicable sovereign, governmental, or official immunities and protections as provided by federal and state constitution or law.

(9) CONSTRUCTION SPECIFICATIONS: Parties agree that all construction under the STP for the City will be constructed in accordance with current MoDOT design criteria/specifications for urban construction unless separate standards for the surface transportation system have been established by the City and the Commission subject to the approval of the FHWA.

(10) FEDERAL-AID PROVISIONS: Because responsibility for the performance of all functions or work contemplated as part of this project is assumed by the City, and the City may elect to construct part of the improvement contemplated by this Agreement

with its own forces, a copy of Section II and Section III, as contained in the United States Department of Transportation Form Federal Highway Administration (FHWA) 1273 "Required Contract Provisions, Federal-Aid Construction Contracts," is attached and made a part of this Agreement as Exhibit C. Wherever the term "the contractor" or words of similar import appear in these sections, the term "the City" is to be substituted. The City agrees to abide by and carry out the condition and obligations of "the contractor" as stated in Section II, Equal Opportunity, and Section III, Nonsegregated Facilities, as set out in Form FHWA 1273.

(11) ACQUISITION OF RIGHT OF WAY: With respect to the acquisition of right of way necessary for the completion of the project, City shall acquire any additional necessary right of way required for the project and in doing so agrees that it will comply with all applicable federal laws, rules and regulations, including 42 U.S.C. 4601-4655, the Uniform Relocation Assistance and Real Property Acquisition Act, as amended and any regulations promulgated in connection with the Act. However upon written request by the City and the written acceptance by the Commission, the Commission shall acquire right of way for the City. Upon approval of all agreements, plans and specifications by the Commission and the FHWA, the commission will file copies of said plans in the office of the county clerk: and proceed to acquire by negotiation and purchase or by condemnation any necessary right of way required for the construction of the improvement contemplated herein. All right of way acquired by negotiation and purchase will be acquired in the name of City, and the City will pay to grantors thereof the agreed upon purchase prices. All right of way acquired through condemnation proceedings will be acquired in the name of the State of Missouri and subsequently released to the City. The City shall pay into court all awards and final judgments in favor of any such condemnees. The City shall also reimburse the Commission for any expense incurred by the Commission in acquiring said right of way, including but not limited to the costs of surveying, appraisal, negotiation, condemnation, and relocation assistance benefits. Unless otherwise agreed to in writing the Commission shall have the final decision regarding the settlement amount in condemnation.

(12) REIMBURSEMENT: The cost of the contemplated improvements will be borne by the United States Government and by the City as follows:

(A) Any federal funds for project activities shall only be available for reimbursement of eligible costs which have been incurred by City. Any costs incurred by City prior to authorization from FHWA and notification to proceed from the Commission are **not** reimbursable costs. All federally funded projects are required to have a project end date. Any costs incurred after the project end date are not eligible for reimbursement. The federal share for this project will be 80 percent not to exceed \$1,119,728. The calculated federal share for seeking federal reimbursement of participating costs for the herein improvements will be determined by dividing the total federal funds applied to the project by the total participating costs. Any costs for the herein improvements which exceed any federal reimbursement or are not eligible for federal reimbursement shall be the sole responsibility of City. The Commission shall not be responsible for any costs

associated with the herein improvement unless specifically identified in this Agreement or subsequent written amendments.

(B) The total reimbursement otherwise payable to the City under this Agreement is subject to reduction, offset, levy, judgment, collection or withholding, if there is a reduction in the available federal funding, or to satisfy other obligations of the City to the Commission, the State of Missouri, the United States, or another entity acting pursuant to a lawful court order, which City obligations or liability are created by law, judicial action, or by pledge, contract or other enforceable instrument. Any costs incurred by the City prior to authorization from FHWA and notification to proceed from the Commission are not reimbursable costs.

(13) PERMITS: The City shall secure any necessary approvals or permits from the Federal Government and the State of Missouri as required to permit the construction and maintenance of the contemplated improvements.

(14) TRAFFIC CONTROL: The plans shall provide for handling traffic with signs, signal and marking in accordance with the Manual of Uniform Traffic Control Devices (MUTCD).

(15) WORK ON STATE RIGHT OF WAY: If any contemplated improvements for Project STP-5402(620) will involve work on the state's right of way, the City will provide reproducible final plans to the Commission relating to such work.

(16) DISADVANTAGED BUSINESS ENTERPRISES (DBEs): At time of processing the required project agreements with the FHWA, the Commission will advise the City of any required goals for participation by DBEs to be included in the City's proposal for the work to be performed. The City shall submit for Commission approval a DBE goal or plan. The City shall comply with the plan or goal that is approved by the Commission and all requirements of 49 C.F.R. Part 26, as amended.

(17) NOTICE TO BIDDERS: The City shall notify the prospective bidders that disadvantaged business enterprises shall be afforded full and affirmative opportunity to submit bids in response to the invitation and will not be discriminated against on grounds of race, color, sex, or national origin in consideration for an award.

(18) PROGRESS PAYMENTS: The City may request progress payments be made for the herein improvements as work progresses but not more than once every two weeks. Progress payments must be submitted monthly. All progress payment requests must be submitted for reimbursement within 90 days of the project completion date for the final phase of work. The City shall repay any progress payments which involve ineligible costs.

(19) PROMPT PAYMENTS: Progress invoices submitted to MoDOT for reimbursement more than thirty (30) calendar days after the date of the vendor invoice



shall also include documentation that the vendor was paid in full for the work identified in the progress invoice. Examples of proof of payment may include a letter or e-mail from the vendor, lien waiver or copies of cancelled checks. Reimbursement will not be made on these submittals until proof of payment is provided. Progress invoices submitted to MoDOT for reimbursement within thirty (30) calendar days of the date on the vendor invoice will be processed for reimbursement without proof of payment to the vendor. If the City has not paid the vendor prior to receiving reimbursement, the City must pay the vendor within two (2) business days of receipt of funds from MoDOT.

(20) OUTDOOR ADVERTISING: The City further agrees that the right of way provided for any STP improvement will be held and maintained inviolate for public highway or street purposes, and will enact and enforce any ordinances or regulations necessary to prohibit the presence of billboards or other advertising signs or devices and the vending or sale of merchandise on such right of way, and will remove or cause to be removed from such right of way any sign, private installation of any nature, or any privately owned object or thing which may interfere with the free flow of traffic or impair the full use and safety of the highway or street.

(21) FINAL AUDIT: The Commission will perform a final audit of project costs. The United States Government shall reimburse the City, through the Commission, any monies due. The City shall refund any overpayments as determined by the final audit.

(22) AUDIT REQUIREMENT: If the City expend(s) seven hundred fifty thousand dollars (\$750,000) or more in a year in federal financial assistance it is required to have an independent annual audit conducted in accordance with 2 CFR Part 200. A copy of the audit report shall be submitted to MoDOT within the earlier of thirty (30) days after receipt of the auditor's report(s), or nine (9) months after the end of the audit period. Subject to the requirements of 2 CFR Part 200, if the City expend(s) less than seven hundred fifty thousand dollars (\$750,000) a year, the City may be exempt from auditing requirements for that year but records must be available for review or audit by applicable state and federal authorities.

(23) FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT OF 2006: The City shall comply with all reporting requirements of the Federal Funding Accountability and Transparency Act (FFATA) of 2006, as amended. This Agreement is subject to the award terms within 2 C.F.R. Part 170.

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

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

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

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

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

(A) To the City:  
6801 Delmar Boulevard  
University City, MO 63130

(B) To the Commission:  
1590 Woodlake Drive  
Chesterfield, MO 63017

or to such other place as the parties may designate in accordance with this Agreement. To be valid, facsimile delivery shall be followed by delivery of the original document, or a clear and legible copy thereof, within three (3) business days of the date of facsimile transmission of that document.

(29) NONDISCRIMINATION ASSURANCE: With regard to work under this Agreement, the City agrees as follows:

(A) Civil Rights Statutes: The City shall comply with all state and federal statutes relating to nondiscrimination, including but not limited to Title VI and Title VII of the Civil Rights Act of 1964, as amended (42 U.S.C. §2000d and §2000e, et seq.), as well as any applicable titles of the "Americans with Disabilities Act" (42 U.S.C. §12101, et seq.). In addition, if the City is providing services or operating programs on behalf of the Department or the Commission, it shall comply with all applicable provisions of Title II of the "Americans with Disabilities Act".

(B) Administrative Rules: The City shall comply with the administrative rules of the United States Department of Transportation relative to nondiscrimination in federally-assisted programs of the United States Department of Transportation (49 C.F.R. Part 21) which are herein incorporated by reference and made part of this Agreement.

(C) Nondiscrimination: The City shall not discriminate on grounds of the race, color, religion, sex, disability, national origin, age or ancestry of any individual in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The City shall not participate either directly or indirectly in the discrimination prohibited by 49 C.F.R. §21.5, including employment practices.

(D) Solicitations for Subcontracts, Including Procurements of Material and Equipment: These assurances concerning nondiscrimination also apply to subcontractors and suppliers of the City. These apply to all solicitations either by competitive bidding or negotiation made by the City for work to be performed under a subcontract including procurement of materials or equipment. Each potential subcontractor or supplier shall be notified by the City of the requirements of this Agreement relative to nondiscrimination on grounds of the race, color, religion, sex, disability or national origin, age or ancestry of any individual.

(E) Information and Reports: The City shall provide all information and reports required by this Agreement, or orders and instructions issued pursuant thereto, and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Commission or the United States Department of Transportation to be necessary to ascertain compliance with other contracts, orders and instructions. Where any information required of the City is in the exclusive possession of another who fails or refuses to furnish this information, the City shall so certify to the Commission or the United States Department of Transportation as appropriate and shall set forth what efforts it has made to obtain the information.

(F) Sanctions for Noncompliance: In the event the City fails to comply with the nondiscrimination provisions of this Agreement, the Commission shall impose such contract sanctions as it or the United States Department of Transportation may determine to be appropriate, including but not limited to:

1. Withholding of payments under this Agreement until the City complies; and/or
2. Cancellation, termination or suspension of this Agreement, in whole or in part, or both.

(G) Incorporation of Provisions: The City shall include the provisions of paragraph (29) of this Agreement in every subcontract, including procurements of materials and leases of equipment, unless exempted by the statutes, executive order, administrative rules or instructions issued by the Commission or the United States Department of Transportation. The City will take such action with respect to any subcontract or procurement as the Commission or the United States Department of Transportation may direct as a means of enforcing such provisions, including sanctions for noncompliance; provided that in the event the City becomes involved or is threatened with litigation with a subcontractor or supplier as a result of such direction, the

City may request the United States to enter into such litigation to protect the interests of the United States.

(30) ACCESS TO RECORDS: The City and its contractors must maintain all records relating to this Agreement, including but not limited to invoices, payrolls, etc. These records must be available at no charge to the FHWA and the Commission and/or their designees or representatives during the period of this Agreement and any extension, and for a period of three (3) years after the date on which the City receives reimbursement of their final invoice from the Commission.

(31) CONFLICT OF INTEREST: The City shall comply with conflict of interest policies identified in 23 CFR 1.33. A conflict of interest occurs when an entity has a financial or personal interest in a federally funded project.

(32) MANDATORY DISCLOSURES: The City shall comply with 2 CFR 200.113 and disclose, in a timely manner, in writing all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award.

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

Executed by the City on \_\_\_\_\_ (DATE).

Executed by the Commission on \_\_\_\_\_ (DATE).

MISSOURI HIGHWAYS AND  
TRANSPORTATION COMMISSION

CITY OF UNIVERSITY CITY

\_\_\_\_\_  
Title \_\_\_\_\_

By \_\_\_\_\_  
Title \_\_\_\_\_

ATTEST:

ATTEST:

\_\_\_\_\_  
Secretary to the Commission

By \_\_\_\_\_  
Title \_\_\_\_\_

Approved as to Form:

Approved as to Form:

\_\_\_\_\_  
Commission Counsel

By \_\_\_\_\_  
Title \_\_\_\_\_

Ordinance No: \_\_\_\_\_

Exhibit A - Location of Project



## Exhibit B – Project Schedule

Project Description: STP-5402(620) Pershing Avenue

PROJECT DEVELOPMENT SCHEDULE			
<i>Note: many stages can occur concurrently.</i>			
Activity Description	Start Date (MM/YYYY)	Finish Date (MM/YYYY)	Time Frame (Months)
Receive notification letter	10/2021	10/2021	1
Execute agreement (project sponsor and DOT)	05/2022	07/2022	3
Engineering services contract submitted and approved*	08/2022	10/2022	3
Obtain environmental clearances (106, CE2, T&E, etc.)	10/2022	08/2023	11
Public meeting/hearing	05/2023	05/2023	1
Develop and submit preliminary plans	10/2022	05/2023	8
Preliminary plans approved	06/2023	06/2023	1
Develop and submit right-of-way plans	05/2023	07/2023	3
Review and approval of right-of-way plans	08/2023	08/2023	1
Submit and receive approval for notice to proceed for right-of-way acquisition (A-Date)*	08/2023	10/2023	3
Right-of-way acquisition	11/2023	06/2024	8
Utility coordination	10/2022	07/2024	22
Develop and submit PS&E	07/2023	07/2024	12
District approval of PS&E/advertise for bids*	08/2024	10/2024	3
Submit and receive bids for review and approval	11/2024	12/2024	2
Project implementation/construction	01/2025	09/2025	10
* Finish date must match fiscal year for each milestone shown in <b>bold</b> text.			

\*Note: the dates established in the schedule above will be used in the applicable ESC between the sponsor agency and consultant firm.

\*\*Schedule dates are approximate as the project schedule will be actively managed and issues mitigated through the project delivery process. The Award Date or Planning Study Date deliverable is not approximate and requires request to adjust.

