



City Council Meeting Agenda
Monday, August 19, 2024 – 6:30 p.m.
City Hall, 200 South Osage, Sedalia MO

MAYOR: ANDREW L. DAWSON

MAYOR PRO-TEM: TINA BOGGESS

- A. CALL TO ORDER** – Andrew L. Dawson – Council Chambers
- B. PRAYER & PLEDGE OF ALLEGIANCE**
- C. ROLL CALL**
- D. PUBLIC HEARING** – Proposed Tax Rates for 2024
- E. SPECIAL AWARDS**
 - 1. HeroFundUSA Check Presentation – Fire Department Bulletproof Vests
 - 2. Sedalia Fire Department – Badge Pinnings
 - Jeremy Pepin – Lieutenant
 - Taylor Guseman – Driver
 - Matt Kowalski - Driver
- F. SERVICE AWARDS/RETIREMENT AWARDS** – None
- I. APPROVAL OF PREVIOUS SESSION MINUTES**
 - A. Council Meeting – August 5, 2024
- II. REPORT OF SPECIAL BOARDS, COMMISSIONS AND COMMITTEES**
 - A. Acceptance of Planning & Zoning Commission Minutes dated June 5, 2024
 - B. Acceptance of Planning & Zoning Commission Minutes dated July 3, 2024
- III. ROLL CALL OF STANDING COMMITTEES**
 - A. FINANCE / ADMINISTRATION** – Chairwoman Tina Boggess; Vice Chairman Thomas Oldham
 - 1. Discussion: Movement or cancellation of September 16, 2024 Council Meeting due to Annual MML Conference
 - 2. Presentation – Financial Update (Jessica Pyle, Presenter)
 - 3. Proposed Tax Rates for 2024
 - Council Discussion led by Chairwoman Boggess
 - O** Call for Ordinance levying and providing for the collection of taxes for the Year 2024 in the City of Sedalia, Missouri– Mayor Dawson
 - 4. Budget Amendment – IT Department – Addition of Part-time position - \$13,202.06
 - Council Discussion led by Chairwoman Boggess
 - R** Call for Resolution of the City Council of the City of Sedalia, Missouri stating facts and reasons for the necessity to amend and increase the City’s Annual Budget for Fiscal Year 2025 – Mayor Dawson

- Call for Ordinance amending the Budget for the Fiscal Year 2024-2025 regarding IT part-time staff addition – Mayor Dawson

B. COMMUNITY DEVELOPMENT – Chairwoman Rhiannon M. Foster; Vice Chairman Bob Cross

1. Planning and Zoning Text Changes – Historic and Neon Signs

Council Discussion led by Chairwoman Foster

- Call for Ordinance Amending Chapter 64, Article VII of the Code of the City of Sedalia, Missouri Related to Historic Signs, Historic Sign Parks and encouraging Neon Signs in certain areas – Mayor Dawson

2. Amending Grant for West Central Sedalia Survey – Date for final product submittal

Council Discussion led by Chairwoman Foster

- Call for Ordinance Approving an amendment to the Historic Preservation Grant and Financial Assistance agreement with the Missouri Department of Natural Resources for the West Central Sedalia Historic District Reconnaissance Survey – Mayor Dawson

3. Amending City Code – Suspension and Revocation of Licenses and permits

Council Discussion led by Chairwoman Foster

- Call for Ordinance of the City of Sedalia amending the City Code regarding Suspension and Revocation of licenses and permits – Mayor Dawson

C. PUBLIC WORKS – Chairman Bob Hiller; Vice Chairwoman Tina Boggess

1. Budget Amendment – Brick Wall Repair – 100 Block West Main - \$6,550.00

Council Discussion led by Chairman Hiller

- R** Call for Resolution of the City Council of the City of Sedalia, Missouri stating facts and reasons for the necessity to amend and increase the City’s Annual Budget for Fiscal Year 2025 – Mayor Dawson

- Call for Ordinance amending the Budget for the Fiscal Year 2024-2025 regarding Building and Maintenance wall repair – Mayor Dawson

2. Engagement Letter – Gilmore & Bell – Certificates of Participation Financing

Council Discussion led by Chairman Hiller

- Call for Ordinance authorizing an engagement letter for services related to the proposed delivery of certificates of participation – Mayor Dawson

3. Offering for sale – Certificates of Participation

Council Discussion led by Chairman Hiller

- R** Call for Resolution authorizing the offering for sale of certificates of participation for the benefit of the City of Sedalia, Missouri – Mayor Dawson

4. Amendment – Scope of Work – Sewer Main Extension – Broadfoot Engineering, LLC - \$8,500.00

Council Discussion led by Chairman Hiller

- Call for Ordinance Approving and Accepting an Amended Scope of Work for professional Surveying and civil engineering design, plans and specifications for a Sanitary Sewer Main extension along Highway 65 and Highway HH – Mayor Dawson

D. PUBLIC SAFETY - Chairman Jack Robinson; Vice Chairman Steve Bloess

1. Quote – Motorola Solutions – Purchase of Police Radios - \$149,565.02

Council Discussion led by Chairman Robinson

- Call for Ordinance Approving and Accepting a quote for the purchase of radios for the Sedalia Police Department – Mayor Dawson

IV. OTHER BUSINESS

A. APPOINTMENTS – None

B. LIQUOR LICENSES

Renewal

*Erica Eisenmenger dba Ivory Grille LLC, 317 South Ohio, Liquor by the Drink - \$450.00

V. MISCELLANEOUS ITEMS FROM MAYOR, CITY COUNCIL AND CITY ADMINISTRATOR

VI. GOOD AND WELFARE – “During the 'Good and Welfare' section of our meeting agenda, we invite residents of Sedalia to step forward and directly address their City Council. Each participant is requested to clearly state their name and address and will have three minutes to present their statement. This session is specifically designed for residents to express their views or concerns; it is not intended for dialogue, debate, or question-and-answer interactions with the Council. All statements made during this time will be formally recorded in the public record. We urge participants to keep their remarks respectful and focused on matters relevant to our community. Your contributions are a vital part of our continuous efforts to enrich and improve Sedalia, and we thank you for adhering to these guidelines and helping us maintain the decorum of this important process.”

VII. Closed Door Meeting – Motion and Second to move into closed door meeting in the upstairs conference room pursuant to Subsections 1 (Legal Advice), 2 (Real Estate) and 12 (Negotiated Contracts) of Section 610.021 RSMo.

A. Roll Call Vote for Closed Door Meeting

B. Discussion of closed items

C. Vote on matters, if necessary (require a Roll Call Vote)

D. Motion and Second with Roll Call Vote to adjourn closed door meeting and return to open meeting

VIII. BUSINESS RELATED TO CLOSED DOOR MEETING

A. Motion and Second to return to regular meeting

B. Roll Call

C. Approval of Closed-Door Meeting Items

IX. ADJOURN MEETING

A. Motion and second to adjourn meeting

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<https://global.gotomeeting.com/join/578973061>

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<https://global.gotomeeting.com/install/578973061> This will make joining these meetings quick and easy.

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Once you have followed the link above and identified yourself you will be given options for how you want to join in with **audio**.

For **smartphones**: tap on one of the phone numbers and it will dial the phone and the meeting numbers.

For **other devices**: use the feature of call me. The phone audio will be much better than through your computer. This should come up if you have your preferences set up to show it. If it does not, in the upper right hand corner of the GoToMeeting screen you will see an icon that looks like a gear. Click on the gear and then look for "Phone" and if it is not highlighted click on it. One of the options should be to call me. Put the phone number you want to be called on (direct dial) into the box provided and then click the "Call Me" button. Once the system calls you, you will be asked to hit pound.

Please be mindful of others on the call by eliminating as much background noise as you can. Mute yourself until you are ready to speak. Do not put the call on hold, if you need to leave even for a short time, hang up as you can always dial back in after your other call. If you hear an echo or squeal, you may have your computer speakers on as well as the phone, mute your computer speakers to eliminate this.

If you want to join in **listen only** mode you can dial the following number and enter the access code.

(For supported devices, tap a one-touch number below to join instantly.)

United States (Toll Free): 1 866 899 4679

- One-touch: <tel:+18668994679,,578973061#>

United States: +1 (669) 224-3318

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Access Code: 578-973-061

The City Council reserves the right to discuss any other topics that are broached during the course of this meeting.

IF YOU HAVE SPECIAL NEEDS, WHICH REQUIRE ACCOMMODATION, PLEASE NOTIFY THE CITY CLERK'S OFFICE AT 827-3000. ACCOMMODATIONS WILL BE MADE FOR YOUR NEEDS

POSTED ON AUGUST 16, 2024, AT 3:30 P.M. AT THE SEDALIA MUNICIPAL BUILDING, BOONSLICK REGIONAL LIBRARY, SEDALIA PUBLIC LIBRARY AND ON THE CITY'S WEBSITE AT WWW.SEDALIA.COM



OFFICE OF THE CITY ADMINISTRATOR

To: Honorable Mayor Andrew L. Dawson & City Council Members
From: Kelvin Shaw, City Administrator *KS*
Re: Agenda items for City Council meeting on Monday, August 19, 2024, 6:30 p.m.

Public Hearing For Proposed Tax Rates - Every year we have to go through the calculations prescribed by the Hancock Amendment to determine the maximum allowed revenue from property taxes in order to set our levy amounts. This process starts with the County Assessor submitting the total assessed valuations for each taxing jurisdiction to the County Clerk the first part of July. The County Clerk then has to "certify" these values to us and to the State Auditor. A division of the State Auditor's office then prepares a "proforma" that makes the Hancock Amendment calculations that tell us what our maximum levies can be. We then have to publish a notice in the paper of what we intend to set these levies at and hold a public hearing before Council. After such hearing, Council can then set by ordinance the levy amounts. These amounts are then submitted back to the State Auditor through the County Clerk. This by law has to be completed by September 1 of each year, or we cannot levy property taxes for that year. The State Auditor then reviews these and "certifies" to the county that these levies are allowable and they can use them for the billing of the property taxes to the taxpayers in November.