## Exhibit C - Required Contract Provisions

### REQUIRED CONTRACT PROVISIONS FEDERAL-AID CONSTRUCTION CONTRACTS

- I. General
- II. Nondiscrimination
- III. Nonsegregated Facilities
- IV. Davis-Bacon and Related Act Provisions
- V. Contract Work Hours and Safety Standards Act Provisions
- VI. Subletting or Assigning the Contract
- VII. Safety: Accident Prevention
- VIII. False Statements Concerning Highway Projects
- IX. Implementation of Clean Air Act and Federal Water Pollution Control Act
- X. Compliance with Governmentwide Suspension and Debarment Requirements
- XI. Certification Regarding Use of Contract Funds for Lobbying

#### ATTACHMENTS

A. Employment and Materials Preference for Appalachian Development Highway System or Appalachian Local Access Road Contracts (included in Appalachian contracts only)

#### I. GENERAL

1. Form FHWA-1273 must be physically incorporated in each construction contract funded under Title 23 (excluding emergency contracts solely intended for debris removal). The contractor (or subcontractor) must insert this form in each subcontract and further require its inclusion in all lower tier subcontracts (excluding purchase orders, rental agreements and other agreements for supplies or services).

The applicable requirements of Form FHWA-1273 are incorporated by reference for work done under any purchase order, rental agreement or agreement for other services. The prime contractor shall be responsible for compliance by any subcontractor, lower-tier subcontractor or service provider.

Form FHWA-1273 must be included in all Federal-aid design-build contracts, in all subcontracts and in lower tier subcontracts (excluding subcontracts for design services, purchase orders, rental agreements and other agreements for supplies or services). The design-builder shall be responsible for compliance by any subcontractor, lower-tier subcontractor or service provider.

Contracting agencies may reference Form FHWA-1273 in bid proposal or request for proposal documents, however, the Form FHWA-1273 must be physically incorporated (not referenced) in all contracts, subcontracts and lower-tier subcontracts (excluding purchase orders, rental agreements and other agreements for supplies or services related to a construction contract).

2. Subject to the applicability criteria noted in the following sections, these contract provisions shall apply to all work performed on the contract by the contractor's own organization and with the assistance of workers under the contractor's immediate superintendence and to all work performed on the contract by piecework, station work, or by subcontract.

3. A breach of any of the stipulations contained in these Required Contract Provisions may be sufficient grounds for withholding of progress payments, withholding of final payment, termination of the contract, suspension / debarment or any other action determined to be appropriate by the contracting agency and FHWA.

4. Selection of Labor: During the performance of this contract, the contractor shall not use convict labor for any purpose within the limits of a construction project on a Federal-aid highway unless it is labor performed by convicts who are on parole, supervised release, or probation. The term Federal-aid highway does not include roadways functionally classified as local roads or rural minor collectors.

#### II. NONDISCRIMINATION

The provisions of this section related to 23 CFR Part 230 are applicable to all Federal-aid construction contracts and to all related construction subcontracts of \$10,000 or more. The provisions of 23 CFR Part 230 are not applicable to material supply, engineering, or architectural service contracts.

In addition, the contractor and all subcontractors must comply with the following policies: Executive Order 11246, 41 CFR 60, 29 CFR 1625-1627, Title 23 USC Section 140, the Rehabilitation Act of 1973, as amended (29 USC 794), Title VI of the Civil Rights Act of 1964, as amended, and related regulations including 49 CFR Parts 21, 26 and 27; and 23 CFR Parts 200, 230, and 633.

The contractor and all subcontractors must comply with: the requirements of the Equal Opportunity Clause in 41 CFR 60-1.4(b) and, for all construction contracts exceeding \$10,000, the Standard Federal Equal Employment Opportunity Construction Contract Specifications in 41 CFR 60-4.3.

Note: The U.S. Department of Labor has exclusive authority to determine compliance with Executive Order 11246 and the policies of the Secretary of Labor including 41 CFR 60, and 29 CFR 1625-1627. The contracting agency and the FHWA have the authority and the responsibility to ensure compliance with Title 23 USC Section 140, the Rehabilitation Act of 1973, as amended (29 USC 794), and Title VI of the Civil Rights Act of 1964, as amended, and related regulations including 49 CFR Parts 21, 26 and 27; and 23 CFR Parts 200, 230, and 633.

The following provision is adopted from 23 CFR 230, Appendix A, with appropriate revisions to conform to the U.S. Department of Labor (US DOL) and FHWA requirements.

**1. Equal Employment Opportunity:** Equal employment opportunity (EEO) requirements not to discriminate and to take affirmative action to assure equal opportunity as set forth under laws, executive orders, rules, regulations (28 CFR 35, 29 CFR 1630, 29 CFR 1625-1627, 41 CFR 60 and 49 CFR 27) and orders of the Secretary of Labor as modified by the provisions prescribed herein, and imposed pursuant to 23 U.S.C. 140 shall constitute the EEO and specific affirmative action standards for the contractor's project activities under



this contract. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) set forth under 28 CFR 35 and 29 CFR 1630 are incorporated by reference in this contract. In the execution of this contract, the contractor agrees to comply with the following minimum specific requirement activities of EEO:

a. The contractor will work with the contracting agency and the Federal Government to ensure that it has made every good faith effort to provide equal opportunity with respect to all of its terms and conditions of employment and in their review of activities under the contract.

b. The contractor will accept as its operating policy the following statement:

"It is the policy of this Company to assure that applicants are employed, and that employees are treated during employment, without regard to their race, religion, sex, color, national origin, age or disability. Such action shall include: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship, pre-apprenticeship, and/or on-the-job training."

2. **EEO Officer:** The contractor will designate and make known to the contracting officers an EEO Officer who will have the responsibility for and must be capable of effectively administering and promoting an active EEO program and who must be assigned adequate authority and responsibility to do so.

3. **Dissemination of Policy:** All members of the contractor's staff who are authorized to hire, supervise, promote, and discharge employees, or who recommend such action, or who are substantially involved in such action, will be made fully cognizant of, and will implement, the contractor's EEO policy and contractual responsibilities to provide EEO in each grade and classification of employment. To ensure that the above agreement will be met, the following actions will be taken as a minimum:

a. Periodic meetings of supervisory and personnel office employees will be conducted before the start of work and then not less often than once every six months, at which time the contractor's EEO policy and its implementation will be reviewed and explained. The meetings will be conducted by the EEO Officer.

b. All new supervisory or personnel office employees will be given a thorough indoctrination by the EEO Officer, covering all major aspects of the contractor's EEO obligations within thirty days following their reporting for duty with the contractor.

c. All personnel who are engaged in direct recruitment for the project will be instructed by the EEO Officer in the contractor's procedures for locating and hiring minorities and women.

d. Notices and posters setting forth the contractor's EEO policy will be placed in areas readily accessible to employees, applicants for employment and potential employees.

e. The contractor's EEO policy and the procedures to implement such policy will be brought to the attention of employees by means of meetings, employee handbooks, or other appropriate means.

4. **Recruitment:** When advertising for employees, the contractor will include in all advertisements for employees the notation: "An Equal Opportunity Employer." All such advertisements will be placed in publications having a large circulation among minorities and women in the area from which the project work force would normally be derived.

a. The contractor will, unless precluded by a valid bargaining agreement, conduct systematic and direct recruitment through public and private employee referral sources likely to yield qualified minorities and women. To meet this requirement, the contractor will identify sources of potential minority group employees, and establish with such identified sources procedures whereby minority and women applicants may be referred to the contractor for employment consideration.

b. In the event the contractor has a valid bargaining agreement providing for exclusive hiring hall referrals, the contractor is expected to observe the provisions of that agreement to the extent that the system meets the contractor's compliance with EEO contract provisions. Where implementation of such an agreement has the effect of discriminating against minorities or women, or obligates the contractor to do the same, such implementation violates Federal nondiscrimination provisions.

c. The contractor will encourage its present employees to refer minorities and women as applicants for employment. Information and procedures with regard to referring such applicants will be discussed with employees.

5. **Personnel Actions:** Wages, working conditions, and employee benefits shall be established and administered, and personnel actions of every type, including hiring, upgrading, promotion, transfer, demotion, layoff, and termination, shall be taken without regard to race, color, religion, sex, national origin, age or disability. The following procedures shall be followed:

a. The contractor will conduct periodic inspections of project sites to insure that working conditions and employee facilities do not indicate discriminatory treatment of project site personnel.

b. The contractor will periodically evaluate the spread of wages paid within each classification to determine any evidence of discriminatory wage practices.

c. The contractor will periodically review selected personnel actions in depth to determine whether there is evidence of discrimination. Where evidence is found, the contractor will promptly take corrective action. If the review indicates that the discrimination may extend beyond the actions reviewed, such corrective action shall include all affected persons.

d. The contractor will promptly investigate all complaints of alleged discrimination made to the contractor in connection with its obligations under this contract, will attempt to resolve such complaints, and will take appropriate corrective action within a reasonable time. If the investigation indicates that the discrimination may affect persons other than the complainant, such corrective action shall include such other persons. Upon completion of each investigation, the contractor will inform every complainant of all of their avenues of appeal.

6. **Training and Promotion:**

a. The contractor will assist in locating, qualifying, and increasing the skills of minorities and women who are

applicants for employment or current employees. Such efforts should be aimed at developing full journey level status employees in the type of trade or job classification involved.

b. Consistent with the contractor's work force requirements and as permissible under Federal and State regulations, the contractor shall make full use of training programs, i.e., apprenticeship, and on-the-job training programs for the geographical area of contract performance. In the event a special provision for training is provided under this contract, this subparagraph will be superseded as indicated in the special provision. The contracting agency may reserve training positions for persons who receive welfare assistance in accordance with 23 U.S.C. 140(a).

c. The contractor will advise employees and applicants for employment of available training programs and entrance requirements for each.

d. The contractor will periodically review the training and promotion potential of employees who are minorities and women and will encourage eligible employees to apply for such training and promotion.

**7. Unions:** If the contractor relies in whole or in part upon unions as a source of employees, the contractor will use good faith efforts to obtain the cooperation of such unions to increase opportunities for minorities and women. Actions by the contractor, either directly or through a contractor's association acting as agent, will include the procedures set forth below:

a. The contractor will use good faith efforts to develop, in cooperation with the unions, joint training programs aimed toward qualifying more minorities and women for membership in the unions and increasing the skills of minorities and women so that they may qualify for higher paying employment.

b. The contractor will use good faith efforts to incorporate an EEO clause into each union agreement to the end that such union will be contractually bound to refer applicants without regard to their race, color, religion, sex, national origin, age or disability.

c. The contractor is to obtain information as to the referral practices and policies of the labor union except that to the extent such information is within the exclusive possession of the labor union and such labor union refuses to furnish such information to the contractor, the contractor shall so certify to the contracting agency and shall set forth what efforts have been made to obtain such information.

d. In the event the union is unable to provide the contractor with a reasonable flow of referrals within the time limit set forth in the collective bargaining agreement, the contractor will, through independent recruitment efforts, fill the employment vacancies without regard to race, color, religion, sex, national origin, age or disability; making full efforts to obtain qualified and/or qualifiable minorities and women. The failure of a union to provide sufficient referrals (even though it is obligated to provide exclusive referrals under the terms of a collective bargaining agreement) does not relieve the contractor from the requirements of this paragraph. In the event the union referral practice prevents the contractor from meeting the obligations pursuant to Executive Order 11246, as amended, and these special provisions, such contractor shall immediately notify the contracting agency.

**8. Reasonable Accommodation for Applicants / Employees with Disabilities:** The contractor must be familiar

with the requirements for and comply with the Americans with Disabilities Act and all rules and regulations established there under. Employers must provide reasonable accommodation in all employment activities unless to do so would cause an undue hardship.

**9. Selection of Subcontractors, Procurement of Materials and Leasing of Equipment:** The contractor shall not discriminate on the grounds of race, color, religion, sex, national origin, age or disability in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The contractor shall take all necessary and reasonable steps to ensure nondiscrimination in the administration of this contract.

a. The contractor shall notify all potential subcontractors and suppliers and lessors of their EEO obligations under this contract.

b. The contractor will use good faith efforts to ensure subcontractor compliance with their EEO obligations.

**10. Assurance Required by 49 CFR 26.13(b):**

a. The requirements of 49 CFR Part 26 and the State DOT's U.S. DOT-approved DBE program are incorporated by reference.

b. The contractor or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the contracting agency deems appropriate.

**11. Records and Reports:** The contractor shall keep such records as necessary to document compliance with the EEO requirements. Such records shall be retained for a period of three years following the date of the final payment to the contractor for all contract work and shall be available at reasonable times and places for inspection by authorized representatives of the contracting agency and the FHWA.

a. The records kept by the contractor shall document the following:

(1) The number and work hours of minority and non-minority group members and women employed in each work classification on the project;

(2) The progress and efforts being made in cooperation with unions, when applicable, to increase employment opportunities for minorities and women; and

(3) The progress and efforts being made in locating, hiring, training, qualifying, and upgrading minorities and women;

b. The contractors and subcontractors will submit an annual report to the contracting agency each July for the duration of the project, indicating the number of minority, women, and non-minority group employees currently engaged in each work classification required by the contract work. This information is to be reported on [Form FHWA-1391](#). The staffing data should represent the project work force on board in all or any part of the last payroll period preceding the end of July. If on-the-job training is being required by special provision, the contractor

will be required to collect and report training data. The employment data should reflect the work force on board during all or any part of the last payroll period preceding the end of July.

### III. NONSEGREGATED FACILITIES

This provision is applicable to all Federal-aid construction contracts and to all related construction subcontracts of \$10,000 or more.

The contractor must ensure that facilities provided for employees are provided in such a manner that segregation on the basis of race, color, religion, sex, or national origin cannot result. The contractor may neither require such segregated use by written or oral policies nor tolerate such use by employee custom. The contractor's obligation extends further to ensure that its employees are not assigned to perform their services at any location, under the contractor's control, where the facilities are segregated. The term "facilities" includes waiting rooms, work areas, restaurants and other eating areas, time clocks, restrooms, washrooms, locker rooms, and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing provided for employees. The contractor shall provide separate or single-user restrooms and necessary dressing or sleeping areas to assure privacy between sexes.

### IV. DAVIS-BACON AND RELATED ACT PROVISIONS

This section is applicable to all Federal-aid construction projects exceeding \$2,000 and to all related subcontracts and lower-tier subcontracts (regardless of subcontract size). The requirements apply to all projects located within the right-of-way of a roadway that is functionally classified as Federal-aid highway. This excludes roadways functionally classified as local roads or rural minor collectors, which are exempt. Contracting agencies may elect to apply these requirements to other projects.

The following provisions are from the U.S. Department of Labor regulations in 29 CFR 5.5 "Contract provisions and related matters" with minor revisions to conform to the FHWA-1273 format and FHWA program requirements.

#### 1. Minimum wages

a. All laborers and mechanics employed or working upon the site of the work, will be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act (29 CFR part 3)), the full amount of wages and bona fide fringe benefits (or cash equivalents thereof) due at time of payment computed at rates not less than those contained in the wage determination of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics.

Contributions made or costs reasonably anticipated for bona fide fringe benefits under section 1(b)(2) of the Davis-Bacon Act on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions

of paragraph 1.d. of this section; also, regular contributions made or costs incurred for more than a weekly period (but not less often than quarterly) under plans, funds, or programs which cover the particular weekly period, are deemed to be constructively made or incurred during such weekly period. Such laborers and mechanics shall be paid the appropriate wage rate and fringe benefits on the wage determination for the classification of work actually performed, without regard to skill, except as provided in 29 CFR 5.5(a)(4). Laborers or mechanics performing work in more than one classification may be compensated at the rate specified for each classification for the time actually worked therein: Provided, That the employer's payroll records accurately set forth the time spent in each classification in which work is performed. The wage determination (including any additional classification and wage rates conformed under paragraph 1.b. of this section) and the Davis-Bacon poster (WH-1321) shall be posted at all times by the contractor and its subcontractors at the site of the work in a prominent and accessible place where it can be easily seen by the workers.

b.(1) The contracting officer shall require that any class of laborers or mechanics, including helpers, which is not listed in the wage determination and which is to be employed under the contract shall be classified in conformance with the wage determination. The contracting officer shall approve an additional classification and wage rate and fringe benefits therefore only when the following criteria have been met:

(i) The work to be performed by the classification requested is not performed by a classification in the wage determination; and

(ii) The classification is utilized in the area by the construction industry; and

(iii) The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination.

(2) If the contractor and the laborers and mechanics to be employed in the classification (if known), or their representatives, and the contracting officer agree on the classification and wage rate (including the amount designated for fringe benefits where appropriate), a report of the action taken shall be sent by the contracting officer to the Administrator of the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, Washington, DC 20210. The Administrator, or an authorized representative, will approve, modify, or disapprove every additional classification action within 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30-day period that additional time is necessary.

(3) In the event the contractor, the laborers or mechanics to be employed in the classification or their representatives, and the contracting officer do not agree on the proposed classification and wage rate (including the amount designated for fringe benefits, where appropriate), the contracting officer shall refer the questions, including the views of all interested parties and the recommendation of the contracting officer, to the Wage and Hour Administrator for determination. The Wage and Hour Administrator, or an authorized representative, will issue a determination within 30 days of receipt and so advise the contracting officer or

will notify the contracting officer within the 30-day period that additional time is necessary.

(4) The wage rate (including fringe benefits where appropriate) determined pursuant to paragraphs 1.b.(2) or 1.b.(3) of this section, shall be paid to all workers performing work in the classification under this contract from the first day on which work is performed in the classification.

c. Whenever the minimum wage rate prescribed in the contract for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly rate, the contractor shall either pay the benefit as stated in the wage determination or shall pay another bona fide fringe benefit or an hourly cash equivalent thereof.

d. If the contractor does not make payments to a trustee or other third person, the contractor may consider as part of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing bona fide fringe benefits under a plan or program. Provided, That the Secretary of Labor has found, upon the written request of the contractor, that the applicable standards of the Davis-Bacon Act have been met. The Secretary of Labor may require the contractor to set aside in a separate account assets for the meeting of obligations under the plan or program.

## 2. Withholding

The contracting agency shall upon its own action or upon written request of an authorized representative of the Department of Labor, withhold or cause to be withheld from the contractor under this contract, or any other Federal contract with the same prime contractor, or any other federally-assisted contract subject to Davis-Bacon prevailing wage requirements, which is held by the same prime contractor, so much of the accrued payments or advances as may be considered necessary to pay laborers and mechanics, including apprentices, trainees, and helpers, employed by the contractor or any subcontractor the full amount of wages required by the contract. In the event of failure to pay any laborer or mechanic, including any apprentice, trainee, or helper, employed or working on the site of the work, all or part of the wages required by the contract, the contracting agency may, after written notice to the contractor, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds until such violations have ceased.

## 3. Payrolls and basic records

a. Payrolls and basic records relating thereto shall be maintained by the contractor during the course of the work and preserved for a period of three years thereafter for all laborers and mechanics working at the site of the work. Such records shall contain the name, address, and social security number of each such worker, his or her correct classification, hourly rates of wages paid (including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof of the types described in section 1(b)(2)(B) of the Davis-Bacon Act), daily and weekly number of hours worked, deductions made and actual wages paid. Whenever the Secretary of Labor has found under 29 CFR 5.5(a)(1)(iv) that the wages of any laborer or mechanic include the amount of any costs reasonably anticipated in providing benefits under a plan or program described in section 1(b)(2)(B) of the Davis-

Bacon Act, the contractor shall maintain records which show that the commitment to provide such benefits is enforceable, that the plan or program is financially responsible, and that the plan or program has been communicated in writing to the laborers or mechanics affected, and records which show the costs anticipated or the actual cost incurred in providing such benefits. Contractors employing apprentices or trainees under approved programs shall maintain written evidence of the registration of apprenticeship programs and certification of trainee programs, the registration of the apprentices and trainees, and the ratios and wage rates prescribed in the applicable programs.

b.(1) The contractor shall submit weekly for each week in which any contract work is performed a copy of all payrolls to the contracting agency. The payrolls submitted shall set out accurately and completely all of the information required to be maintained under 29 CFR 5.5(a)(3)(i), except that full social security numbers and home addresses shall not be included on weekly transmittals. Instead the payrolls shall only need to include an individually identifying number for each employee ( e.g. , the last four digits of the employee's social security number). The required weekly payroll information may be submitted in any form desired. Optional Form WH-347 is available for this purpose from the Wage and Hour Division Web site at <http://www.dol.gov/esa/whd/forms/wh347instr.htm> or its successor site. The prime contractor is responsible for the submission of copies of payrolls by all subcontractors. Contractors and subcontractors shall maintain the full social security number and current address of each covered worker, and shall provide them upon request to the contracting agency for transmission to the State DOT, the FHWA or the Wage and Hour Division of the Department of Labor for purposes of an investigation or audit of compliance with prevailing wage requirements. It is not a violation of this section for a prime contractor to require a subcontractor to provide addresses and social security numbers to the prime contractor for its own records, without weekly submission to the contracting agency..

(2) Each payroll submitted shall be accompanied by a "Statement of Compliance," signed by the contractor or subcontractor or his or her agent who pays or supervises the payment of the persons employed under the contract and shall certify the following:

(i) That the payroll for the payroll period contains the information required to be provided under §5.5 (a)(3)(ii) of Regulations, 29 CFR part 5, the appropriate information is being maintained under §5.5 (a)(3)(i) of Regulations, 29 CFR part 5, and that such information is correct and complete;

(ii) That each laborer or mechanic (including each helper, apprentice, and trainee) employed on the contract during the payroll period has been paid the full weekly wages earned, without rebate, either directly or indirectly, and that no deductions have been made either directly or indirectly from the full wages earned, other than permissible deductions as set forth in Regulations, 29 CFR part 3;

(iii) That each laborer or mechanic has been paid not less than the applicable wage rates and fringe benefits or cash equivalents for the classification of work performed, as specified in the applicable wage determination incorporated into the contract.

(3) The weekly submission of a properly executed certification set forth on the reverse side of Optional Form WH-347 shall satisfy the requirement for submission of the "Statement of Compliance" required by paragraph 3.b.(2) of this section.

(4) The falsification of any of the above certifications may subject the contractor or subcontractor to civil or criminal prosecution under section 1001 of title 18 and section 231 of title 31 of the United States Code.

c. The contractor or subcontractor shall make the records required under paragraph 3.a. of this section available for inspection, copying, or transcription by authorized representatives of the contracting agency, the State DOT, the FHWA, or the Department of Labor, and shall permit such representatives to interview employees during working hours on the job. If the contractor or subcontractor fails to submit the required records or to make them available, the FHWA may, after written notice to the contractor, the contracting agency or the State DOT, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds. Furthermore, failure to submit the required records upon request or to make such records available may be grounds for debarment action pursuant to 29 CFR 5.12.

#### 4. Apprentices and trainees

##### a. Apprentices (programs of the USDOL).

Apprentices will be permitted to work at less than the predetermined rate for the work they performed when they are employed pursuant to and individually registered in a bona fide apprenticeship program registered with the U.S. Department of Labor, Employment and Training Administration, Office of Apprenticeship Training, Employer and Labor Services, or with a State Apprenticeship Agency recognized by the Office, or if a person is employed in his or her first 90 days of probationary employment as an apprentice in such an apprenticeship program, who is not individually registered in the program, but who has been certified by the Office of Apprenticeship Training, Employer and Labor Services or a State Apprenticeship Agency (where appropriate) to be eligible for probationary employment as an apprentice.

The allowable ratio of apprentices to journeymen on the job site in any craft classification shall not be greater than the ratio permitted to the contractor as to the entire work force under the registered program. Any worker listed on a payroll at an apprentice wage rate, who is not registered or otherwise employed as stated above, shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any apprentice performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. Where a contractor is performing construction on a project in a locality other than that in which its program is registered, the ratios and wage rates (expressed in percentages of the journeyman's hourly rate) specified in the contractor's or subcontractor's registered program shall be observed.

Every apprentice must be paid at not less than the rate specified in the registered program for the apprentice's level of progress, expressed as a percentage of the journeymen hourly

rate specified in the applicable wage determination. Apprentices shall be paid fringe benefits in accordance with the provisions of the apprenticeship program. If the apprenticeship program does not specify fringe benefits, apprentices must be paid the full amount of fringe benefits listed on the wage determination for the applicable classification. If the Administrator determines that a different practice prevails for the applicable apprentice classification, fringes shall be paid in accordance with that determination.

In the event the Office of Apprenticeship Training, Employer and Labor Services, or a State Apprenticeship Agency recognized by the Office, withdraws approval of an apprenticeship program, the contractor will no longer be permitted to utilize apprentices at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

##### b. Trainees (programs of the USDOL).

Except as provided in 29 CFR 5.16, trainees will not be permitted to work at less than the predetermined rate for the work performed unless they are employed pursuant to and individually registered in a program which has received prior approval, evidenced by formal certification by the U.S. Department of Labor, Employment and Training Administration.

The ratio of trainees to journeymen on the job site shall not be greater than permitted under the plan approved by the Employment and Training Administration.

Every trainee must be paid at not less than the rate specified in the approved program for the trainee's level of progress, expressed as a percentage of the journeyman hourly rate specified in the applicable wage determination. Trainees shall be paid fringe benefits in accordance with the provisions of the trainee program. If the trainee program does not mention fringe benefits, trainees shall be paid the full amount of fringe benefits listed on the wage determination unless the Administrator of the Wage and Hour Division determines that there is an apprenticeship program associated with the corresponding journeyman wage rate on the wage determination which provides for less than full fringe benefits for apprentices. Any employee listed on the payroll at a trainee rate who is not registered and participating in a training plan approved by the Employment and Training Administration shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any trainee performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed.

In the event the Employment and Training Administration withdraws approval of a training program, the contractor will no longer be permitted to utilize trainees at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

c. Equal employment opportunity. The utilization of apprentices, trainees and journeymen under this part shall be in conformity with the equal employment opportunity requirements of Executive Order 11246, as amended, and 29 CFR part 30.

d. Apprentices and Trainees (programs of the U.S. DOT).

Apprentices and trainees working under apprenticeship and skill training programs which have been certified by the Secretary of Transportation as promoting EEO in connection with Federal-aid highway construction programs are not subject to the requirements of paragraph 4 of this Section IV. The straight time hourly wage rates for apprentices and trainees under such programs will be established by the particular programs. The ratio of apprentices and trainees to journeymen shall not be greater than permitted by the terms of the particular program.

**5. Compliance with Copeland Act requirements.** The contractor shall comply with the requirements of 29 CFR part 3, which are incorporated by reference in this contract.

**6. Subcontracts.** The contractor or subcontractor shall insert Form FHWA-1273 in any subcontracts and also require the subcontractors to include Form FHWA-1273 in any lower tier subcontracts. The prime contractor shall be responsible for the compliance by any subcontractor or lower tier subcontractor with all the contract clauses in 29 CFR 5.5.

**7. Contract termination: debarment.** A breach of the contract clauses in 29 CFR 5.5 may be grounds for termination of the contract, and for debarment as a contractor and a subcontractor as provided in 29 CFR 5.12.

**8. Compliance with Davis-Bacon and Related Act requirements.** All rulings and interpretations of the Davis-Bacon and Related Acts contained in 29 CFR parts 1, 3, and 5 are herein incorporated by reference in this contract.

**9. Disputes concerning labor standards.** Disputes arising out of the labor standards provisions of this contract shall not be subject to the general disputes clause of this contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR parts 5, 6, and 7. Disputes within the meaning of this clause include disputes between the contractor (or any of its subcontractors) and the contracting agency, the U.S. Department of Labor, or the employees or their representatives.

**10. Certification of eligibility.**

a. By entering into this contract, the contractor certifies that neither it (nor he or she) nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).

b. No part of this contract shall be subcontracted to any person or firm ineligible for award of a Government contract by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).

c. The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C. 1001.

**V. CONTRACT WORK HOURS AND SAFETY STANDARDS ACT**

The following clauses apply to any Federal-aid construction contract in an amount in excess of \$100,000 and subject to the overtime provisions of the Contract Work Hours and Safety Standards Act. These clauses shall be inserted in addition to the clauses required by 29 CFR 5.5(a) or 29 CFR 4.6. As used in this paragraph, the terms laborers and mechanics include watchmen and guards.

**1. Overtime requirements.** No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which he or she is employed on such work to work in excess of forty hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of forty hours in such workweek.

**2. Violation; liability for unpaid wages; liquidated damages.** In the event of any violation of the clause set forth in paragraph (1.) of this section, the contractor and any subcontractor responsible therefor shall be liable for the unpaid wages. In addition, such contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic, including watchmen and guards, employed in violation of the clause set forth in paragraph (1.) of this section, in the sum of \$10 for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of forty hours without payment of the overtime wages required by the clause set forth in paragraph (1.) of this section.