The Hancock Amendment calculations limit the amount of increased revenue any taxing jurisdiction can receive to the amounts associated with new territories, new construction, new voter approved levies, and the lesser of the rise in the Consumer Price Index (CPI) or 5%. This basically prohibits the taxing authorities from raising taxes without a vote of the people by just increasing assessed valuations. This assumes though, that the assessed valuations are at least keeping up with inflation. The assessed valuations in the City of Sedalia have not kept up with inflation. This has the effect of raising the levy amount to compensate for the difference. This keeps the tax revenue from going down, but does not allow for the reality of the effects of inflation. Likewise, since the levy rate goes up, it has an uneven effect on individual taxpayers. The ones that are assessed accurately are paying more than their fair share, in favor of those that are significantly undervalued. Unfortunately, this can only be rectified through the assessor's office. Staff will continue to work to influence improvement.

This hearing is set aside for anyone from the public to make comments on the appropriateness of the levies before Council considers adoption of the ordinance to set them.

Finance/Administration Committee – There are four items for consideration through the Finance / Administration Committee.

1. The Missouri Municipal League's (MML) annual conference conflicts with the regularly scheduled council meeting on September 16th. This conference is an excellent source of training, and idea sharing. Therefore, several of the Councilmembers along with the Mayor are going to be attending this event, resulting in the absence of a quorum for the regular council meeting. Staff recommends that Council adopt a motion to cancel the September 16, 2024, regu-

larly council meeting. If something comes up needing action that cannot be moved to the meeting before or after, a special meeting can be scheduled.

2. Jessica Pyle, Finance Director, will provide an update on the major tax revenue collection trends.
3. As presented earlier, every year Council may consider an ordinance to set property tax levies after conducting the public hearing at the beginning of this meeting.
4. With the movement of the long-term computer technician to another position in the City, and the change in focus of another technician to full-time E-Sports support and other Parks and Recreation functions, we are short staffed in the Information Technology (IT) Department. In the employee search, a viable candidate was located that only wants part-time work. Since the one technician that moved to Parks full-time was funded through that departmental budget, there is not funding in the General Fund budget for a part-time position on top of the other full-time position. However, there is certainly a need to fill this function with more than one position. Therefore, staff recommends adding a part-time position to the General Fund budget in the IT Department.

Community Development Committee – There are three items for consideration through the Community Development Committee.

1. Impact Signs brought to Mayor Dawson and staff a concept of an historical sign park as part of their building project currently underway. In reviewing the plans against the current zoning codes, it is certainly questionable if our code would allow what they want to do. However, Mayor Dawson and I were of the opinion that this would be beneficial to the community. Through a liberal read of the current code, one could argue that the historical signs included in the concept presented would not strictly meet the definition of “sign” in the application of the intent of the current codes. Therefore, with the Mayor’s approval, we instructed the developer to move forward. While at the same time, we started the process to take a code change through the steps required by statute that would specifically allow historic sign parks. While making these changes, we also anticipated other areas where this issue might take other forms that we could address at the same time. Specifically, neon signs and other one offs of historic signs were dealt with in the language of the updates to the code. Planning and Zoning conducted the required public hearing, and after careful review, voted to recommend approval to Council. Staff also recommends approval.
2. John Simmons applied for, and the City was awarded a grant through the State Historic Preservation Office to complete a survey of the West Central residential area of Sedalia. The original grant agreement was adopted in December of 2022. In June of 2024, Council and granting agency approved an extension of time to complete the work to August. Due to the scope of work, the granting agency is agreeable to extending the deadline again to September 30. Staff recommends approval of the amendment to the grant agreement.
3. The current code allows for a party that wishes to appeal the revocation of a license or permit to have a hearing in front of Council. This puts the legislative body in a position that it has to function in a judicial manner. This puts Council in a difficult position, as the rules when acting in a judicial capacity are much different. For example, when a hearing is requested, Council should cut off all communication and then consider fairly only what is put in front of them at the hearing. This is in direct conflict with a Councilmember communicating with and re-

sponding to the concerns of their constituents. The City already has a structure to handle these judicial roles in its Board of Appeals. To more effectively separate these distinctly different roles, legal staff recommends handing of these hearings to the Board of Appeals. This allows the individual Councilmembers to remain engaged with their constituents without having to walk the fine line between legislative and judicial roles and the conflicting rules of conduct.

Public Works Committee – There are four items for consideration through the Public Works Committee.

1. An automobile ran into a landscaping wall on the 100 Block of West Main. The City has received restitution for the damages, and has located a vendor capable of making the repairs. Since this was not anticipated in the budget, staff recommends formally appropriating the expenditure of these funds.
2. As discussed during the strategic planning and budgeting processes, the plan is to utilize the Certificate of Participation (COP) style of financing for the Aquatics, Bowling Alley, Fire Station, and Fire Training Center projects. Staff has worked with Gilmore & Bell, as bond attorney, for several of its past financing arrangements. They are widely considered the regional experts in this area of practice. Likewise, staff has been very satisfied with their past work and knowledgebase. As requested, they have provided an engagement proposal to handle this transaction, and staff recommends acceptance.
3. As denoted in the last agenda item, the City is planning to utilize tax exempt financing to fund projects. The tax-exempt financing rules require the Council to declare its intent to utilize this style of funding, in order to make costs incurred prior to the issuance refundable from the bond proceeds. Further, this resolution formally sets up the team and process for going to market with the financing arrangement. Staff recommends approval.
4. Council approved an agreement for design services to extend water mains to Peterbilt and other developments. In discussion with the design engineer and the developers, we determined it would be in the best interest long-term for the City to extend the main further across their property. This would allow for more development in the area. Staff recommends approval of an amendment to the scope of work to extend the main further north.

Public Safety Committee – There is one item for consideration through the Public Safety Committee.

1. As presented in November, the Police Department identified an opportunity to apply for a grant to offset half of the cost to replace the aging patrol vehicle radios. The radios are beyond their expected life and are no longer supported by the manufacturer. Council adopted a resolution to authorize the application and later included the replacement project in the adopted budget. Earlier this month we were notified that we were awarded the grant. Staff recommends moving forward with the purchase from Commenco of 22 radios under a cooperative purchasing arrangement at a cost of \$149,565.02, with the grant covering \$74,782.51 of this amount.

NOTICE OF PUBLIC HEARING AUGUST 19, 2024

A public hearing will be held at 6:30 p.m. on August 19, 2024 in the Council Chambers in the Municipal Building, located at 200 S. Osage, at which time citizens may be heard on the property tax rates proposed to be set by the City of Sedalia, a political subdivision. The tax rates shall be set to produce the revenues which the budget for the fiscal year beginning April 1, 2024 show to be required from the property tax. Each tax rate is determined by dividing the amount of revenue required by the current assessed valuation. The result is multiplied by 100 so the tax rate will be expressed in cents per \$100.00 valuation.

	2023 ASSESSED VALUATION	2024 ASSESSED VALUATION	ESTIMATED AMOUNT OF PROPERTY TAX REVENUES ASSESSED FOR 2024	PROPOSED TAX RATE 2024 (PER \$100)
For Public Library Purposes:				
Real Estate	178,361,085	179,231,375		
Personal	69,518,139	60,276,561		
Public Library	247,879,224	239,507,936	\$ 585,118	0.2443
Library Temporary			\$ 167,656	0.0700
Total Public Library			\$ 752,772	0.3143
For Special Business District - Real Estate				
	4,796,810	4,910,500		
For Special Business District - Personal				
	3,210	40,292		
Total	4,800,020	4,950,792	\$ 42,082	0.8500
For All Other Purposes:				
Real Estate	224,110,616	225,982,620		
Personal	95,248,481	84,041,920		
TOTAL	319,359,097	310,024,540		
General			\$ 1,532,451	0.4943
Public Parks			\$ 532,932	0.1719
Fire Pension			\$ 155,012	0.0500
Police Pension			\$ 299,794	0.0967
TOTAL FOR ALL PURPOSES			\$ 3,315,044	
Tax Levy for All Purposes				1.9772
Tax Levy for Outside Special Business District But Within Public Library				1.1272
Tax Levy for Outside Special Business District and Public Library				0.8129

CITY OF SEDALIA
 Andrew Dawson, Mayor
 Jason Myers, City Clerk

Handicapped citizens needing assistance or auxiliary aids in order to attend this meeting should contact the City Administrator's office at (660) 827-3000 extension 1102 no later than 48 hours prior to the scheduled meeting. The above figures are prior to the Board of Appeals and are the most recent figures available from the County Clerk. Any further changes received by the City prior to the hearing date will be incorporated into the applicable tax rates.



CITY OF SEDALIA, MISSOURI
CITY COUNCIL MEETING
AUGUST 5, 2024

The City has an on-line broadcast of Council Meetings available both live and recorded by going to https://global.gotomeeting.com/join/578973061"

The Council of the City of Sedalia, Missouri duly met on August 5, 2024 at 6:30 p.m. at the Municipal Building in the Council Chambers with Mayor Andrew L. Dawson presiding. Mayor Dawson called the meeting to order and asked for a moment of prayer led by Chaplain Byron Matson followed by the Pledge of Allegiance led by Boy Scout Troop 61.

ROLL CALL:

Table with 4 columns: Name, Status, Name, Status. Rows include Jack Robinson, Thomas Oldham, Chris Marshall, Tina Boggess, Bob Hiller, Bob Cross, Rhiannon Foster, Steve Bloess.

SERVICE AWARDS:

Table with 4 columns: Award Type, Name, Position, Department. Rows include 40 Year Gift Card/Certificate, 5 Year Pin/Certificate, 5 Year Pin/Certificate.

RETIREMENT AWARDS:

John Simmons – Community Development – 18 Years of service – Retired July 7, 2024.

Director Simmons stated that he has worked for 6 Mayors, 6 Administrators and 30 plus councilmen and women during his time. The City is in capable hands and he will still continue working on Historic Preservation but is now working with the Parks department.

George Stevens – Sanitation – 34 Years, 2 3/4 Months of service – Retired August 1, 2024. Mr. Stevens received a DeWalt drill and impact kit and 2 drill bit sets as a retirement gift.

Public Works Operations Director Justin Bray stated the Mr. Stevens started in Sanitation in April 1990 as Part-time laborer. He became full-time in May of 1990 and was promoted to Equipment Operator. In 1992, he was promoted to Equipment Operator II where he stayed until he moved to the materials management site for 8 years. He is a service minded person and has an attitude of what he can do for others.