**3. Withholding for unpaid wages and liquidated damages.** The FHWA or the contacting agency shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld, from any moneys payable on account of work performed by the contractor or subcontractor under any such contract or any other Federal contract with the same prime contractor, or any other federally-assisted contract subject to the Contract Work Hours and Safety Standards Act, which is held by the same prime contractor, such sums as may be determined to be necessary to satisfy any liabilities of such contractor or subcontractor for unpaid wages and liquidated damages as provided in the clause set forth in paragraph (2.) of this section.

**4. Subcontracts.** The contractor or subcontractor shall insert in any subcontracts the clauses set forth in paragraph (1.) through (4.) of this section and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in paragraphs (1.) through (4.) of this section.

## VI. SUBLETTING OR ASSIGNING THE CONTRACT

This provision is applicable to all Federal-aid construction contracts on the National Highway System.

1. The contractor shall perform with its own organization contract work amounting to not less than 30 percent (or a greater percentage if specified elsewhere in the contract) of the total original contract price, excluding any specialty items designated by the contracting agency. Specialty items may be performed by subcontract and the amount of any such specialty items performed may be deducted from the total original contract price before computing the amount of work required to be performed by the contractor's own organization (23 CFR 635.116).

a. The term "perform work with its own organization" refers to workers employed or leased by the prime contractor, and equipment owned or rented by the prime contractor, with or without operators. Such term does not include employees or equipment of a subcontractor or lower tier subcontractor, agents of the prime contractor, or any other assignees. The term may include payments for the costs of hiring leased employees from an employee leasing firm meeting all relevant Federal and State regulatory requirements. Leased employees may only be included in this term if the prime contractor meets all of the following conditions:

(1) the prime contractor maintains control over the supervision of the day-to-day activities of the leased employees;

(2) the prime contractor remains responsible for the quality of the work of the leased employees;

(3) the prime contractor retains all power to accept or exclude individual employees from work on the project; and

(4) the prime contractor remains ultimately responsible for the payment of predetermined minimum wages, the submission of payrolls, statements of compliance and all other Federal regulatory requirements.

b. "Specialty Items" shall be construed to be limited to work that requires highly specialized knowledge, abilities, or equipment not ordinarily available in the type of contracting organizations qualified and expected to bid or propose on the contract as a whole and in general are to be limited to minor components of the overall contract.

2. The contract amount upon which the requirements set forth in paragraph (1) of Section VI is computed includes the cost of material and manufactured products which are to be purchased or produced by the contractor under the contract provisions.

3. The contractor shall furnish (a) a competent superintendent or supervisor who is employed by the firm, has full authority to direct performance of the work in accordance with the contract requirements, and is in charge of all construction operations (regardless of who performs the work) and (b) such other of its own organizational resources (supervision, management, and engineering services) as the contracting officer determines is necessary to assure the performance of the contract.

4. No portion of the contract shall be sublet, assigned or otherwise disposed of except with the written consent of the contracting officer, or authorized representative, and such consent when given shall not be construed to relieve the contractor of any responsibility for the fulfillment of the contract. Written consent will be given only after the contracting agency has assured that each subcontract is

evidenced in writing and that it contains all pertinent provisions and requirements of the prime contract.

5. The 30% self-performance requirement of paragraph (1) is not applicable to design-build contracts; however, contracting agencies may establish their own self-performance requirements.

## VII. SAFETY: ACCIDENT PREVENTION

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

1. In the performance of this contract the contractor shall comply with all applicable Federal, State, and local laws governing safety, health, and sanitation (23 CFR 635). The contractor shall provide all safeguards, safety devices and protective equipment and take any other needed actions as it determines, or as the contracting officer may determine, to be reasonably necessary to protect the life and health of employees on the job and the safety of the public and to protect property in connection with the performance of the work covered by the contract.

2. It is a condition of this contract, and shall be made a condition of each subcontract, which the contractor enters into pursuant to this contract, that the contractor and any subcontractor shall not permit any employee, in performance of the contract, to work in surroundings or under conditions which are unsanitary, hazardous or dangerous to his/her health or safety, as determined under construction safety and health standards (29 CFR 1926) promulgated by the Secretary of Labor, in accordance with Section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 3704).

3. Pursuant to 29 CFR 1926.3, it is a condition of this contract that the Secretary of Labor or authorized representative thereof, shall have right of entry to any site of contract performance to inspect or investigate the matter of compliance with the construction safety and health standards and to carry out the duties of the Secretary under Section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C.3704).

## VIII. FALSE STATEMENTS CONCERNING HIGHWAY PROJECTS

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

In order to assure high quality and durable construction in conformity with approved plans and specifications and a high degree of reliability on statements and representations made by engineers, contractors, suppliers, and workers on Federal-aid highway projects, it is essential that all persons concerned with the project perform their functions as carefully, thoroughly, and honestly as possible. Willful falsification, distortion, or misrepresentation with respect to any facts related to the project is a violation of Federal law. To prevent any misunderstanding regarding the seriousness of these and similar acts, Form FHWA-1022 shall be posted on each Federal-aid highway project (23 CFR 635) in one or more places where it is readily available to all persons concerned with the project:

18 U.S.C. 1020 reads as follows:

"Whoever, being an officer, agent, or employee of the United States, or of any State or Territory, or whoever, whether a person, association, firm, or corporation, knowingly makes any false statement, false representation, or false report as to the character, quality, quantity, or cost of the material used or to be used, or the quantity or quality of the work performed or to be performed, or the cost thereof in connection with the submission of plans, maps, specifications, contracts, or costs of construction on any highway or related project submitted for approval to the Secretary of Transportation; or

Whoever knowingly makes any false statement, false representation, false report or false claim with respect to the character, quality, quantity, or cost of any work performed or to be performed, or materials furnished or to be furnished, in connection with the construction of any highway or related project approved by the Secretary of Transportation; or

Whoever knowingly makes any false statement or false representation as to material fact in any statement, certificate, or report submitted pursuant to provisions of the Federal-aid Roads Act approved July 1, 1916, (39 Stat. 355), as amended and supplemented;

Shall be fined under this title or imprisoned not more than 5 years or both."

#### **IX. IMPLEMENTATION OF CLEAN AIR ACT AND FEDERAL WATER POLLUTION CONTROL ACT**

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

By submission of this bid/proposal or the execution of this contract, or subcontract, as appropriate, the bidder, proposer, Federal-aid construction contractor, or subcontractor, as appropriate, will be deemed to have stipulated as follows:

1. That any person who is or will be utilized in the performance of this contract is not prohibited from receiving an award due to a violation of Section 508 of the Clean Water Act or Section 306 of the Clean Air Act.

2. That the contractor agrees to include or cause to be included the requirements of paragraph (1) of this Section X in every subcontract, and further agrees to take such action as the contracting agency may direct as a means of enforcing such requirements.

#### **X. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION**

This provision is applicable to all Federal-aid construction contracts, design-build contracts, subcontracts, lower-tier subcontracts, purchase orders, lease agreements, consultant contracts or any other covered transaction requiring FHWA approval or that is estimated to cost \$25,000 or more -- as defined in 2 CFR Parts 180 and 1200.

##### **1. Instructions for Certification – First Tier Participants:**

a. By signing and submitting this proposal, the prospective first tier participant is providing the certification set out below.

b. The inability of a person to provide the certification set out below will not necessarily result in denial of participation in this

covered transaction. The prospective first tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective first tier participant to furnish a certification or an explanation shall disqualify such a person from participation in this transaction.

c. The certification in this clause is a material representation of fact upon which reliance was placed when the contracting agency determined to enter into this transaction. If it is later determined that the prospective participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the contracting agency may terminate this transaction for cause of default.

d. The prospective first tier participant shall provide immediate written notice to the contracting agency to whom this proposal is submitted if any time the prospective first tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

e. The terms "covered transaction," "debarred," "suspended," "ineligible," "participant," "person," "principal," and "voluntarily excluded," as used in this clause, are defined in 2 CFR Parts 180 and 1200. "First Tier Covered Transactions" refers to any covered transaction between a grantee or subgrantee of Federal funds and a participant (such as the prime or general contract). "Lower Tier Covered Transactions" refers to any covered transaction under a First Tier Covered Transaction (such as subcontracts). "First Tier Participant" refers to the participant who has entered into a covered transaction with a grantee or subgrantee of Federal funds (such as the prime or general contractor). "Lower Tier Participant" refers any participant who has entered into a covered transaction with a First Tier Participant or other Lower Tier Participants (such as subcontractors and suppliers).

f. The prospective first tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

g. The prospective first tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions," provided by the department or contracting agency, entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions exceeding the \$25,000 threshold.

h. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any lower tier prospective participants, each participant may, but is not required to, check the Excluded Parties List System website (<https://www.epls.gov/>), which is compiled by the General Services Administration.



i. Nothing contained in the foregoing shall be construed to require the establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of the prospective participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

j. Except for transactions authorized under paragraph (f) of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

\* \* \* \* \*

## 2. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – First Tier Participants:

a. The prospective first tier participant certifies to the best of its knowledge and belief, that it and its principals:

(1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;

(2) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (a)(2) of this certification; and

(4) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

b. Where the prospective participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

## 2. Instructions for Certification - Lower Tier Participants:

(Applicable to all subcontracts, purchase orders and other lower tier transactions requiring prior FHWA approval or estimated to cost \$25,000 or more - 2 CFR Parts 180 and 1200)

a. By signing and submitting this proposal, the prospective lower tier is providing the certification set out below.

b. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department, or agency with which

this transaction originated may pursue available remedies, including suspension and/or debarment.

c. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous by reason of changed circumstances.

d. The terms "covered transaction," "debarred," "suspended," "ineligible," "participant," "person," "principal," and "voluntarily excluded," as used in this clause, are defined in 2 CFR Parts 180 and 1200. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations. "First Tier Covered Transactions" refers to any covered transaction between a grantee or subgrantee of Federal funds and a participant (such as the prime or general contract). "Lower Tier Covered Transactions" refers to any covered transaction under a First Tier Covered Transaction (such as subcontracts). "First Tier Participant" refers to the participant who has entered into a covered transaction with a grantee or subgrantee of Federal funds (such as the prime or general contractor). "Lower Tier Participant" refers any participant who has entered into a covered transaction with a First Tier Participant or other Lower Tier Participants (such as subcontractors and suppliers).

e. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

f. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions exceeding the \$25,000 threshold.

g. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any lower tier prospective participants, each participant may, but is not required to, check the Excluded Parties List System website (<https://www.epls.gov/>), which is compiled by the General Services Administration.

h. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

i. Except for transactions authorized under paragraph e of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the

department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

\* \* \* \* \*

**Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Participants:**

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

\* \* \* \* \*

**XI. CERTIFICATION REGARDING USE OF CONTRACT FUNDS FOR LOBBYING**

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts which exceed \$100,000 (49 CFR 20).

1. The prospective participant certifies, by signing and submitting this bid or proposal, to the best of his or her knowledge and belief, that:

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

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

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

3. The prospective participant also agrees by submitting its bid or proposal that the participant shall require that the language of this certification be included in all lower tier subcontracts, which exceed \$100,000 and that all such recipients shall certify and disclose accordingly.

**ATTACHMENT A - EMPLOYMENT AND MATERIALS  
PREFERENCE FOR APPALACHIAN DEVELOPMENT  
HIGHWAY SYSTEM OR APPALACHIAN LOCAL ACCESS  
ROAD CONTRACTS**

This provision is applicable to all Federal-aid projects funded under the Appalachian Regional Development Act of 1965.

1. During the performance of this contract, the contractor undertaking to do work which is, or reasonably may be, done as on-site work, shall give preference to qualified persons who regularly reside in the labor area as designated by the DOL wherein the contract work is situated, or the subregion, or the Appalachian counties of the State wherein the contract work is situated, except:

a. To the extent that qualified persons regularly residing in the area are not available.

b. For the reasonable needs of the contractor to employ supervisory or specially experienced personnel necessary to assure an efficient execution of the contract work.

c. For the obligation of the contractor to offer employment to present or former employees as the result of a lawful collective bargaining contract, provided that the number of nonresident persons employed under this subparagraph (1c) shall not exceed 20 percent of the total number of employees employed by the contractor on the contract work, except as provided in subparagraph (4) below.

2. The contractor shall place a job order with the State Employment Service indicating (a) the classifications of the laborers, mechanics and other employees required to perform the contract work, (b) the number of employees required in each classification, (c) the date on which the participant estimates such employees will be required, and (d) any other pertinent information required by the State Employment Service to complete the job order form. The job order may be placed with the State Employment Service in writing or by telephone. If during the course of the contract work, the information submitted by the contractor in the original job order is substantially modified, the participant shall promptly notify the State Employment Service.

3. The contractor shall give full consideration to all qualified job applicants referred to him by the State Employment Service. The contractor is not required to grant employment to any job applicants who, in his opinion, are not qualified to perform the classification of work required.

4. If, within one week following the placing of a job order by the contractor with the State Employment Service, the State Employment Service is unable to refer any qualified job applicants to the contractor, or less than the number requested, the State Employment Service will forward a certificate to the contractor indicating the unavailability of applicants. Such certificate shall be made a part of the contractor's permanent project records. Upon receipt of this certificate, the contractor may employ persons who do not normally reside in the labor area to fill positions covered by the certificate, notwithstanding the provisions of subparagraph (1c) above.

5. The provisions of 23 CFR 633.207(e) allow the contracting agency to provide a contractual preference for the use of mineral resource materials native to the Appalachian region.

6. The contractor shall include the provisions of Sections 1 through 4 of this Attachment A in every subcontract for work which is, or reasonably may be, done as on-site work.

CFDA Number: 20./205  
CFDA Title: Highway Planning and Construction  
Award name/number: STP-5402(620)  
Award Year: 2023  
Federal Agency: Federal Highway Administration, Department of Transportation

CITY OF UNIVERSITY CITY

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

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

An Ordinance to authorize the City Manager to execute a contract between the City of University City and the Missouri Highway and Transportation Commission providing for the *Pershing Ave. Improvement Project*.

Be it ordained by the City Council of University City as follows:

Section 1. That the City Manager is hereby authorized to execute on behalf of the City of University City a contract with the Missouri Highway and Transportation Commission providing for the *Pershing Ave. Improvement Project*.