SPECIAL AWARDS

Fire Department Lieutenant Pinnings: Fire Chief Matt Irwin stated that with implementation of squads, the need became apparent for a Lieutenant position. Nine individuals applied and tested for 6 positions and were tested on policies, procedures, employee handbooks, SOG's, administrative orders and a project assignment of their choice. The following firemen were promoted to Lieutenant: Alex Razumovsky, Chris Maggert, Colby Snapp, Jeremy Pepin, Matt Moulton and Nathaniel Nevels.

MINUTES:

The Council Meeting minutes of July 15, 2024 were approved on motion by Oldham, seconded by Robinson. All in Favor.

REPORTS OF SPECIAL BOARDS, COMMISSIONS & COMMITTEES: None

ROLL CALL OF STANDING COMMITTEES:

FINANCE & ADMINISTRATION – Chairwoman Tina Boggess; Vice Chairman Thomas Oldham

- The Ordinance makes it unlawful to have drug paraphernalia within the City of Sedalia, allowing officers to arrest individuals with fentanyl on state charges, as well as for the paraphernalia that goes with it on municipal charges. The individual would be allowed to seek bond, however, the municipal court docket moves much faster and if convicted, can mean a sentence of up to 90 days in jail while awaiting State charges.

Susan Howe, mom of Jacob Howe, who lost his life to a fentanyl overdose 4 years ago spoke to Council. Alan Young was also present who lost his son Garrett to fentanyl. She stated these boys were both regular teen agers who were fun loving, liked riding dirt bikes, cars and hanging out with their friends. They were not drug addicts or drug users. She tells this story as an example that those dying from fentanyl overdose do not fit what you think of as a drug user and to encourage the passing of this Ordinance. In the last 3 years, there have been 14 fentanyl related deaths in Sedalia.

Police Chief David Woolery stated fentanyl is a synthetic opioid that is more potent than heroin or morphine by 100 times. It is readily available and is coming from Mexico. A very small amount is enough to be fatal. Most of the pills distributed are non-descript so users think they are getting less powerful drugs.

City Prosecuting Attorney Todd Smith stated that what he has learned after prosecuting this issue is that it is about money. The way to impact sales is to make it less attractive to sell that pill and individuals will go to jail quicker, longer and lose business.

BILL NO. 2024-134, ORDINANCE NO. 12091 – AN ORDINANCE OF THE CITY OF SEDALIA MISSOURI TO PROHIBIT UNLAWFUL USE OF DRUG PARAPHERNALIA WITH FENTANYL was read once by title.

2nd Reading – Motion by Oldham, 2nd by Robinson. All in Favor.

Final Passage – Motion by Foster, 2nd by Oldham. All in Favor.

Roll Call Vote: Voting “Yes” were Robinson, Oldham, Marshall, Boggess, Hiller, Cross, Foster and Bloess. No one voted “No”.

- The Budget Amendment is to appropriate \$50,000.00 to the Embassy for improvements to their structures. RESOLUTION NO. 2099 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEDALIA, MISSOURI, STATING FACTS AND REASONS FOR THE NECESSITY TO AMEND AND INCREASE THE CITY’S ANNUAL BUDGET FOR FISCAL YEAR 2025 was read once by title and approved on motion by Oldham, seconded by Foster. All in Favor.

BILL NO. 2024-135, ORDINANCE NO. 12092 – AN ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR 2024-2025 REGARDING EMBASSY FUNDING was read once by title.

2nd Reading – Motion by Oldham, 2nd by Foster. All in Favor.

Final Passage – Motion by Oldham, 2nd by Marshall. All in Favor.

Roll Call Vote: Voting “Yes” were Robinson, Oldham, Marshall, Boggess, Hiller, Cross, Foster and Bloess. No one voted “No”.

- The owners of Liberty and Tambo Apartments on Liberty Park Boulevard have put together a plan to rehabilitate these units by making application for tax credits through the Missouri Housing Development Commission.

Andrew Boling, with RCH Development, presented information regarding the application. Last year, they gained City support but did not get funded. Mr. Boling stated that RCH Development has been the recipient of over 62 tax credit awards. There is a large demand for these and it is very competitive so gaining City support helps be more competitive. This project has 100% project-based section 8 contract so the tenant pays 30% of their adjusted income on an annual basis. Applications are due in September and awards are announced in December. They will be spending more than \$80,000 to \$85,000 per unit in construction costs to update/renovate these units.

City Administrator Kelvin Shaw stated that the Resolution has been updated to reflect RCH Development, LLC as the requestor instead of Ventura Industries.

RESOLUTION NO. 2100 – A RESOLUTION OF SUPPORT FOR THE PROPOSAL FROM RCH DEVELOPMENT, LLC., FOR THE REDEVELOPMENT OF LIBERTY AND TAMBO APARTMENTS LOCATED AT 1400 LIBERTY PARK BLVD, IN THE CITY OF SEDALIA MISSOURI was read once by title and approved on motion by Oldham, seconded by Robinson. All in Favor.

PUBLIC WORKS – Chairman Bob Hiller; Vice Chairwoman Tina Boggess

- The City is on an Abatement Order on Consent with Missouri Department of Natural Resources to bring the City's sewer treatment plants to current standards. Due to the age of the facility, equipment and standards the technology will no longer meet requirements. Due to the size and complexity of the project, staff recommends utilizing an Owners Agent to represent the City's interest to sort through options. HDR Engineering, Inc. was the best qualified. In order to move forward to phase 2, a scope of work was negotiated for design and construction. Cost \$105,637.00.

BILL NO. 2024-136, ORDINANCE NO. 12093 – AN ORDINANCE AUTHORIZING AMENDMENT 1 TO THE OWNER AGENT AGREEMENT FOR ENGINEERING SERVICES FOR THE CITY'S NORTH AND CENTRAL WASTEWATER TREATMENT PLANTS was read once by title.

2nd Reading – Motion by Oldham, 2nd by Foster. All in Favor.

Final Passage – Motion by Foster, 2nd by Oldham. All in Favor.

Roll Call Vote: Voting "Yes" were Robinson, Oldham, Marshall, Boggess, Hiller, Cross, Foster and Bloess. No one voted "No".

- In 2022 the City was successful in obtaining a grant through the American Rescue Plan Act for storm water improvements. These projects are part of the master plan for the City. One such project is widening the paved area of Liberty Park Boulevard, adding curbing and more storm piping with work being done by S & A Equipment and Builders. This will increase the parking for access to Liberty Park. Cost \$391,980.41.

BILL NO. 2024-137, ORDINANCE NO. 12094 – AN ORDINANCE APPROVING AND ACCEPTING CHANGE ORDER NUMBER ONE FOR STORM DRAINAGE IMPROVEMENTS PROJECT AREA #8 was read once by title.

2nd Reading – Motion by Oldham, 2nd by Foster. All in Favor.

Final Passage – Motion by Foster, 2nd by Oldham. All in Favor.

Roll Call Vote: Voting "Yes" were Robinson, Oldham, Marshall, Boggess, Hiller, Cross, Foster and Bloess. No one voted "No".

- The City is working to utilize available grants to make more storm water improvements. Another option approved is in the area of 13th Street and Beacon Avenue. During construction on project area #35, S & A Equipment and Builders will replace a pipe that is failing and increase the size to handle larger rain events. Cost \$67,240.31.

BILL NO. 2024-138, ORDINANCE NO. 12095 – AN ORDINANCE APPROVING AND ACCEPTING CHANGE ORDER NUMBER ONE FOR STORM DRAINAGE IMPROVEMENTS PROJECT AREA #35 was read once by title. 2nd Reading – Motion by Foster, 2nd by Marshall. All in Favor.

Final Passage – Motion by Foster, 2nd by Oldham. All in Favor.

Roll Call Vote: Voting “Yes” were Robinson, Oldham, Marshall, Boggess, Hiller, Cross, Foster and Bloess. No one voted “No”.

- The City has identified a need to modify Project area #14, in the area of Center Avenue and Broadway with work to be done by Orr Wyatt Streetscapes. Cost \$4,857.25.

BILL NO. 2024-139, ORDINANCE NO. 12096 – AN ORDINANCE APPROVING AND ACCEPTING CHANGE ORDER NUMBER TWO FOR STORM DRAINAGE IMPROVEMENTS PROJECT AREA #14 was read once by title. 2nd Reading – Motion by Oldham, 2nd by Foster. All in Favor.

Final Passage – Motion by Foster, 2nd by Oldham. All in Favor.

Roll Call Vote: Voting “Yes” were Robinson, Oldham, Marshall, Boggess, Hiller, Cross, Foster and Bloess. No one voted “No”.

- In connection with the storm water improvement project in the area of 14th Street, Sneed Avenue, and Park Avenue, staff has worked with Missouri Department of Natural Resources for use of grant funding to replace sidewalks after the storm pipe is installed and will result in 11,870 square feet of sidewalk. Cost \$44,697.98.

BILL NO. 2024-140, ORDINANCE NO. 12097 – AN ORDINANCE APPROVING AND ACCEPTING CHANGE ORDER NUMBER ONE FOR STORM DRAINAGE IMPROVEMENTS PROJECT AREA #28 was read once by title. 2nd Reading – Motion by Foster, 2nd by Oldham. All in Favor.

Final Passage – Motion by Foster, 2nd by Oldham. All in Favor.

Roll Call Vote: Voting “Yes” were Robinson, Oldham, Marshall, Boggess, Hiller, Cross, Foster and Bloess. No one voted “No”.

- During Strategic Planning and budgeting, staff identified the need to replace a 1998 truck that has exceeded useful life and has a broken frame. A dump truck with plow and spreader was identified under the state cooperative procurement contract. Cost \$297,541.00.

BILL NO. 2024-141, ORDINANCE NO. 12098 – AN ORDINANCE APPROVING AND ACCEPTING A QUOTE FOR THE PURCHASE OF A DUMP TRUCK, PLOW AND SPREADER was read once by title.

2nd Reading – Motion by Oldham, 2nd by Foster. All in Favor.

Final Passage – Motion by Oldham, 2nd by Foster. All in Favor.

Roll Call Vote: Voting “Yes” were Robinson, Oldham, Marshall, Boggess, Hiller, Cross, Foster and Bloess. No one voted “No”.

- The Strategic Plan included the need to replace garbage trucks at the end of their useful life. The City was experiencing equipment failure at a rate that was impeding the ability to keep trash picked up and repair costs were excessive and consuming maintenance fleet resources. A refuse vehicle has been identified and a trade-in of three of the old trucks was negotiated. Cost \$299,000.00.

RESOLUTION NO. 2101 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEDALIA, MISSOURI, STATING FACTS AND REASONS FOR THE NECESSITY TO AMEND AND INCREASE THE CITY’S ANNUAL BUDGET FOR FISCAL YEAR 2025 was read once by title and approved on motion by Foster, seconded by Oldham. All in Favor.

BILL NO. 2024-142, ORDINANCE NO. 12099 – AN ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR 2024-2025 REGARDING SANITATION SIDE LOAD REFUSE TRUCK PURCHASE was read once by title. 2nd Reading – Motion by Oldham, 2nd by Foster. All in Favor.

Final Passage – Motion by Foster, 2nd by Oldham. All in Favor.

Roll Call Vote: Voting “Yes” were Robinson, Oldham, Marshall, Boggess, Hiller, Cross, Foster and Bloess. No one voted “No”.

BILL NO. 2024-143, ORDINANCE NO. 12100 – AN ORDINANCE APPROVING AND ACCEPTING A QUOTE FOR THE PURCHASE OF A SIDE LOAD REFUSE TRUCK was read once by title.

2nd Reading – Motion by Foster, 2nd by Oldham. All in Favor.

Final Passage – Motion by Foster, 2nd by Oldham. All in Favor.

Roll Call Vote: Voting “Yes” were Robinson, Oldham, Marshall, Boggess, Hiller, Cross, Foster and Bloess. No one voted “No”.

➤ Zakhariy Iziotza owns property at 1420 Timber Ridge Drive and wants to connect to City water and has negotiated an agreement.

BILL NO. 2024-144, ORDINANCE NO. 12101 – AN ORDINANCE AUTHORIZING AN ANNEXATION AND UTILITY SERVICES AGREEMENT FOR CONNECTION OF PROPERTY LOCATED AT 1420 TIMBER RIDGE DRIVE TO THE CITY OF SEDALIA’S WATER DISTRIBUTION SYSTEM was read once by title.

2nd Reading – Motion by Oldham, 2nd by Marshall. All in Favor.

Final Passage – Motion by Oldham, 2nd by Marshall. All in Favor.

Roll Call Vote: Voting “Yes” were Robinson, Oldham, Marshall, Boggess, Hiller, Cross, Foster and Bloess. No one voted “No”.

➤ Herman and Debra Collier own property at 2685 James Lane and want to connect to City water and have negotiated an agreement.

BILL NO. 2024-145, ORDINANCE NO. 12102 – AN ORDINANCE AUTHORIZING AN ANNEXATION AND UTILITY SERVICES AGREEMENT FOR CONNECTION OF PROPERTY LOCATED AT 2685 JAMES LANE TO THE CITY OF SEDALIA’S WATER DISTRIBUTION SYSTEM was read once by title.

2nd Reading – Motion by Oldham, 2nd by Marshall. All in Favor.

Final Passage – Motion by Oldham, 2nd by Marshall. All in Favor.

Roll Call Vote: Voting “Yes” were Robinson, Oldham, Marshall, Boggess, Hiller, Cross, Foster and Bloess. No one voted “No”.

➤ During the work session on July 9th, Council adopted a phased plan to get the Washington Street Bridge back in operation. The first phase was implemented to get the bridge open to northbound traffic only. The next part of the plan includes purchasing portable traffic signal equipment to allow for two-way traffic on one lane of the bridge. The lights would be green for northbound traffic and red for southbound, until the system sensors identified an automobile wanting to go south across the bridge. The lights would then be red for northbound and green for southbound until the southbound traffic is cleared. This system of lights has been sourced and staff recommends purchase from J&A Traffic Products. Cost \$56,781.26.

Councilwoman Foster inquired if the City had received the \$200,000.00 from the County for this project. City Administrator Shaw stated that they met with the Commissioners the first of July who indicated they would likely have to carry the request over to next fiscal year because it was intended for the construction and repairs.

Councilwoman Boggess asked if the amount included the whole cost or just for the installation of the lights. City Administrator Shaw stated that they will be set up but they were purchased as portable so they can be used for traffic control or street repairs elsewhere when no longer needed for the bridge.

RESOLUTION NO. 2102 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEDALIA, MISSOURI, STATING FACTS AND REASONS FOR THE NECESSITY TO AMEND AND INCREASE THE CITY’S ANNUAL

BUDGET FOR FISCAL YEAR 2025 was read once by title and approved on motion by Oldham, seconded by Marshall. All in Favor.

BILL NO. 2024-146, ORDINANCE NO. 12103 – AN ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR 2024-2025 REGARDING STREET LIGHT SIGNAL PURCHASE was read once by title.

2nd Reading – Motion by Oldham, 2nd by Foster. All in Favor.

Final Passage – Motion by Oldham, 2nd by Marshall. All in Favor.

Roll Call Vote: Voting “Yes” were Robinson, Oldham, Marshall, Boggess, Hiller, Cross, Foster and Bloess. No one voted “No”.

BILL NO. 2024-147, ORDINANCE NO. 12104 – AN ORDINANCE APPROVING AND ACCEPTING A QUOTE FOR THE PURCHASE OF TWO 4-WAY PORTABLE SIGNALS was read once by title.

2nd Reading – Motion by Oldham, 2nd by Foster. All in Favor.

Final Passage – Motion by Oldham, 2nd by Foster. All in Favor.

Roll Call Vote: Voting “Yes” were Robinson, Oldham, Marshall, Boggess, Hiller, Cross, Foster and Bloess. No one voted “No”.

- The City collects tree limbs and other yard waste at the materials management site. A contractor brings in a large grinder to turn this debris into mulch and the mulch is used in the composting operation. The sewer sludge that comes out of the sewer plants is mixed with the tree mulch and the biological process breaks down the materials and turns the mix into compost. The recommended vendor is Hansen’s Tree Service. Cost \$39,275.00.

BILL NO. 2024-148, ORDINANCE NO. 12105 – AN ORDINANCE AUTHORIZING AN AGREEMENT FOR YARD WASTE GRINDING was read once by title.

2nd Reading – Motion by Oldham, 2nd by Robinson. All in Favor.

Final Passage – Motion by Oldham, 2nd by Marshall. All in Favor.

Roll Call Vote: Voting “Yes” were Robinson, Oldham, Marshall, Boggess, Hiller, Cross, Foster and Bloess. No one voted “No”.

- The City has been working on a project to extend sewer to WireCo. The project was designed and let out for bid, however, no bids were received. It was determined that a redesign is necessary to make the main extension easier to construct. Staff has worked with Engineering Surveys and Services on a scope of work to complete a modification to the design. Cost \$40,600.00.

BILL NO. 2024-149, ORDINANCE NO. 12106 – AN ORDINANCE AUTHORIZING TASK ORDER NUMBER 3A FOR SMALL SANITARY SEWER PROJECT A was read once by title.

2nd Reading – Motion by Oldham, 2nd by Foster. All in Favor.

Final Passage – Motion by Oldham, 2nd by Marshall. All in Favor.

Roll Call Vote: Voting “Yes” were Robinson, Oldham, Marshall, Boggess, Hiller, Cross, Foster and Bloess. No one voted “No”.

- During the budgeting process, Council approved allocating \$65,000 for the purchase of another used day cab truck. Staff located a good used truck well under the budgeted amount. The dealer also has another almost identical truck, and has offered a discount if we purchase both. With the discount, the two trucks can be purchased for the budgeted amount. Cost \$65,000.00

BILL NO. 2024-150, ORDINANCE NO. 12107 – AN ORDINANCE APPROVING AND ACCEPTING A QUOTE FOR THE PURCHASE OF TWO DAY CAB TRUCKS was read once by title.

2nd Reading – Motion by Foster, 2nd by Oldham. All in Favor.

Final Passage – Motion by Foster, 2nd by Oldham. All in Favor.

Roll Call Vote: Voting "Yes" were Robinson, Oldham, Marshall, Boggess, Hiller, Cross, Foster and Bloess. No one voted "No".

- With the current project to upgrade the Central Waste Water Treatment Plant, a major piece of the improvements is replacing and upgrading blowers. It was decided to move away from the current positive displacement style of blowers to turbo style blowers. The turbo blowers have fewer moving parts, making them more reliable and easier to maintain. Staff worked with the FTC Equipment LLC to provide a model that fits the needs of the South East Plant. Cost \$370,920.00.

RESOLUTION NO. 2103 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEDALIA, MISSOURI, STATING FACTS AND REASONS FOR THE NECESSITY TO AMEND AND INCREASE THE CITY'S ANNUAL BUDGET FOR FISCAL YEAR 2025 was read once by title and approved on motion by Oldham, seconded by Marshall. All in Favor.

BILL NO. 2024-151, ORDINANCE NO. 12108 – AN ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR 2024-2025 REGARDING WPC BLOWER PURCHASES was read once by title.

2nd Reading – Motion by Oldham, 2nd by Foster. All in Favor.

Final Passage – Motion by Oldham, 2nd by Foster. All in Favor.

Roll Call Vote: Voting "Yes" were Robinson, Oldham, Marshall, Boggess, Hiller, Cross, Foster and Bloess. No one voted "No".

BILL NO. 2024-152, ORDINANCE NO. 12109 – AN ORDINANCE APPROVING AND ACCEPTING A QUOTE FOR THE PURCHASE OF TWO BLOWERS FOR THE SOUTHEAST WASTEWATER TREATMENT PLANT was read once by title.

2nd Reading – Motion by Oldham, 2nd by Foster. All in Favor.

Final Passage – Motion by Oldham, 2nd by Marshall. All in Favor.

Roll Call Vote: Voting "Yes" were Robinson, Oldham, Marshall, Boggess, Hiller, Cross, Foster and Bloess. No one voted "No".

- Legal staff has performed an extensive research of state statutes and federal regulations that limit the City's abilities in current right of way management codes. While state and federal language does not clearly state we can dictate placement or style of facilities, it does provide room to manage the use of the right of way as long as ordinances are reasonable and do not create an unfair advantage of one provider over another.

Pursuant to this research, legal has drafted language to fit within limitations that will limit the density of above ground or flush mounted junction boxes and discourage placement of boxes in the middle of properties by increasing landscaping requirements to conform with surrounding aesthetics.