Section 2. That all ordinances or parts of ordinances therefore enacted which are in conflict herewith are hereby repealed.

Section 3. This ordinance shall be in full force and effect from and after the date of its passage and approval. Read three times, passed and approved on the day of \_\_\_\_\_, 20 \_\_\_\_\_.

APPROVED AS TO FORM

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

\_\_\_\_\_  
Mayor

Attest:

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



**CITY OF UNIVERSITY CITY COUNCIL MEETING  
AGENDA ITEM**

<b>NUMBER:</b> <i>For City Clerk Use</i>	<b>UB20220711-02</b>
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<b>SUBJECT/TITLE:</b> An Ordinance Authorizing Amendments to the Employment Agreement Between the City and City Manager Gregory Rose.			
<b>REQUESTED BY:</b>		<b>DEPARTMENT / WARD</b> Legislation	
<b>AGENDA SECTION:</b>	Unfinished Business - Bill 9471	<b>CAN ITEM BE RESCHEDULED?</b>	yes
<b>CITY MANAGER'S RECOMMENDATION OR RECOMMENDED MOTION:</b> The City Manager recommends approval.			
<b>FISCAL IMPACT:</b>			
<b>AMOUNT:</b>		<b>ACCOUNT No.:</b>	
<b>FROM FUND:</b>		<b>TO FUND:</b>	
<b>EXPLANATION:</b>			

**STAFF COMMENTS AND BACKGROUND INFORMATION:**  
 This Bill authorizes certain amendments to the Employment Agreement between the City and City Manager Gregory Rose. Specifically, it provides for an additional week of annual vacation leave, and authorizes the City to sell to the City Manager at the fair market value a City vehicle used by him upon any termination of his employment without cause or by voluntary resignation. Lastly, because the City Manager's annual base salary currently is above the \$170,000 established when he was hired, the compensation section has been amended to reflect that.

<b>CIP No.</b>	
<b>RELATED ITEMS / ATTACHMENTS:</b> Bill 9471 Employment Agreement First Amended Employment Agreement	

<b>LIST CITY COUNCIL GOALS (5):</b>	
<b>RESPECTFULLY SUBMITTED:</b>	City Manager, Gregory Rose
<b>MEETING DATE:</b>	July 11, 2022



INTRODUCED BY:

DATE: June 27, 2022

**BILL NO. 9471**

**ORDINANCE NO.**

**AN ORDINANCE AUTHORIZING AMENDMENTS TO THE EMPLOYMENT AGREEMENT BETWEEN THE CITY AND CITY MANAGER GREGORY ROSE.**

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

**Section 1.** The Employment Agreement between the City and City Manager Gregory Rose, approved by Ordinance No. 7070 and effective December 28, 2017, as amended by the First Amended Employment Agreement approved by Ordinance No. 7119 and effective January 13, 2020, is hereby further amended as provided in the Second Amended Employment Agreement, which is attached and incorporated by reference.

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

PASSED THIS 11TH DAY OF JULY 2022.

\_\_\_\_\_  
MAYOR

ATTEST:

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

CERTIFIED TO BE CORRECT AS TO FORM:

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

SECOND AMENDED EMPLOYMENT AGREEMENT

This Second Amended Employment Agreement is made and entered into this 11th day of July, 2022, by and between the City of University City, Missouri, a municipal corporation (hereafter called the "Employer" or the "City"), and Gregory Rose (hereinafter called "Gregory Rose," "you" or "your"), an individual who has education, training and experience in local government management and who, as a member of the ICMA, is subject to the ICMA Code of Ethics..

RECITALS:

A. The City and Gregory Rose entered into an Employment Agreement approved by Ordinance No. 7070 and effective December 28, 2017, as amended by the First Amended Employment Agreement approved by Ordinance No. 7119 and effective January 13, 2020 (collectively, the "Employment Agreement").

B. The City and Gregory Rose now desire to make certain further amendments to the Employment Agreement.

**NOW, THEREFORE**, in consideration of the mutual covenants contained herein, the City and Gregory Rose agree as follows:

1. Section 3.A is hereby amended to read as follows: The Employer agrees to pay you an annual base salary of at least one hundred seventy thousand dollars (\$170,000) payable in installments at the same time that other City employees are paid
2. Section 5.B of the Employment Agreement is amended to read as follows: As of July 1, 2018, vacation and sick leave shall accrue based on the employment practices for other City employees except that vacation leave shall accrue at an annual rate of five weeks (25 days) effective July 1, 2022.
3. Section 13.B of the Employment Agreement is amended to read as follows: You are entitled to an insured and maintained City vehicle to use in the performance of your duties as City Manager, or at your election a vehicle allowance of three hundred fifty dollars (\$350) per month. Upon the termination of your employment without cause or your voluntary resignation, you may purchase the vehicle at the fair market value reasonably determined by the City. You are also entitled to a smart phone for City business and de minimis personal use.
4. All other terms and conditions of the Employment Agreement shall remain in full force and effect.

City of University City, Missouri

By: \_\_\_\_\_  
Gregory Rose

By: \_\_\_\_\_  
Mayor Terry Crow  
For the City and the Council

Date of Execution: \_\_\_\_\_

Date of Execution: \_\_\_\_\_



## EMPLOYMENT AGREEMENT

This Agreement is made and entered into on the 13<sup>th</sup> day of November, 2017, by and between the City of University City, Missouri, a municipal corporation (hereafter called the "Employer" or the "City"), and Gregory Rose (hereinafter called "you" or "your"), an individual who has education, training and experience in local government management and who, as a member of ICMA, is subject to the ICMA Code of Ethics.

### **SECTION 1:           Term**

This Agreement shall remain in full force and effect until terminated by the Employer or you as provided in Section 7, 8, or 9 of this Agreement.

### **SECTION 2:           Duties and Authority**

A.     The Employer agrees to employ you as the City Manager to perform the duties prescribed by the City Charter and ordinances and to perform such other duties as the City Council may require of you.

B.     As the City Manager you agree to faithfully perform your duties in compliance with the City Charter and ordinances, state and federal law, and all applicable Employer directives, policies and rules, as they exist or may hereafter be amended.

### **SECTION 3:           Compensation**

A.     Base Salary: The Employer agrees to pay you an annual base salary of one hundred seventy thousand dollars (\$170,000.00) payable in installments at the same time that other City employees are paid.

B.     Your annual base salary shall be increased to reflect any future cost-of-living adjustments generally provided to other City employees.

**SECTION 4: Health, Disability and Life Insurance Benefits**

The Employer shall provide health, disability, and life insurance for you consistent with other City employees. Employee will be able to purchase additional life insurance through the City's provider at his expense to extent such insurance is available to purchase.

**SECTION 5: Vacation and Sick Leave**

A. Upon commencing employment, you shall be credited with four weeks (20 days) of vacation and two weeks (10 days) of sick leave.

B. As of July 1, 2018, vacation and sick leave will be accrued based on the employment practices for other City employees with the exception of the vacation leave allocation, which shall remain at four weeks (20 days) until the number of years of service exceeds the distribution of four weeks of vacation.

**SECTION 6: Retirement**

A. Upon commencing employment, the Employer agrees to enroll you into the applicable state or local retirement system. You shall pay into the appropriate retirement system at the same rate as other City employees, and the City will make all the appropriate contributions as necessary.

B. For each month during the term of this Agreement, the Employer shall contribute to an ICMA RC 457 retirement plan for your benefit an amount equal to six percent (6%) of your base salary.

**SECTION 7: Termination**

A. For the purposes of this Agreement, termination shall occur if and when the majority of the City Council votes to terminate you at a duly authorized meeting. Your employment may be terminated with or without cause.

B. Termination with cause shall include termination due to: (1) gross negligence in the performance of your duties; (2) insubordination by you; (3) a material breach of this Agreement, (4) failure to maintain your membership with the ICMA or a breach of the ICMA Code of Ethics; (5) your conviction or adjudication of guilty of, or pleading guilty or no contest to, a felony, or a misdemeanor involving dishonesty or moral turpitude; (6) malfeasance in office, bribery or other corrupt practice; or (7) serious misconduct.

C. Termination without cause shall mean termination for any reason other than termination with cause or resignation by you.

D. If the Employer, citizens, or legislature acts to amend any provisions of the City Charter pertaining to the role, powers, duties, authority, or responsibilities of your position and thereby substantially changes the form of government, you shall have the right to declare that such amendments constitute termination without cause.

**Section 8: Severance**

A. Severance compensation shall be paid to you when your employment is terminated without cause as defined in Section 7.

B. If you are terminated without cause during the first twenty-four months of employment, the Employer shall provide a severance payment equal to two years salary at the current rate of pay.

C. If you are terminated without cause after the first twenty-four months through the forty-eighth month of employment, the Employer shall provide a severance payment equal to nine months salary at the current rate of pay.

D. If you are terminated without cause after the forty-eighth month of employment, the Employer shall provide a severance payment equal to six months salary at the current rate of

pay.

E. If you resign your employment with the City or are terminated with cause, you will not be entitled to any severance or continued payment of health insurance premiums.

F. If you are terminated without cause, the Employer will pay your COBRA payments for the first six months following termination, which will include any dependents.

G. Severance shall be paid into the established ICMA RC 457 plan to the extent allowable by law; the remainder shall be paid in a lump sum within thirty days, unless otherwise agreed to by the Employer and you.

H. The Employer agrees to appropriate sufficient funds to pay its financial obligations to you pursuant to the terms of Paragraphs 3, 4, 6, and 8 of this Agreement.

#### **Section 9: Resignation**

In the event that you voluntarily resign your position with the Employer, you shall provide a minimum of sixty days' notice unless the parties agree otherwise. If you voluntarily resign your position with the Employer, you will not be entitled to severance.

#### **Section 10: Performance Evaluation**

A. It shall be a goal of the Employer to annually review your performance using a process, form, criteria, and format for the evaluation which shall be mutually agreed upon by you and the Employer. In the event the parties do not mutually agree, then the Employer shall determine the process, form, criteria, and format for the evaluation.

B. This process shall generally include the opportunity for both parties to prepare a written evaluation, meet and discuss the evaluation, and present a written summary of the evaluation results.

C. The final, written evaluation shall generally be completed and delivered to you

approximately thirty days following the evaluation meeting.

D. In the Employer's discretion your performance may be reviewed upon your request or otherwise at anytime.

**SECTION 11: Hours of Work**

It is recognized that you must devote a great deal of time beyond normal office hours on behalf of the Employer. To that end, you shall be allowed to establish an appropriate work schedule. Whenever you travel, you shall announce your travel plans to the City Council within a reasonable time in advance of travel.

**SECTION 12: Moving and Relocation Expenses**

A. You shall establish a residence within the corporate boundaries of University City and thereafter maintain your residence within the corporate boundaries of University City during your tenure of office.

B. The Employer shall reimburse you for your moving and relocation expenses in an amount not to exceed eighteen thousand dollars (\$18,000), to cover temporary housing, not more than two trips to University City for you and your spouse to secure permanent housing, and moving your household furnishings and personal property to University City.

C. If you resign your position with the Employer within eighteen months of the effective date of this Agreement, you shall repay Employer the reimbursed moving and relocation expenses on a pro rata basis commensurate with the percentage of the eighteen-month period you have completed.

**SECTION 13: Other Terms and Conditions of Employment**

A. Except as otherwise provided in this Agreement, you shall be entitled to the benefits enjoyed by other City employees as provided in the City Charter, ordinances, personnel

rules, and administrative regulations, or by practice.

B. You are entitled to an insured and maintained City vehicle to use in the performance of your duties as City Manager, or at your election a vehicle allowance of three hundred fifty dollars (\$350) per month. You are also entitled to a wireless smart phone for City business and de minimis personal use.

C. The Employer shall reimburse you for your professional development expenses to attend two MCMA conferences and one ICMA conference annually. The Employer shall reimburse you to attend other conferences, short courses and seminars as allowed by the City's budget.

D. You may participate in outside teaching and consulting services with prior approval of the City Council.

E. The Employer shall defend, save harmless and indemnify you against any tort, professional liability claim, demand, or other legal action, whether groundless or otherwise, brought against you in your individual or official capacity as an employee of the Employer and arising out of an alleged act or omission occurring in the performance of your duties as City Manager; except that Employer will not indemnify you for any intentional, reckless or grossly negligent conduct or any criminal conduct.

F. The Employer shall reimburse you for the actual cost of those incidental expenses necessarily incurred by you while in attendance at local meetings or seminars related to your employment with the City.

**SECTION 14: Notices**

Any notice to the Employer shall be given to the Mayor and all other members of the City Council. Any notice to you shall be given to you or your designated representative. You may designate an address for mail.


**SECTION 15: General Provisions**

A. This Agreement sets forth and establishes the entire understanding between you and the Employer relating to your employment by the Employer. The parties, by mutual written Agreement, may amend any provision of this Agreement during the life of the Agreement. Such amendments shall be incorporated and made a part of this Agreement.

B. This Agreement shall be binding on the Employer and you as well as your heirs, assigns, executors, personal representatives and successors in interest.

C. This Agreement shall become effective on December 28, 2017.

By:   
Gregory Rose

City of University City, Missouri  
By:   
Mayor Shelley Welsch  
For the City and the Council

Date of Execution: 11/6/2017

Date of Execution: 11-13-2017





## FIRST AMENDED EMPLOYMENT AGREEMENT

This First Amended Employment Agreement is made and entered into this 13th day of January, 2020, by and between the City of University City, Missouri, a municipal corporation (hereafter called the "Employer" or the "City"), and Gregory Rose (hereinafter called "Gregory Rose," "you" or "your"), an individual who has education, training and experience in local government management and who, as a member of the ICMA, is subject to the ICMA Code of Ethics.