BILL NO. 2024-153, ORDINANCE NO. 12110 – AN ORDINANCE AMENDING SECTION 50-50 OF THE CODE OF ORDINANCES OF THE CITY OF SEDALIA, MISSOURI RELATING TO THE DENIAL OF AN APPLICATION FOR A RIGHT-OF-WAY PERMIT was read once by title.

2nd Reading – Motion by Oldham, 2nd by Foster. All in Favor.

Final Passage – Motion by Foster, 2nd by Oldham. All in Favor.

Roll Call Vote: Voting "Yes" were Robinson, Oldham, Marshall, Boggess, Hiller, Cross, Foster and Bloess. No one voted "No".

PUBLIC SAFETY – Chairman Jack Robinson, Vice Chairman Steve Bloess – No Report.

COMMUNITY DEVELOPMENT – Chairwoman Rhiannon M. Foster; Vice Chairman Bob Cross – No Report.

APPOINTMENTS: None

BIDS: Yard Waste Grinding – July 8, 2024

LIQUOR LICENSES: The following new and renewal Liquor Licenses were read and approved on motion by Oldham, seconded by Foster. All in Favor.

New:

*Kristy Long dba Wildlife Ridge Winery, 34751 Miller Road, Smithton, MO Special Event (Sedalia Chamber Picadilly – Foundry – 324 West 2nd Street – September 26, 2024, 8 AM – 11:59 PM)

Renewals:

*Steven Swafford dba Grellner Sales & Service, 1510 West Henry, Wholesale Liquor & Wholesale Beer

*Doug Benitz dba Liberty Center Association, 111 West 5th, Liquor by the Drink

*Virginia K. Jones dba Prime Time #3, 1320 South Limit, Packaged Liquor & Sunday Sales

*Virginia K. Jones dba Prime Fav Trip, 216 West Broadway, Packaged Liquor & Sunday Sales

*Charles Wansing dba Chez When, 121 East 3rd, Liquor by the Drink

*Cathy Geotz dba Break Time #3167, 101 Rebar Road, Packaged Liquor & Sunday Sales

*Chancey Sherman dba Chances R, 303 South Lamine, Liquor by the Drink, Sunday Sales and Sidewalk Consumption

*Eric Brown dba Buffalo Wild Wings, 4401 Wisconsin Ave, Liquor by the Drink & Sunday Sales

MISCELLANEOUS ITEMS FROM MAYOR/COUNCIL/ADMINISTRATOR:

Councilwoman Boggess announced that Thursday, August 8, 2024, at 1:30 p.m. at Bothwell Regional Health Center there will be a recognition event for Laurretta Emerson related to her lifelong achievements.

City Administrator Kelvin Shaw introduced and welcomed new Community Development Director Sherri Lowry and new IT Director Chris Franklin. Administrator Shaw also announced that an offer was made for a new Chief Building Official and it has been accepted and that person should start in the next 3 weeks.

GOOD & WELFARE:

Rene Vance, 19813 Tanglenook, announced the Senior Center's Quarterly dinner will be held Sunday, August 11 from 11 a.m. to 1 p.m. Ms. Vance stated that she has also seen a lot of ads regarding Pettis County going "green" and inquired if there is any truth to it.

Robin Balke, 645 State Fair Boulevard, emphasized the invitation for the community to attend the event for Laurretta Emerson. She is a community activist and female trailblazer and will be honored with a portrait and plaque.

Janet Mizansky, 723 East 5th, asked that Council consider expanding speaking time for citizens from 3 minutes to 5 minutes. She also stated that a stop sign was moved at 5th and Montgomery opening the street up from Hancock to Engineer. It has created a speedway through that section and is a safety issue. She asked for consideration of a 4-way stop. Ms. Mizansky had inquired about doing a town hall meeting with Councilwoman Boggess for their Ward and has not heard back and is inquiring on the status of the request.

Kevin Lujin, 408 West 22nd, voiced concern about traffic on Broadway particularly the area around Warren or Beacon due to the lack of traffic signals or stop signs. He inquired about an analysis or study of the traffic in the area between Grand and Limit/65 Highway.

The meeting adjourned at 8:04 p.m. on motion by Oldham, seconded by Foster to a closed-door meeting in the upstairs conference room pursuant to subsections 1 (Legal Advice), 2 (Real Estate) and

12 (Negotiated Contracts) of Section 610.021 RSMo. Roll Call Vote: Voting "Yes" were Robinson, Oldham, Marshall, Boggess, Hiller, Cross, Foster and Bloess. No one voted "No".

The regular meeting reopened at 9:20 p.m. on motion by Foster, seconded by Robinson.

ROLL CALL:

Jack Robinson	Present	Bob Hiller	Present
Thomas Oldham	Present	Bob Cross	Present
Chris Marshall	Present	Rhiannon Foster	Present
Tina Boggess	Present	Steve Bloess	Present

BUSINESS RELATED TO CLOSED DOOR MEETING:

BILL NO. 2024-154, ORDINANCE NO. 12111 – AN ORDINANCE APPROVING A SPECIAL WARRANTY DEED FOR THE SALE OF PROPERTY COMMONLY KNOWN AS 404 EAST 2ND STREET FROM THE CITY OF SEDALIA, MISSOURI TO FURNELL INVESTMENTS, INC., A MISSOURI CORPORATION was read once by title.

2nd Reading – Motion by Oldham, 2nd by Foster. All in Favor.

Final Passage – Motion by Foster, 2nd by Oldham. All in Favor.

Roll Call Vote: Voting "Yes" were Robinson, Oldham, Marshall, Boggess, Hiller, Cross, Foster and Bloess. No one voted "No".

BILL NO. 2024-155, ORDINANCE NO. 12112 – AN ORDINANCE APPROVING A QUIT CLAIM DEED FOR THE SALE OF PROPERTIES COMMONLY KNOWN AS 421 NORTH OSAGE AVENUE AND 423 NORTH OSAGE AVENUE FROM THE CITY OF SEDALIA, MISSOURI TO MARLA DEANN GREEN was read once by title.

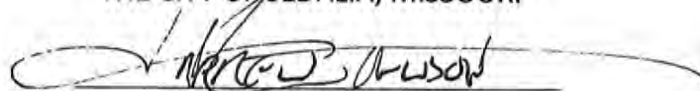
2nd Reading – Motion by Foster, 2nd by Oldham. All in Favor.

Final Passage – Motion by Foster, 2nd by Oldham. All in Favor.

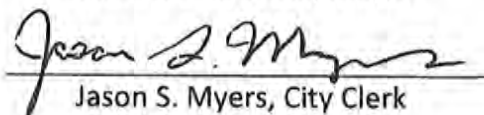
Roll Call Vote: Voting "Yes" were Robinson, Oldham, Marshall, Boggess, Hiller, Cross, Foster and Bloess. No one voted "No".

The regular meeting adjourned at 9:27 p.m. on motion by Oldham, seconded by Marshall. All in favor.

THE CITY OF SEDALIA, MISSOURI



Andrew L. Dawson, Mayor



Jason S. Myers, City Clerk



Let's Cross Paths

PLANNING & ZONING COMMISSION

Wednesday, June 5, 2024

Council Chambers

5:30 pm

Planning & Zoning Commission

Tolbert Rowe	Present	Andrew Dawson	Absent
Ann Richardson	Present	Teresa McDermott	Present
Rhonda Ahern	Absent	Mike Privitt	Absent
Valerie Bloess	Present	Ann Graff	Present
Jerry Ross	Present	Ian Shoemaker	Present
Chris Marshall	Present		

STAFF:

Kelvin Shaw

John Simmons

- Tolbert Rowe, Chairman, called the meeting to order at 5:30 pm.
- Roll Call

The minutes from the March 6, 2024 meeting were presented for approval. Jerry Ross made a motion to approve the minutes, seconded by Ann Richardson. The minutes were unanimously approved.

➤ New Business

- Zoning Amendments
 - Tiny Homes – Small Lot Overlay District

PUBLIC HEARING

- Chairman Rowe opened the Public Hearing for the Small Lot Overlay District.
- John Simmons presented the proposed change to the zoning code adding Sections 64-74 through 64-76 establishing a Small Lot Overlay District in the area bounded by Mill Street on the east, North Broadway Boulevard and the north property line of properties on the north side of East Hamm Street to the north, Moniteau to the west and the Union Pacific Rail Line to the south. This would be the first area that the city would establish this district. Tiny homes would be allowed from 250-650 square feet. ICC Residential code calls tiny

homes out as 100-450 square feet. This needs to be reconciled for the upper limit.

- Councilman Tina Boggess asked that there be a public hearing in this area to allow the residents of this area to receive this information and how it would be beneficial to the area. She has had several questions regarding modular homes. Joe Lauber clarified that this proposed public meeting would be a continuation of this public hearing. Tonight was to get this idea before the commission and then continue tonight's hearing for a community involvement session and then continue the hearing into the next regularly scheduled July meeting. We would take the information from the public meeting and adjust the amendment based on that information and continue this discussion at the next meeting.
- Ann Richardson made a motion to continue this public hearing to the next Planning and Zoning commission meeting. Seconded by Teresa McDermott. The motion carried by unanimous consent of the commission.

PUBLIC HEARING CLOSED

- Historic Sign Parks

PUBLIC HEARING

- Chairman Rowe opened the Public Hearing for the Historic Sign Parks Addition to the Zoning Code.
- John Simmons presented the proposed addition Division 4 – Historic Sign Parks through the addition of Section 64-360 and 361 to establish the definition of a historic sign and the creation of a Historic Sign Park, and;
- Section 2, Section 64-207(a)(6) further defining “neon sign” and Section 64-207(b) promoting the use of neon and projecting signs in C-2 zoning.
- John recalled the historic signs that used to be displayed in the community. Those have been collected and Impact Signs would like to display these on the exterior of their new building in Thompson Meadows.
- John reviewed the specifics of the amendment and that sign parks would only be allowed in commercial and industrial areas.
- Joe Lauber discussed the historic sign parks and that led to staff looking at the historic downtown the Lumi Sign Park in Kansas City celebrating the old neon signs as well as the City of St. Robert's Route 66 sign park, the Las Vegas sign park and noting the tourism component of the proposed sign park allowance. Dotnwon Lee's Summit is also encouraging the use of neon in their downtown district.
- Recommend changing the limitation on hours of use in the downtown C-2 area as there are existing neon signs in the downtown and we should not be limiting that use.
- Discussion on number of signs comprising a historic sign park (6 to 150). Numbers are discretionary, concept as a park use versus someone placing one or two at their business. This would be a

collection of signs. Jerry Ross questioned the differentiation between historic signs and potential false advertising where the public does not perceive the product is defunct. Staff pointed out that in definitions, historic sign is defined and must meet the entire definition. A historic sign can be a neon sign, but a neon sign isn't necessarily a historic sign. You have to meet the requirement as outlined in the ordinance.

- Valerie Bloess questioned what would happen if a business was bought and they wanted to keep the neon sign, but it no longer is named as that on the sign. That would be a case where they would not be able to use that sign in this instance. There are not a lot of cases that meet this question – Hotel Bothwell, State Fair Floral and The Foundry to name a few. If this is something that we want to allow we need to build in an option that a single historic sign could be utilized for a business that is no longer there through a special use permit. Add special use permit to the proposed amendment per the commission. This would be taken up outside of this public hearing portion

- **PUBLIC HEARING CLOSED**

- Chairman Rowe called for any additional public comment. As there was none, Chairman Rowe closed the public hearing.

- Amendment to the Historic Sign Park Ordinance

Motion by Jerry Ross to forward the following recommendation

1. Historic Sign Definition
 - a. Build in a special use permit for existing historic signs numbering less than a historic sign park.
2. Section 64-207a6c – neon signs within C-2 exempt from hours of illumination.

Seconded by Chris Marshall. The motion carried unanimously.

- Next Meeting Date – July 3, 2024 at 5:30 pm.

➤ **Adjournment**

The meeting was adjourned with a motion from Jerry Ross and a second from Ann Richardson. All were in agreement.



Let's Cross Paths

PLANNING & ZONING COMMISSION

Wednesday, July 3, 2024

Council Chambers

5:30 pm

Planning & Zoning Commission

Tolbert Rowe	Present	Andrew Dawson	Absent
Ann Richardson	Present	Teresa McDermott	Present
Rhonda Ahern	Present	Ann Graff	Present
Valerie Bloess	Present	Ian Shoemaker	Present
Jerry Ross	Present		
Chris Marshall	Absent		

STAFF:

Kelvin Shaw

John Simmons

- Tolbert Rowe, Chairman, called the meeting to order at 5:30 pm.
- Roll Call

The minutes from the June 5, 2024 meeting were presented for approval. Jerry Ross made a motion to approve the minutes, seconded by Ann Richardson. The minutes were unanimously approved.

➤ Old Business

○ Continuation of Public Hearing – Small Lot Overlay District

A public meeting was held June 26 attended by 45 citizens. 8 were against any ordinance, the remainder were split between passing as presented or passing with amendment.

In a conversation with Councilman Boggess the next day, John said she thought her neighborhood was well represented and were in favor of some adjustment to the proposed amendment.

The approach that we can take is:

1. Do we make it city-wide in R-21 through R-3 but you would have to apply, similar to a rezoning process, for P&Z to approve any house under 650 square feet (notification of all within 185 feet, hearing, P&Z

recommendation). This is a result of being asked why not city-wide which was heard at the public meeting.

Ann Richardson agrees it should be tied to the land. Graff feels that this would take away the element that the public perceives this is an experiment. McDermott expressed concern that this would apply to small lots and that someone couldn't purchase an acre and divide into 4 tiny homes. Simmons responded that yes they could, but it would still have to come to the commission for consideration (4 tiny houses per parcel – so if a developer has 10 acres, they can subdivide into 10 parcels with 4 per parcel or 40 parcels with one per parcel. They would still have to present to the Planning and Zoning Commission for approval under this approach. The Commission could then recommend approval or denial).

Rhonda Ahern expressed it would be hard to vote into someone's neighborhood when she wouldn't want it in hers. Her realtor group's guidance would be to use a PUD (similar to Brooking Park) so that they are all together. Tiny homes are trendy, in ten years they could be unsaleable and impact property values negatively. Infill at 250 square feet is too small. People like the idea of a tiny home until they see one and they realize it is too small. This is a trend similar to A-frames, nobody wants them now. Consider HUD guidelines – 350 square feet minimum to utilize HUD funding. Make sure the minimum square footage is set at HUD minimum so that they are saleable with mortgages.

Rhonda Ahern expressed that comparables would be a problem if they were infills around town, but if they were in one area, comparables would probably be realistic.

The question was posed, what are we trying to accommodate with this ordinance? This doesn't help with the homeless problem as they won't be able to afford even a tiny home. It could be helpful for veterans, but VA will have minimum guidelines – probably similar to HUD. Senior housing would be great, but handicap accessibility may be compromised. Say someone wanted to build four 250 square foot homes. That adds up to 1,000 square feet, they should just build a home.

Rhonda Ahern expressed that this approach is still not where she is comfortable with the ordinance.

Rather see it on a subdivision that groups them together.

At 5:45 pm Chairman Rowe closed the public hearing.

- **Historic Sign Park Amendment**

Per the need for more information, Chairman Rowe asked for a motion to table until the next meeting. Jerry Ross made the motion with a second by Ann Graff. The motion was approved unanimously.

- **Small Lot Overlay District Amendment**

Per Chairman Rowe, this should be tabled until the next meeting to consider amendments. Staff will bring back a new draft for Commission re Motion to revise draft for small lot overlay district and table any further action until the next Planning and Zoning Commission meeting for their consideration and discussion at that time. Ann Richardson made the motion with a second by Jerry Ross. The motion was approved unanimously.

Jerry Ross expressed concern that tiny homes are a fad. Can end up as a blight when they are unsaleable.

John Simmons suggested that 250 square feet is too small. Rhonda Ahern has reached out to realtors in other cities and they have responded that they don't have them and they don't allow them.

John Simmons asked if they should be limited to one area or the entire city. Ann Richardson would prefer to see in one area to see how it works first. Terry McDermott suggested allowing smaller homes on smaller parcels. We could define that tiny home could go be built on a parcel that is smaller than allowed and existed prior to a specific date but the size would need to be defined.

A 45 foot wide lot could be accommodated with minimum setbacks and two hour fire ratings, whereby a more normal sized house could be built on those lots. Terry McDermott would prefer to see small lots (45' wide) made more buildable and make the existing small unbuildable lots (less than 45'wide) applicable for tiny homes.

Ann Richardson again emphasized that she would like to see this in one area first, and then city wide. Ann Graff said during the pilot phase we need a mechanism that plans be brought forward before it is approved to ensure that the scale fits the neighborhood.

A mechanism is needed that plans are brought to Planning & Zoning on a case by case basis for P&Z approval.

The Ernie Keele small houses are a good example for the 45' wide lots and per Rhonda are saleable. These are what she envisions for infill lots. There is a small market for those, but you have to have the right people.

Consensus from the commission that they do not want to accommodate container homes at this time.

John explained the process whereby the City acquires property at tax sale. The first year the City has a Certificate of Purchase. At the end of year one the City then notifies all lienholders and heirs that the city is redeeming the certificate of purchase and the County issues a Collectors Deed. The original owner still has an opportunity to redeem the property and get the property back. That does not mean that the property has a clean title. At this point, to convert to a clean title requires a legal process, done by legal counsel that typically costs around \$3500 to \$5000 through a court process and final judgement by the circuit court judge.

Ann Richardson asked how many are actually interested in preserving the historic homes versus just talking about it. It is not an inexpensive proposition.

- **Next Meeting**

The next meeting will be August 7 at 5:30 p.m.

- **Adjourn**

Motion by Jerry Ross, seconded by Ann Richardson to adjourn. All were in favor.

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE LEVYING AND PROVIDING FOR THE COLLECTION OF TAXES FOR THE YEAR 2024 IN THE CITY OF SEDALIA, MISSOURI.

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

Section 1. There is hereby levied for the year 2024 the following rate of taxation upon all real estate and personal property within the limits of the City of Sedalia, Missouri, which is not exempt from taxation as shown by the Assessor's valuation thereon, as fixed and agreed upon by the Board of Equalization, as follows:

1. For the purpose of defraying the expenses of the City of Sedalia, a city within the State of Missouri, having a population of less than 30,000 and more than 10,000 inhabitants, the rate and sum of \$0.4943 on the One Hundred Dollars valuation.
2. For the support and maintenance of the free public library heretofore established and now existing in the said City, the rate and sum of \$0.2443 on the One Hundred Dollars valuation.
3. For the support of a Library Voter Approved Tax Increase, the rate and sum of \$0.0700 on the One Hundred Dollars valuation.
4. For the support and maintenance of the free public parks heretofore established and now existing in the said City, the rate and sum of \$0.1719 on the One Hundred Dollars valuation.
5. For the support of a fund for Firemen's Pension as heretofore established by vote and provided for by ordinance, the rate and sum of \$0.0500 on the One Hundred Dollars valuation.
6. For the support of a fund for Policemen's Pension as heretofore established by vote and provided for by ordinance, the rate and sum of \$0.0967 on the One Hundred Dollars valuation.
7. For the purpose of paying for all costs and expenses incurred in the operation of the Sedalia Special Business District, the provision of services and improvements authorized by law and incidental to the leasing, construction, acquisition and maintenance of any improvements provided for by law or for paying principal and interest on notes or bonds authorized for the construction or acquisition of any said improvements, the rate and sum of \$0.8500 on the One Hundred Dollars valuation, on property located within the said district.

Section 2. Therefore, the tax levy for:

1. Property located outside the Special Business District and the Public Library will be assessed at the rate of \$0.8129 per \$100.00 assessed valuation thereon; and
2. Property located outside the Special Business District but within the Public Library will be assessed at the rate of \$1.1272 per \$100.00 assessed valuation thereon; and
3. Property located within the Special Business District and the Public Library will be assessed at the rate of \$1.9772 per \$100.00 assessed valuation thereon.

Section 3. This ordinance shall take effect and be in full force from and after its passage by the City Council and approval by the Mayor.

Read two times by title, copies of the proposed ordinance having been made available for public inspection prior to the time the bill is under consideration by the Council and passed by the Council of the City of Sedalia, Missouri this 19th day of August 2024.