### RECITALS:

A. The City and Gregory Rose entered into an Employment Agreement dated November 13, 2017, which was approved by Ordinance No. 7070 and effective December 28, 2017; and

B. The City and Gregory Rose now desire to make certain amendments to the Employment Agreement.


**NOW, THEREFORE**, in consideration of the mutual covenants contained herein, the City and Gregory Rose agree as follows:

1. Section 6.B of the Employment Agreement is amended, effective from and after January 19, 2020, to read as follows: For each month during the term of this Agreement, the Employer shall contribute to an ICMA RC 457 retirement plan for your benefit an amount equal to nine percent (9%) of your base salary.
2. Section 8.C of the Employment Agreement is amended to read as follows: If you are terminated without cause after the first twenty-four months of employment, the Employer shall provide a severance payment equal to twelve months' salary at the current rate of pay.
3. Section 8.D of the Employment Agreement is amended by deleting it in its entirety.
4. Section 12 of the Employment Agreement is amended by adding a subsection D, which shall read as follows: Upon your request, the City shall assist you with a future purchase of a principal residence located within the corporate boundaries of University City by providing an equity loan in an amount of up to \$50,000, the specific terms of which are subject to approval by the City and you.
5. All other terms and conditions of the Employment Agreement shall remain in full force and effect.

City of University City, Missouri

By:   
Gregory Rose

Date of Execution: 1/14/2020

By:   
Mayor Terry Crow  
For the City and the Council

Date of Execution: 1-13-2020



CITY OF UNIVERSITY CITY COUNCIL MEETING  
AGENDA ITEM

NUMBER:  
*For City Clerk Use* NB20220711-01

<b>SUBJECT/TITLE:</b> TXT 22-02 - Application for Zoning Code Text Amendment to amend the Schedule of Off-Street Parking Spaces, §400.2140 of the City's Zoning Ordinance.			
<b>REQUESTED BY:</b> John L. Wagner		<b>DEPARTMENT / WARD:</b> Community Development	
<b>AGENDA SECTION:</b> New Business Bill 9472	<b>CAN ITEM BE RESCHEDULED?</b>		Yes
<b>CITY MANAGER'S RECOMMENDATION OR RECOMMENDED MOTION:</b> City Manager concurs with the Plan Commission and recommends approval.			
<b>FISCAL IMPACT:</b> N/A			
<b>AMOUNT:</b>		<b>ACCOUNT No.:</b>	
<b>FROM FUND:</b>		<b>TO FUND:</b>	
<b>EXPLANATION:</b> N/A			
<b>STAFF COMMENTS AND BACKGROUND INFORMATION:</b> This Zoning Code Text Amendment is an application to amend the Schedule of Off-Street Parking Spaces, §400.2140 of the City's Zoning Ordinance, adding a new category for retail stores with more than 45,000 square-feet of combined space.			
<b>CIP No.</b>			
<b>RELATED ITEMS / ATTACHMENTS:</b> Attached are the Plan Commission Transmittal Letter, June 22, 2022 Plan Commission Memo, and a Draft Ordinance.			
<b>LIST CITY COUNCIL GOALS (S):</b>			
<b>RESPECTFULLY SUBMITTED:</b>	City Manager, Gregroy Rose	<b>MEETING DATE:</b>	July 11, 2022



**Plan Commission**

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

June 22, 2022

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

RE: Zoning Code Text Amendment (TXT 22-02)

Dear Ms. Reese,

At a regularly scheduled meeting on June 22, 2022, at 6:30 p.m. via videoconference, the Plan Commission considered the application for a Zoning Code Text Amendment to add a new category for retail stores with more than 45,000 square-feet of combined space.

By a vote of 6 to 1, the Plan Commission recommended approval of the Text Amendment

Sincerely,

Margaret Holly, Chairperson  
University City Plan Commission



**Department of Community Development**

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

**STAFF REPORT**

**City Council**

MEETING DATE: July 11, 2022

FILE NUMBER: TXT 22-02

COUNCIL DISTRICT: N/A

Applicant: City of University City

Request: Text Amendment to amend the Schedule of Off-Street Parking Spaces, §400.2140 of the City’s Zoning Ordinance, adding a new category for retail stores with more 45,000 square-feet of combined space.

**Summary.** The proposed text amendment would add a new parking equation for large format retail stores, those with more than 45,000 pf square-feet of floor area, to accommodate “e-commerce” strategies such as delivery and customer pick-up.

PROPOSED AMENDMENT TO SECTION 400.2140

Use	Minimum Parking Requirements
Retail store - large format retail with greater than 45,000 square-feet of combined of warehouse, retail, or other flexible space (including but not limited to fulfillment, distribution, storage, or other area(s) not open to the general public but utilized for servicing customers)	One (1) space for every 250 square feet of floor area used as retail space devoted to sales and open to the public; plus one (1) space for every 1,000 square feet of floor area used as warehouse, fulfillment, distribution, storage, or other area(s) not open to the public.

Rationale for the Text Amendment

The current requirement for retail parking is 1 space for each 200 square-feet of floor area. This new category for larger retail stores – more than 45,000 square-feet in area – would require less parking for larger retail stores as they adapt to changing consumer preferences for rapid home delivery or phone-in pick up/delivery orders. It would also avoid having too many unused parking spaces, leaving more room for enhanced landscaping or similar amenities.

One of the strategies employed by the successful brick and mortar retailers has been to devote a portion of the back of their store for the purpose of “e-commercing,” offering last mile delivery as well as “pack and pickup” and “pick and deliver” merchandise strategies. This approach is being employed by a variety of retailers today as a way to make shopping more convenient for consumers.

One of the outcomes of this new strategy is that it reduces the actual retail area in a store while expanding the area devoted to the “back of the house” fulfillment purpose. With this reallocation of square-footage comes a reduced need for parking since the back of the store functions like a warehouse/distribution center with very few employees, thus reducing the number of parking spaces needed to accommodate these employees.

Additionally, with a certain portion of the “front of the house” being shopped by the store’s employees fulfilling customer orders, there is less need to provide parking for the consumer who either no longer comes to the store to shop or comes to the store for just a few minutes to pick up their order. The combination of these circumstances has led to a reduction in the need for the number of parking spaces that were required in the previous model.

Taking these factors into account, the square-footage retail selling area open to the public can be adequately parked by providing 1 parking space per 250 square-feet of retail floor area, while the back of the house area that serves as a pack and ship distribution operation can be adequately parked at a ratio of 1 space per 1,000 square-feet of warehouse area.

### Plan Commission

The Plan Commission recommended approval of this text amendment to the schedule of off-street parking spaces by a vote of six (6) to one (1).

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

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

BILL NO. 9472

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

**AN ORDINANCE AMENDING SECTION 400.2140 OF THE MUNICIPAL CODE OF THE CITY OF UNIVERSITY CITY, RELATING TO THE SCHEDULE OF OFF-STREET PARKING SPACE REQUIREMENTS, BY ESTABLISHING A MINIMUM PARKING REQUIREMENT FOR RETAIL STORES WITH MORE THAN 45,000 SQUARE-FEET OF COMBINED SPACE.**

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

**WHEREAS**, Chapter 400 (Zoning Code) of the Municipal Code of the City of University City, Missouri divides the City into several zoning districts and establishes standards to which land, buildings, structures and their uses must conform; and

**WHEREAS**, at its meeting on June 22, 2022, the City Plan Commission reviewed the application for said Zoning Code text amendment and recommended to the City Council approval of the text amendment; 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, August 8, 2022, was duly published in the St. Louis Countian, a newspaper of general circulation within said City on July 24, 2022; 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.** Section 400.2140 of the Municipal Code of the City of University City, relating to off-street parking space requirements, is hereby amended by adding the following:

Use	Minimum Parking Requirements
Retail store - large format retail with greater than 45,000 square-feet of combined warehouse, retail, or other flexible space (including but not limited to fulfillment, distribution, or other area(s) not open to the general public but utilized for servicing customers)	1 space for every 250 square-feet of floor area used as retail space devoted to sales and open to the public; 1 space for every 1000 square-feet of floor area used as fulfillment, distribution, storage, or other area(s) not open to the public; plus one space for each vehicle customarily used in the operation of the use(s) and/or employee(s) on the premises

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

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
MAYOR

ATTEST:

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

CERTIFIED TO BE CORRECT AS TO FORM:

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





**CITY OF UNIVERSITY CITY COUNCIL MEETING  
AGENDA ITEM**

<b>NUMBER:</b> <i>For City Clerk Use</i>	<b>NB20220711-02</b>
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<b>SUBJECT/TITLE:</b> SUB 22-08 Application for a Major Subdivision/Lot Consolidation to consolidate three (3) existing parcels into one (1) lot for the City of University City Civic Complex.			
<b>REQUESTED BY:</b> John Wagner		<b>DEPARTMENT / WARD:</b> Community Development/Ward 2	
<b>AGENDA SECTION:</b> New Business Bill 9473		<b>CAN ITEM BE RESCHEDULED?</b> Yes	
<b>CITY MANAGER'S RECOMMENDATION OR RECOMMENDED MOTION:</b> City Manager concurs with the Plan Commission and recommends approval.			
<b>FISCAL IMPACT:</b> N/A			
<b>AMOUNT:</b>		<b>ACCOUNT No.:</b>	
<b>FROM FUND:</b>		<b>TO FUND:</b>	
<b>EXPLANATION:</b> N/A			
<b>STAFF COMMENTS AND BACKGROUND INFORMATION:</b> Staff has determined that the Final Plat meets all requirements of Sections 405.380 and 405.390 of the Subdivision and Land Development Regulations.			
<b>CIP No.</b>			
<b>RELATED ITEMS / ATTACHMENTS:</b> Attached are the Plan Commission Transmittal Letter, Staff Report from the June 22, 2022 Plan Commission meeting - amended to include for the City Council the Plan Commission's recommendation, and a Draft Ordinance with the Plat.			
<b>LIST CITY COUNCIL GOALS (5):</b>			
<b>RESPECTFULLY SUBMITTED:</b> City Manager, Gregroy Rose		<b>MEETING DATE:</b> July 11, 2022	



**Plan Commission**

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

June 22, 2022

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

RE: Major Subdivision – Lot Consolidation (SUB-08)

Dear Ms. Reese,

At a regularly scheduled meeting on June 22, 2022, at 6:30 p.m. via videoconference, the Plan Commission considered the application of the City of University City for Final Plat Approval of a proposed major subdivision to consolidate three (3) existing parcels into one (1) for the Civic Complex property.

By a vote of 6 to 0, the Plan Commission recommended approval of said major subdivision.

Sincerely,

Margaret Holly, Chairperson  
University City Plan Commission



**Department of Community Development**

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

**STAFF REPORT**

**City Council**

MEETING DATE: July 11, 2022

FILE NUMBER: SUB 22-08

COUNCIL DISTRICT: 2

Location: 6801 Delmar Boulevard

Applicant: City of University City

Request: Major Subdivision – Lot Consolidation

Existing Zoning: “PA” Public Activity

Proposed Zoning: “PA” Public Activity (*no change*)

Existing Land Use: Civic Complex: City Hall, Library

Proposed Land Use: Government offices, Library

Surrounding Zoning and Land Use:

North: “PA” Public Activity, “HRO” High Density Residential/Office

East: “PA” Public Activity, “CC” Core Commercial

South: “PA” Public Activity, “HR” High Density Residential

West: “PA” Public Activity, “SR” Single-Family Residential

**COMPREHENSIVE PLAN CONFORMANCE**

Yes       No       No reference

**STAFF RECOMMENDATION**

Approval     Approval with Conditions     Denial

**ATTACHMENTS**

- A. Subdivision Plat Application
- B. Record Plat

**Existing Property and Applicant Request**

The subject property currently consists of three parcels: 601 Trinity Avenue, 6801 Delmar Boulevard (shown as 6701 Delmar Boulevard on the plat) and 702 Harvard

Avenue. This latter parcel is the small piece of land just to the north of 601 Trinity Avenue. The lot consolidation is being done to meet the MSD (Metropolitan St. Louis Sewer District) requirement that private sewers cannot cross property lines.

#### **Staff Review**

Staff reviewed this as part of the "Major Subdivision" process identified in Section 405.165 of the Subdivision regulations.

#### **Analysis**

Staff has determined that the Plat meets all requirements of 405.380 of the Subdivision and Land Development Regulations.

#### **Plan Commission Meeting**

At the Plan Commission meeting on June 22, 2022, the Plan Commission voted unanimously to approve the Major Subdivision – Lot Consolidation for the City of University City Civic Complex.

#### **Conclusion/Recommendation**

The proposal meets the intent of all Zoning Code and Subdivision Regulation requirements for a Final Plat. Thus, staff recommends approval of the proposed Major Subdivision.

Enc:

1. Subdivision Application
2. Record Plat

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

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

BILL NO. 9473

ORDINANCE NO.

**AN ORDINANCE APPROVING A FINAL PLAT FOR A MAJOR SUBDIVISION OF A TRACT OF LAND TO BE KNOWN AS “6801 DELMAR BOULEVARD”.**

**WHEREAS**, an application was submitted by the City of University City on June 13, 2022, for the approval of a final subdivision plat of a tract of land to be known as “6801 Delmar Boulevard;” and

**WHEREAS**, at its meeting on June 22, 2022, the City Plan Commission reviewed the final plat for the major subdivision and determined that the final plat is in substantial compliance with the requirements of the University City Municipal Code and recommended to the City Council approval of the final plat; and

**WHEREAS**, the final plat for the major subdivision application, including all required documents submitted therewith, is before the City Council for its consideration.

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

Section 1. Attached, marked “Exhibit A”, and made a part hereof is a final subdivision plat of a tract of land to be known as “6801 Delmar Boulevard.”

Section 2. It is hereby found and determined that the final plat for the major subdivision is in full compliance with the University City Municipal Code, including Sections 405.380 and 405.390. Accordingly, the final plat for the major subdivision marked “Exhibit A” is hereby approved.

Section 3. The City Clerk is hereby directed to endorse upon the final plat for the major subdivision the approval of the City Council under the hand of the City Clerk and the seal of University City.