Presiding Officer of the Council

Approved by the Mayor of said City this 19th day of August 2024.

Andrew L. Dawson, Mayor

ATTEST:

Jason S. Myers,
City Clerk

**CITY COUNCIL
OF THE CITY OF SEDALIA, MISSOURI**

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEDALIA, MISSOURI,
STATING FACTS AND REASONS FOR THE NECESSITY TO AMEND AND INCREASE
THE CITY'S ANNUAL BUDGET FOR FISCAL YEAR 2025.**

WHEREAS, Section 67.010 of the Revised Statutes of Missouri requires each political subdivision of the State of Missouri ("State") to prepare an annual budget and establishes the requirements for that budget; and

WHEREAS, the City of Sedalia, Missouri ("City"), is a city of the third classification created pursuant to Chapter 77, RSMo, and is a political subdivision of the State of Missouri; and

WHEREAS, the City Council of the City adopted and approved the City's annual budget for Fiscal Year 2025 in accordance with the requirements of Section 67.010, RSMo, by Ordinance No. 11990 on March 18, 2024, and

WHEREAS, Sections 67.030 and 67.040 authorize and provide a procedure for the City Council to amend the City's annual budget to increase expenditures in any fund; and

WHEREAS, expenses for City's operations for Fiscal Year 2025 have been higher than budgeted, but do not exceed revenues plus the City's unencumbered balance brought forward from previous years; and

WHEREAS, the City Council of the City desire to state the facts and reasons necessitating an amendment to increase certain expenditures in the Fiscal Year 2025 annual budget.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEDALIA, MISSOURI, AS FOLLOWS:

Section 1. Expenditures from the City's General Fund must be increased by a total of \$13,202.06 above the amount authorized in the adopted annual budget for Fiscal Year 2025. An amendment to increase said budget is necessary for the following facts and reasons:

- A. Add a part-time staff to the IT Department.

Section 2. This Resolution shall take effect immediately upon its execution by the Mayor or otherwise as provided by law.

PASSED by the City Council of the City of Sedalia, Missouri, on August 19, 2024

Presiding Officer of the Council

ATTEST: _____
Jason S. Myers
City Clerk

BILL NO. _____

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR 2024-2025
REGARDING IT PART-TIME STAFF ADDITION.**

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
SEDALIA, MISSOURI** as follows:

Section 1. The 2024-2025 fiscal year budget beginning April 1, 2024 and ending March 31, 2025 is hereby amended to modify certain budgeted line items as they appear on the attached schedule and made a part hereof as Exhibit A as if fully set out herein.

Section 2. This ordinance shall be in full force and effect from and after its passage and approval.

Read two times by title, copies of the proposed ordinance having been made available for public inspection prior to the time the bill is under consideration by the Council and passed by the Council of the City of Sedalia, Missouri this 19th day of August 2024.

Presiding Officer of the Council

Approved by the Mayor of said City this 19th day of August 2024.

Andrew L. Dawson, Mayor

ATTEST:

Jason S. Myers
City Clerk

Exhibit A
City of Sedalia
FY25 Budget Amendment 8/19/2024 IT Part-Time Staff Addition

Account / Description	Current Budget	Change	Amended Budget	Comments
Expenditures / Uses of Funds				
10-09-101-00 Salaries	177,371.60	12,240.00	189,611.60	IT Part-Time Staff Addition
10-09-106-00 Social Security Medicare Taxes	13,724.64	936.36	14,661.00	IT Part-Time Staff Addition
10-09-106-00 Worker's Compensation Insurance	212.84	25.70	238.64	IT Part-Time Staff Addition
Total Expenditure Change		<u>13,202.06</u>		
		<u>(13,202.06)</u>		Net Increase (Decrease) in Projected Fund Balance



Let's Cross Paths

City of Sedalia

200 S. Osage

Sedalia, MO 65301

(660) 827-3000 www.sedalia.com

To: City Administrator Kelvin Shaw

From: Chris Franklin

Date: August 13th, 2024

Ref: Part-Time IT Technician

The IT Department is in need of additional staff due to several people leaving. We have not been able to fill the existing full-time opening, but we have a candidate that is available part-time. IT previously had a part-time technician that was being funded through Parks and Recreation who went to E-Sports support full time effective July 1.

There are multiple upcoming IT projects that will require the full attention of our current staff. This leaves a gap for maintenance and support. The part-time person would help reduce the growing backlog of support incidents while we continue our search for a full-time person. They would also gain valuable experience with our systems and could be a full-time resource in the future.

The additional budget requirement for this position is \$13,202.06.

<u>Cost Associated With Additional Full-Time Entry Level Employee</u>		
Hourly Rate (Varies by employee)		17.00
Hours Worked Per Year (Could vary by employee)		720
Total Salary		12,240.00
<u>Taxes and Worker's Compensation</u>		
FICA 7.65%		936.36
Worker's Compensation (Varies by job position)		25.70
Total Cost of Additional Entry Level Full-Time Employee		13,202.06

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 64, ARTICLE VII OF THE CODE OF THE CITY OF SEDALIA, MISSOURI RELATED TO HISTORIC SIGNS, HISTORIC SIGN PARKS, AND ENCOURAGING NEON SIGNS IN CERTAIN AREAS.

WHEREAS, there has been an increase in interest across the United States in preserving and displaying historic signs as a tourist attraction or landmark as well as an increase in interest in displaying neon and projecting signs in business districts to provide an aesthetic appeal and drive business to the district; and

WHEREAS, the City of Sedalia has a rich history of historical businesses and events; and

WHEREAS, the City Council of the City of Sedalia finds that the historic and cultural foundations of the City should be preserved as a living part of its community life and development in order to give a sense of identity and orientation to the people of the City; and

WHEREAS, the City Council finds that a historic sign is a sign that, by its construction materials, unusual age, prominent location, unique design, or craftsmanship from another period, contributes to the cultural, historic, or aesthetic quality of the city's streetscape; and

WHEREAS, the City Council desires to allow for the preservation and display of various historic signs at historical sign parks to increase tourism and to provide for the welfare of City residents; and

WHEREAS, the intent of this Ordinance is to promote the public welfare by providing protection for significant signs that represent important aspects of the City's heritage; to enhance the character of the community by considering such signs during development; and to assist owner(s) in the preservation and restoration of their signs; and

WHEREAS, it is not the intent of the City Council to regulate any sign referenced in this Ordinance on the basis of its content, but rather it is the intent of the City Council to protect and provide for the display of historic signs that are considered historic due to their craftsmanship, construction materials, age, original purpose, and tie to the City and the surrounding area; and

WHEREAS, the City Council also desires to increase the aesthetic display of neon and projecting signs in the C-2 Zoning District to increase business in that area to protect and provide for the health and welfare of Sedalia residents; and

WHEREAS, the City of Sedalia has initiated this text amendment to its zoning code; and

WHEREAS, the City of Sedalia Planning and Zoning Commission held a public hearing on June 5, 2024, to consider this zoning amendment; and

WHEREAS, the Planning and Zoning Commission published notice of this meeting on May 14, 2024 and May 17, 2024, in accordance with all applicable state and local laws; and

WHEREAS, the Planning and Zoning Commission heard public comments on this zoning amendment and recommended that the City Council approve this amendment.

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

Section 1. That **Chapter 64, Article VII** of the Code of the City of Sedalia, Missouri be amended to create a new **Division 4** entitled "**Historic Sign Parks**" which is hereby enacted to read as follows:

"DIVISION 4. - HISTORIC SIGNS

Section 64-360. Definitions.

HISTORIC SIGN

A wall sign, hand-painted sign, neon sign, or projecting sign which had as its original purpose advertisement of a closed or off-site business; or a sign which a still operating business no longer uses as its sign, that meets all the following criteria:

1. The sign must have been originally created, hung, or manufactured more than twenty-five (25) years from the date of a Historic Sign Permit or Historic Sign Park Permit application;
2. The sign is structurally safe or is capable of being made so without substantially altering its historical significance; and
3. The sign meets one or more of the following conditions:
 - a. The sign contributes to the historical or cultural character of the streetscape and the community at large;
 - b. The sign is associated with historic figures, events, or places;
 - c. The sign is significant as evidence of the history of the product, business, or service advertised;
 - d. The sign reflects the history of the building or the development of the historic district;
 - e. The sign is characteristic of a specific historic period;
 - f. The sign is a local landmark recognized as a popular focal point in the community;
or
 - g. The sign contains elements important in defining the character of a historic district.

HISTORIC SIGN PARK

An indoor or outdoor display of no less than six (6), but not more than one hundred and fifty (150) Historic Signs designed to be a tourist attraction or a local landmark.

Section 64-362. General Regulations

1. Historic Sign Parks shall only be allowed in the following zoning districts:
 - a. C-0;
 - b. C-1;
 - c. C-2;
 - d. C-3;

- e. M-1;
 - f. M-2; and
 - g. A Planned Unit Development if approved in the original final development plan.
2. When a Historic Sign Park Permit is obtained, a Historic Sign Park shall be exempt from all other sign regulations contained in Chapter 64, Article VII of this code.
 3. All Historic Signs displayed outdoors shall be exhibited in a way that does not cause unsafe distraction or visual impairment to drivers passing by. For purposes of this Section, an unsafe distraction shall mean a sign or multiple signs, due to its size or level of illumination, that blocks sight to adjacent roadways or causes a visual obstruction to oncoming traffic.

Section 64-364. Permits Required.

1. Historic Sign Permits. Properties located in C-0 through C-3, M-1, M-2, and PUD Districts may display between one (1) and five (5) Historic Signs if a Historic Sign Permit is obtained by the property owner.
2. Historic Sign Park Permits. Prior to operating a Historic Sign Park, a Historic Sign Park Permit shall be obtained by the property owner.
3. Historic Sign and Historic Sign Park Permit Process
 - a. Historic Sign Permit or Historic Sign Park Permit applications shall be submitted to the Community Development Director in a form prescribed by the Community Development Director.
 - b. Upon the filing of a Historic Sign Permit or Historic Sign Park Permit application, and payment of the appropriate fee as designated by the City's fee schedule, the Community Development Director shall, within thirty (30) days of the date of the application, submit the application to the Historic Preservation Commission for a recommendation on approval or denial of the application.
 - c. Within thirty (30) days of receipt of a Historic Sign Permit or Historic Sign Park Permit application, the Historic Preservation Commission shall hold a meeting to consider said application and shall make a recommendation to approve or deny the application to the Community Development Director. When considering a Historic Sign Permit or Historic Sign Park Permit application, the Historic Preservation Commission shall determine whether the sign(s) to be displayed meet the definition of a Historic Sign or a Historic Sign Park, as applicable, as provided Section 64-360 and whether the Historic Signs are permitted in the applicable zoning district.
 - d. Within fifteen (15) days of receipt of a recommendation from the Historic Preservation Commission, the Community Development Director shall issue a decision approving or denying a Historic Sign Permit or Historic Sign Park application. Notice of the decision shall be mailed to the applicant within seven (7) days of the decision.