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

PASSED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
MAYOR

ATTEST:

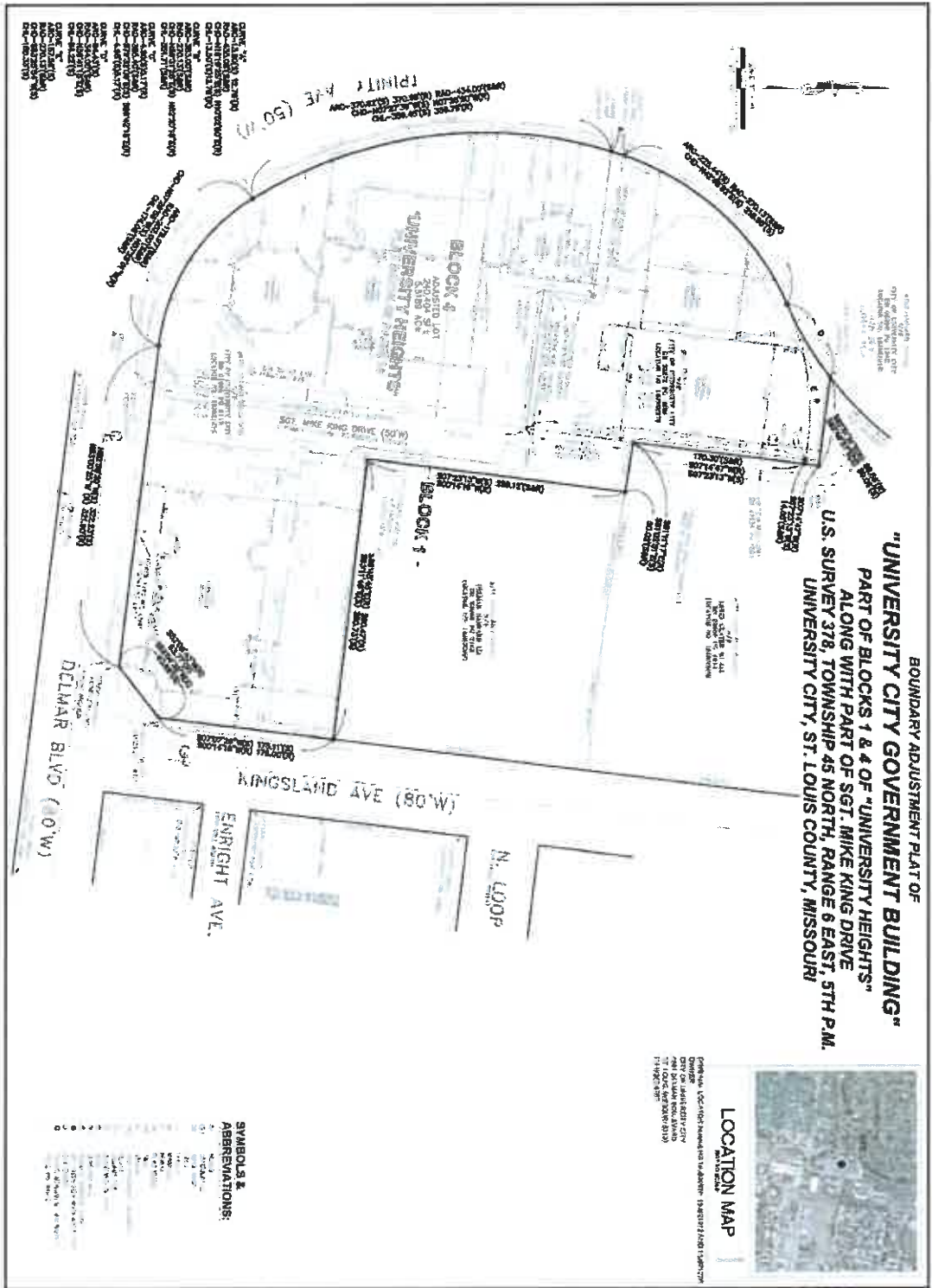
\_\_\_\_\_  
CITY CLERK

CERTIFIED TO BE CORRECT AS TO FORM:

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

Exhibit A





**BOUNDARY ADJUSTMENT PLAT OF**  
**"UNIVERSITY CITY GOVERNMENT BUILDING"**  
**PART OF BLOCKS 1 & 4 OF "UNIVERSITY HEIGHTS"**  
**ALONG WITH PART OF SGT. MIKE KING DRIVE**  
**U.S. SURVEY 378, TOWNSHIP 45 NORTH, RANGE 6 EAST, 5TH P.M.**  
**UNIVERSITY CITY, ST. LOUIS COUNTY, MISSOURI**



**LOCATION MAP**  
 Prepared by: [Name]  
 Date: [Date]  
 Scale: [Scale]

DATE: 10/15/2010  
 TIME: 10:30 AM  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 APPROVED BY: [Name]

**SYMBOLS & ABBREVIATIONS:**  
 1. [Symbol] [Description]  
 2. [Symbol] [Description]  
 3. [Symbol] [Description]  
 4. [Symbol] [Description]  
 5. [Symbol] [Description]

BOUNDARY ADJUSTMENT PLAT	<b>CITY OF UNIVERSITY CITY</b> 6108 DELMAR BOULEVARD ST. LOUIS, MISSOURI 63130	2010 Oak Grove Ave St. Louis, MO 63114 314-241-1000	2011 10/15/2010	[Title Block Fields]	[Title Block Fields]
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**Department of Community Development**

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

**SUBDIVISION APPLICATION**

The application form must be completed and submitted along with the subdivision plat, letter of authorization (if applicable), fees, and other required attachments on or before the filing deadline. The filing deadline is generally twenty-eight (28) days prior to the Plan Commission meeting.

**1. Application Type (Check each that apply):**

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Minor Subdivision     | <input type="checkbox"/> Boundary Adjustment          | <input type="checkbox"/> Right-of-way Vacation |
| <input type="checkbox"/> Preliminary Plat      | <input type="checkbox"/> Preliminary Development Plan | <input type="checkbox"/> Plat Vacation         |
| <input checked="" type="checkbox"/> Final Plat | <input type="checkbox"/> Final Development Plan       | <input type="checkbox"/> Dwelling Unit Display |

- 2. Attachments**
- (#) Folded paper copies of Plat
  - Electronic copy
  - Improvement Plans
  - Other \_\_\_\_\_

**3. Property Owner Information:**

Name: City of University City

Address: 6801 Delmar Boulevard  
University City, MO 63130

**4. Authorized Agent (an authorization letter from the current property owner must be submitted if applicant is other than owner – not applicable to right-of-way vacation application):**

Name: Shea Krotz – Civil Design, Inc.

Address: 5220 Oakland Avenue  
St. Louis, MO 63110

**5. Project Description (include a brief description of the project, including number of existing lots, number of lots proposed, total acreage, parcel identification, and/or any other applicable information):**

To consolidate the three (3) parcels that City Hall, Annex and Trinity currently reside on. This is being proposed to meet St. Louis Metropolitan Sewer District requirements that private sewers are prohibited from crossing property lines

FOR OFFICE USE ONLY

Fee Calculation: \$200.00 Base Fee + \_\_\_ # of lots x \$35.00 = \_\_\_\_\_





CITY OF UNIVERSITY CITY COUNCIL MEETING  
AGENDA ITEM

NUMBER: <i>For City Clerk Use</i>	NB20220711-03
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**SUBJECT/TITLE:**  
Final Development Plan Approval – Adoption of an ordinance to approve the Final Development Plan for the Tru Hotel at 711 Kingsland Avenue.

<b>REQUESTED BY:</b> John L. Wagner	<b>DEPARTMENT / WARD</b> Community Development/Ward 2
--	--

<b>AGENDA SECTION:</b> New Business Bill 9474	<b>CAN ITEM BE RESCHEDULED?</b> Yes
--	--

**CITY MANAGER'S RECOMMENDATION OR RECOMMENDED MOTION:**  
City Manager recommends approval.

**FISCAL IMPACT:**  
N/A

<b>AMOUNT:</b>		<b>ACCOUNT No.:</b>	
<b>FROM FUND:</b>		<b>TO FUND:</b>	

**EXPLANATION:**  
N/A

**STAFF COMMENTS AND BACKGROUND INFORMATION:**  
Staff recommends approval of the ordinance for the Final Development Plan for the Tru Hotel.

<b>CIP No.</b>	
----------------	--

**RELATED ITEMS / ATTACHMENTS:**  
Attached are the Draft Ordinance and the Final Development Plan.

**LIST CITY COUNCIL GOALS (5):**

<b>RESPECTFULLY SUBMITTED:</b> City Manager, Gregory Rose	<b>MEETING DATE:</b> July 11, 2022
--	---------------------------------------

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

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

BILL NO. 9474

ORDINANCE NO.

**AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN FOR THE PROPOSED TRU HOTEL DEVELOPMENT LOCATED AT 711 KINGSLAND AVENUE.**

**WHEREAS**, the Preliminary Development Plan was approved by the City Council of University City on July 13, 2020, by Resolution 2020-7, for the development project known as “Tru Hotel” in a Planned Development – Commercial (PD-C) District in the City of University City, and the City Council authorized the submittal of a Final Development Plan; and

**WHEREAS**, a Final Development Plan dated June 21, 2022, has been submitted for review and approval on behalf of TriStar Properties; and

**WHEREAS**, the review and approval of a Final Development Plan shall be in accordance with Section 400.870 “Final Development Plan Procedure” and Section 405.380 “Final Plat Submittal Requirements” of the University City Municipal Code with the adoption of an ordinance by City Council; and

**WHEREAS**, at its meeting on July 27, 2022, the University City Plan Commission considered and recommended to the City Council of University City approval of the Final Development Plan; and

**WHEREAS**, the Final Development Plan, including all required documents and information submitted therewith, is before the City Council for its consideration.

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

Section 1. Attached, marked “Exhibit A” and made a part hereof is a Final Development Plan submitted for the “Tru Hotel” development.

Section 2. It is hereby found and determined that the Final Development Plan is in full compliance with said Section 400.870 of the University City Municipal Code.

Section 3. The Final Development Plan shall include the following additional conditions:

1. The building and property shall be developed, constructed and maintained in compliance with the plans submitted and attached as “Exhibit A.” The footprint and general layout are subject to the plans dated June 21, 2022 and the architectural components are subject to the plans dated May 26, 2020. The height and mass shall be restricted to that shown on the Final Development Plan.
2. Off-street parking and loading requirements shall be provided as required by Chapter 400, Article VII of the University City Zoning Code.

3. A detailed construction traffic control and parking plan should be submitted to the Director of Planning & Development for approval. Said plan shall set forth details pertaining to worker and resident parking during all phases of the proposed construction. It shall further detail solutions to public property maintenance issues such as street cleaning and traffic diversion. Said plan shall be finalized prior to the issuance of a building permit. It shall be the applicant's responsibility to obtain those approvals in written form in a timely manner prior to issuance of the building permit.

Section 4. The City Clerk is hereby directed to endorse upon the Final Development Plan the approval of the City Council under the hand of the City Clerk and the seal of University City.

Section 5. This ordinance shall take effect and be in force from and after its passage as provided by law.

PASSED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
MAYOR

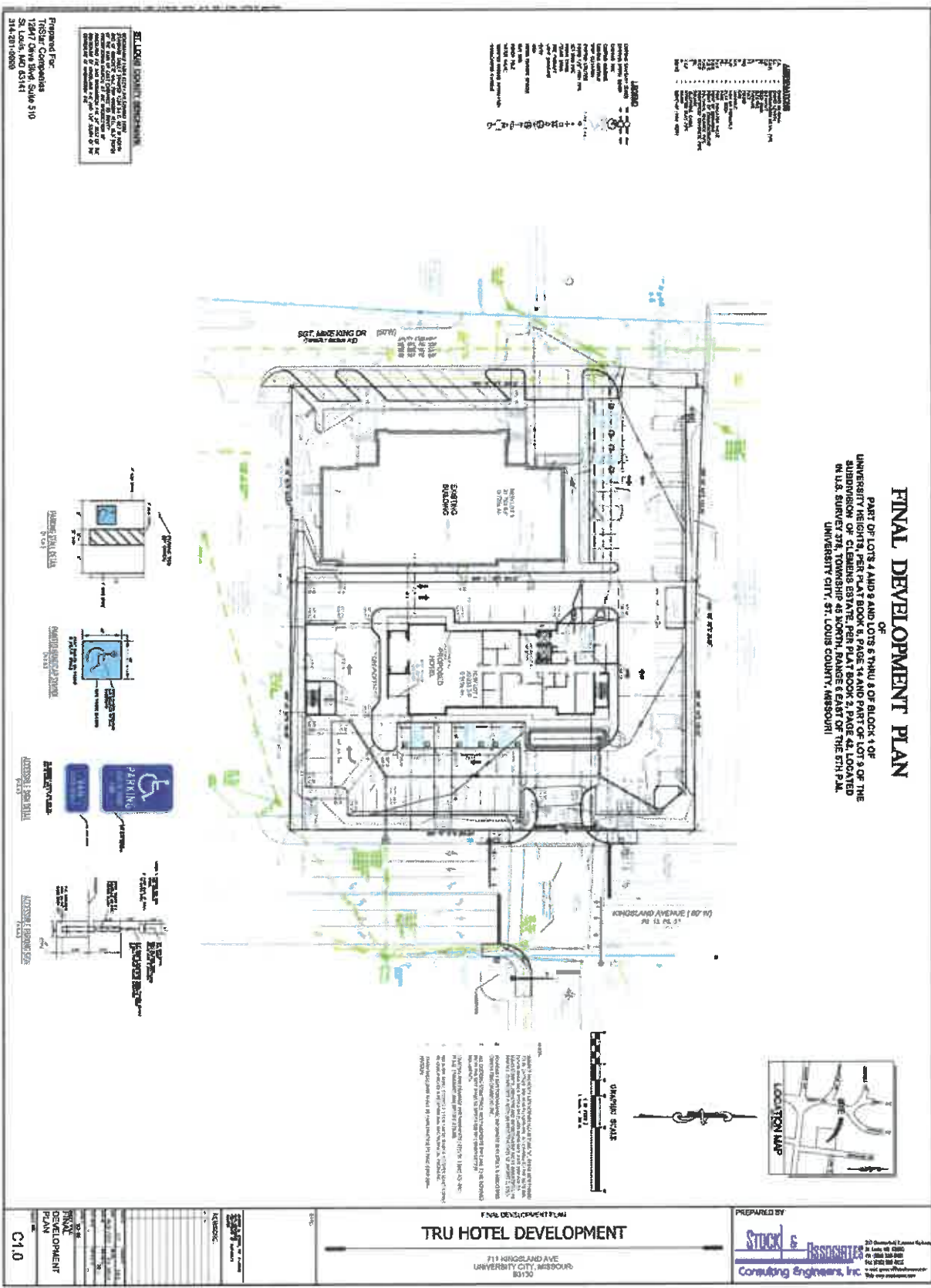
ATTEST:

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

CERTIFIED TO BE CORRECT AS TO FORM:

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

EXHIBIT A



FINAL DEVELOPMENT PLAN

PART OF LOTS 4 AND 8 AND LOTS 6 THRU 8 OF BLOCK 1 OF UNIVERSITY CITY PLANNED SUBDIVISION OF 100 ACRES OF THE UNIVERSITY CITY PLANNED SUBDIVISION OF 100 ACRES LOCATED IN U.S. SURVEY 778, TOWNSHIP 48 NORTH, RANGE 6 EAST OF THE 6TH P.M., UNIVERSITY CITY, ST. LOUIS COUNTY, MISSOURI

Prepared For:  
 TRU Hotel Development  
 711 Kingsland Ave  
 University City, MO 63102  
 314-281-0800

**SEAL LOCAL GOVERNMENT OFFICIAL**  
 I, \_\_\_\_\_, Mayor of the City of University City, Missouri, hereby certify that the above described plan has been prepared in accordance with the provisions of the Missouri Public Works Law, Chapter 64, R.S.Mo., and that the same has been approved by the Board of Public Works of the City of University City, Missouri, and that the same has been filed for record in the Office of the Recorder of Deeds for the County of St. Louis, Missouri, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

C1.0

TRU HOTEL DEVELOPMENT

711 KINGSLAND AVE  
 UNIVERSITY CITY, MISSOURI  
 63102

PREPARED BY  
**STUCKI & ASSOCIATES**  
 Consulting Engineers, Inc.  
 210 Shumaker Center Station  
 St. Louis, MO 63103  
 314-435-5500  
 www.stucki.com

EXHIBIT A

FIRST FLOOR PLAN

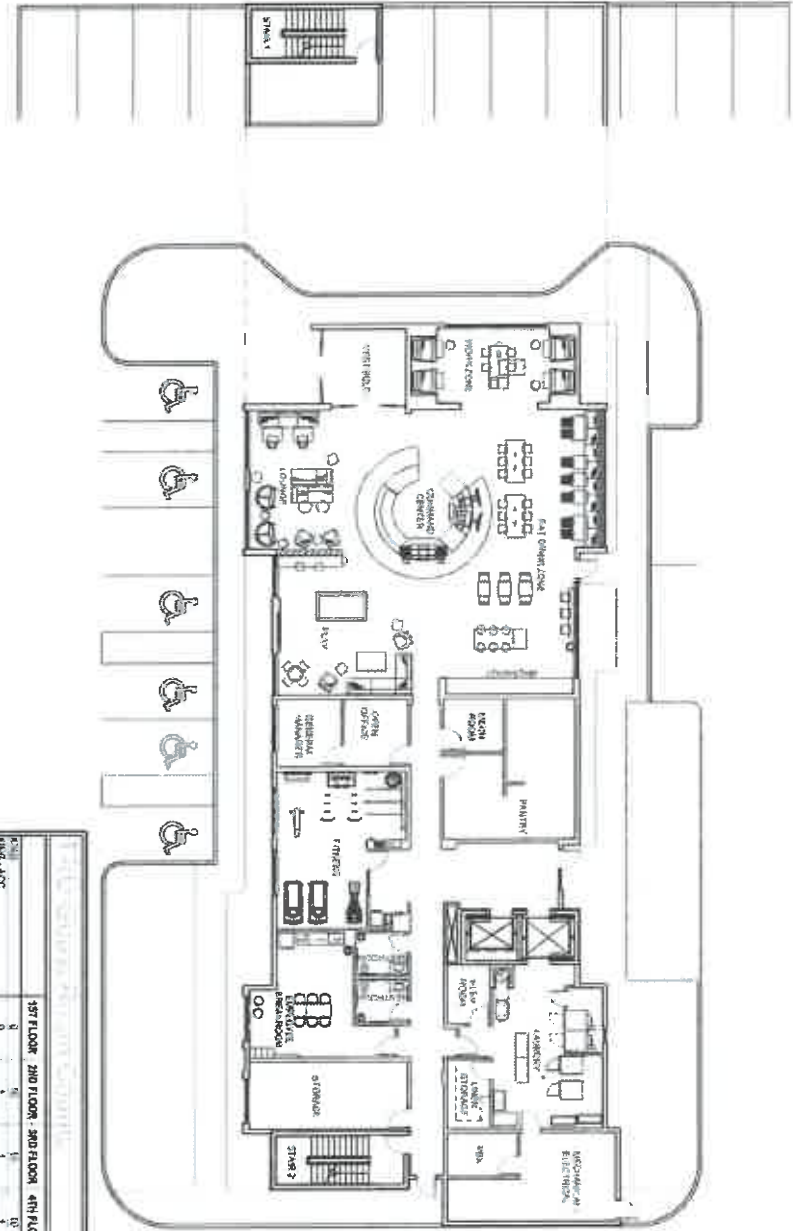
SCALE 1/8" = 1'-0"

211 KINGSLAND AVE  
UNIVERSITY CITY, MISSOURI 63103

TRU HOTEL

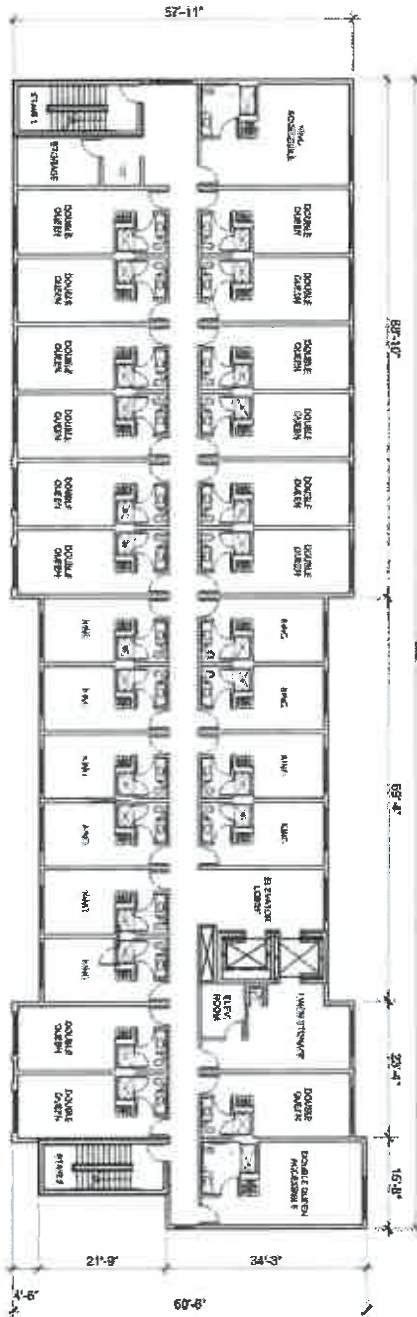


13183320  
11/16/2016



ROOM	1ST FLOOR	2ND FLOOR	3RD FLOOR	4TH FLOOR	5TH FLOOR	TOTAL
REG-ADJ	0	0	1	1	0	2
DOUBLE QUEEN	0	15	15	15	15	60
TWIN QUEEN-ADJ	0	1	1	1	1	4
AREA CALCULATION	7,825 SF	10,663 SF	14,629 SF	10,825 SF	11,009 SF	63,951 SF
TOTAL	0	27	21	21	21	108 KEYS

# EXHIBIT A



AREA	1ST FLOOR	2ND FLOOR	3RD FLOOR	4TH FLOOR	5TH FLOOR	TOTAL
NO. OF ROOMS	3	18	18	18	15	62
SQ. FT.	1,248 SF	10,896 SF	10,896 SF	9,840 SF	10,896 SF	53,776 SF
TOTAL	9	27	27	27	27	188 ROOMS

UPPER FLOOR PLAN

TRU HOTEL

SCALE: 1/8" = 1'-0"

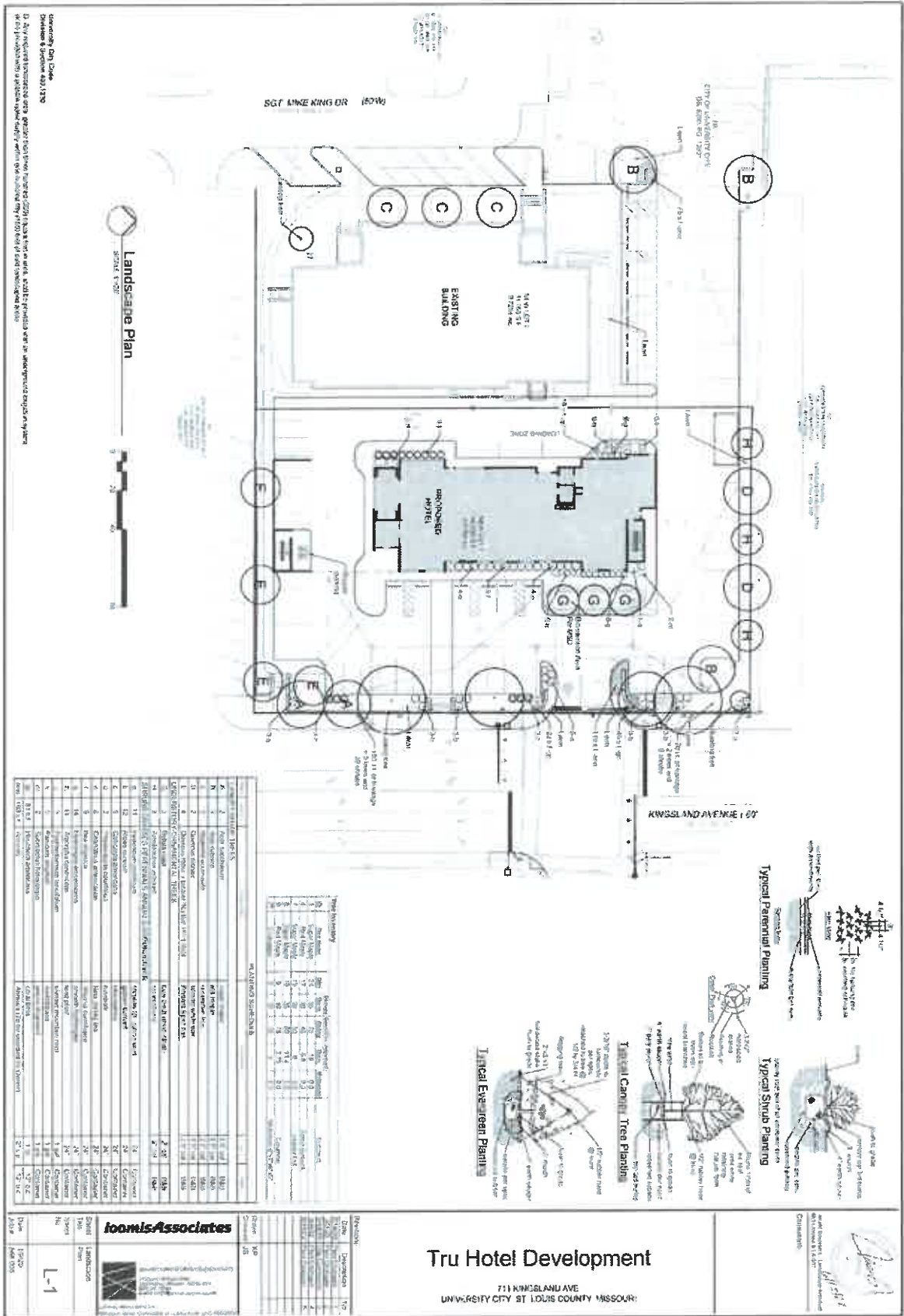
111 HUNTERS AVENUE  
 WASHINGTON, DC 20002-4202



11/09/2009  
 11:28:20 AM



# EXHIBIT A



**Tru Hotel Development**  
 711 KINGSLAND AVE  
 UNIVERSITY CITY, ST. LOUIS COUNTY, MISSOURI

EXHIBIT A



EXTERIOR ELEVATION

SCALE: 1/8" = 1'-0"

TRU HOTEL

211 HIGHLAND AVE  
UNIVERSITY CITY, MISSOURI 63130



MISSOURI  
06-28-2020

EXHIBIT A



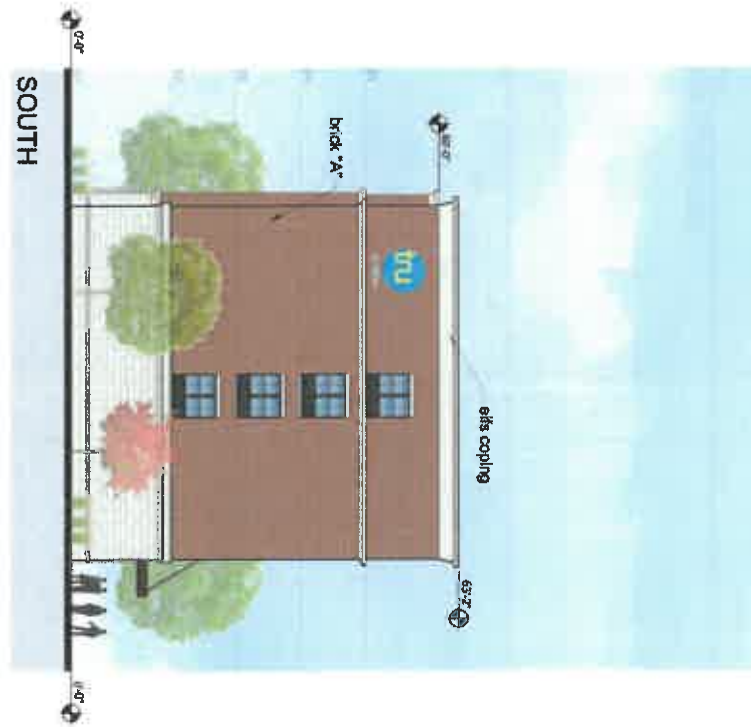
EXTERIOR ELEVATION  
SCALE: 1/8" = 1'-0"

TRU HOTEL  
711 HARRIS AVE  
MEMPHIS, TN 38102



REVISION  
02/28/2020

EXHIBIT A



EXTERIOR ELEVATION

SCALE: 1/8" = 1'-0"

TRU HOTEL

715 KINGSBLVD AVE  
UNIVERSITY CITY, MISSOURI 63130



10/12/20  
08.25.2020