- e. An applicant may appeal the decision of the Community Development Director to the Zoning Board of Adjustments in accordance with the City Code within ten (10) days of receipt of the notice of the Community Development Director's decision. The decision of the Zoning Board of Adjustments shall be final.
- 4. It shall be unlawful for any person or entity to operate a Historic Sign Park or display a Historic Sign without obtaining a permit required by this Section, punishable in accordance with Section 1-14 of the City Code."

Section 2. That Section 64-207 "Signs in C-0 through C-3, M-1, M-2, or PUD districts is hereby amended by adding the bolded and underlined language as follows:

Sec. 64-207. - Signs in C-O through C-3, M-1, M-2 or PUD districts.

(a) Subject to limitations hereinafter set forth, only the following signs shall be permitted in C-O through C-3, M-1, M-2 or planned unit development (PUD) districts:

- (1) All signs and flags permitted in residential districts.
- (2) Monument/ground sign.
- (3) Canopy or awning or umbrella sign (umbrella's must be associated with outdoor eating or public seating space). Words, letters, numerals, figures, devices, designs or trademarks and logos on awnings and canopies attached directly to the main structure shall not exceed coverage of one-half of the face of the canopy or awning. Awning and canopy signage shall be included within the maximum wall sign area total for each use. Canopy signs shall be internally or non-illuminated, and awning signs shall be non-illuminated. An awning or canopy sign must be an integral part of the awning or canopy to which it is affixed and may only be placed on first and/or second story building elevations. No awning sign may project above, below, or beyond the edges of the face of the building wall or architectural element on which it is located.
- (4) Occupational or identification sign.
- (5) Wall sign (shall not exceed 25 percent of the area of each wall).
- (6) Neon sign, which is defined as an internally illuminated sign containing glass tube lighting in which gas and phosphors are used in combination to create a colored light. A neon sign is either:
 - (a) An illuminated sign where a neon glass tube provides the illumination, but the lighting tube is not visible; or
 - (b) Exposed neon, where the glass tube lighting is meant to be visibly seen and creates the signage.
 - (c) Except in the C-2 district, neon signs within 185 feet of a residential building shall only operate between the hours of 7 AM and 10 PM.
- (7) Projecting sign. A projecting sign is a sign affixed to a wall of a building that extends more than 12 inches from the surface of such wall, usually perpendicular to the wall surface. Such signs are only permitted in the C-2 and PUD districts, shall maintain a clearance of eight feet above finished grade and shall not extend more than five feet from the wall. In no case shall a projecting sign extend above a public street. Such signs shall

not exceed 32 square feet in area. Projecting signs must be located on the vertical surface of a building. Such signs shall not extend above the top of the roof or parapet line. Projecting signs may be non-illuminated, internally illuminated or externally illuminated and are subject to other applicable regulations.

(8) Roof sign (as part of master sign plan).

(9) Portable sign.

(b) Businesses in the C-2 District are hereby encouraged to hang and display neon and projecting signs as a unique aesthetic feature and addition to the District.

Section 3. That all other parts and provisions of the City Code not in conflict herewith shall remain in full force and effect unless previously or subsequently amended or repealed.

Section 4. That should any section, sentence or clause of this Ordinance be declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining sections, sentences, or clauses.

Section 5. That this Ordinance shall be in full force and effect from the date of its passage.

Section 6. That the City Clerk is authorized by this ordinance to correct any scrivener's errors identified within this Ordinance.

Read two times by title, copies of the proposed ordinance having been made available for public inspection prior to the time the bill is under consideration by the Council and passed by the Council of the City of Sedalia, Missouri this 19th day of August, 2024.

Presiding Officer of the Council

Approved by the Mayor of said City this 19th day of August, 2024.

Andrew L. Dawson, Mayor

ATTEST:

Jason S. Myers
City Clerk

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE APPROVING AN AMENDMENT TO THE HISTORIC PRESERVATION GRANT AND FINANCIAL ASSISTANCE AGREEMENT WITH THE MISSOURI DEPARTMENT OF NATURAL RESOURCES FOR THE WEST CENTRAL SEDALIA HISTORIC DISTRICT RECONNAISSANCE SURVEY.

WHEREAS, the City of Sedalia, Missouri has received an amendment to the financial assistance agreement from the State Historic Preservation Office for the historic preservation grant to assist with the West Central Sedalia Historic District Reconnaissance Survey; and

WHEREAS, under the amended grant agreement, the State Historic Preservation Office shall amend the grant to the City of Sedalia, Missouri to extend the completion deadline to September 30, 2024 as more fully described in the amended agreement attached to this Ordinance and incorporated by reference.

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

Section 1. The Council of the City of Sedalia, Missouri, hereby approves and accepts the amendment to the historic preservation grant agreement by and between the City of Sedalia, Missouri and State Historic Preservation Office attached hereto and incorporated by reference as though the proposed agreement was set forth herein in substantially the same form and content as proposed.

Section 2. The Mayor or City Administrator are authorized and directed to execute and the City Clerk is hereby authorized and directed to attest and fix the seal of the City of Sedalia, Missouri, on the document as it has been proposed.

Section 3. The City Clerk is hereby directed to file in his office a duplicate or copy of the document after it has been executed by the parties or their duly authorized representatives.

Section 4. This ordinance shall take effect and be in full force and effect from and after its passage and approval.

Read two times by title, copies of the proposed ordinance having been made available for public inspection prior the time the bill is under consideration by the Council and passed by the Council of the City of Sedalia, Missouri this 19th day of August 2024.

Presiding Officer of the Council

Approved by the Mayor of said City, 19th day of August 2024.

Andrew L. Dawson, Mayor

ATTEST:

Jason S. Myers, City Clerk

MEMO

To: Kelvin Shaw, City Administrator
From: John Simmons, Community Development Director
Date: August 12, 2024
Subject: **Grant Agreement Amendment**
West Central Sedalia Historic District Reconnaissance Survey
MO DNR Grant

Attached is an amended grant agreement for the State Historic Preservation Office grant to complete the survey of the West Central residential area of Sedalia. As you recall, the original grant agreement was approved by City Council on December 19, 2022.

Since that approval there was June 2024 grant amendment that adjusted the completion date to August of this year. After reviewing the timeline, the State Preservation Office has agreed to extend the deadline to September 30th due to the extensive scope of survey and time needed by the consultant to complete the project.

The grant agreement is the same in content and format as the grant agreement approved December 2022.

This grant now requires City Council approval of the amended grant agreement adjusting the completion date to September 30, 2024.



MISSOURI DEPARTMENT OF NATURAL RESOURCES
FINANCIAL ASSISTANCE AGREEMENT

Assistance as described herein is hereby offered and accepted effective upon signature of authorized officials for the dates indicated in Budget Period and Project Period below.

RECIPIENT INFORMATION			
RECIPIENT NAME City of Sedalia		RECIPIENT TELEPHONE NUMBER WITH AREA CODE 660-827-3000	
ADDRESS 200 South Osage		CITY Sedalia	STATE MO ZIP CODE 65301
UNIQUE ENTITY ID NBRKXF5U79J4	AWARD NUMBER 29-22-10029-003	BUDGET PERIOD 08/01/2022-09/30/2024	PROJECT PERIOD 08/01/2022-09/30/2024
RECIPIENT PROJECT MANAGER NAME John Simmons		RECIPIENT PROJECT EMAIL ADDRESS Jsimmmons@sedalia.com	PROJECT MANAGER TELEPHONE NUMBER WITH AREA CODE 660-827-3000

PROJECT INFORMATION			
RECIPIENT PROJECT TITLE AND PROJECT DESCRIPTION (ATTACH ADDITIONAL PAGES AS NECESSARY)			
<p>City of Sedalia: West Central Sedalia Survey – the total cost of this project is \$108,369.00. The maximum amount of the grant is \$50,000.00. The City of Sedalia has committed to paying all costs in excess of the \$50,000.00.</p> <p>Attachment A: Scope, Purpose, and Description of grant activities</p> <p>Attachment B: Terms and Conditions (Revised 1/27/2021)</p> <p>Attachment C: Federal to State Notice of Award</p>			

TYPE OF ASSISTANCE New Award <input type="checkbox"/> Amendment <input checked="" type="checkbox"/>	SOURCE OF FUNDING Federal <input checked="" type="checkbox"/> State <input type="checkbox"/> Other <input type="checkbox"/>	CFDA NUMBER 15.904	CFDA NAME Historic Preservation Fund Grants-In-Aid
STATE PROJECT MANAGER NAME Andrew Dial		STATE PROJECT MANAGER TELEPHONE NUMBER WITH AREA CODE (573)751-7958	INDIRECT COST RATE FOR RECIPIENT

RESEARCH AND DEVELOPMENT YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	RESEARCH AND DEVELOPMENT COMMENTS IF NEEDED
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PROJECT FUNDING	Original Amount	Original Percentage	Amended Amount	Amended Percentage	Total Amount	Total Percentage
Federal Award:	\$ 50,000.00	46.14 %	\$ -25,050.00	50.00 %	\$ 24,950.00	42.82 %
State/Other Award:	\$	0.00 %	\$	0.00 %	\$ 0.00	0.00 %
Recipient Match:	\$ 58,369.00	53.86 %	\$ -25,050.00	50.00 %	\$ 33,319.00	57.18 %
Total Award:	\$ 108,369.00	100.00 %	\$ -50,100.00	100.00 %	\$ 58,269.00	100.00 %

AGREEMENT ADMINISTRATION

THE ATTACHMENTS IDENTIFIED BELOW ARE INCORPORATED BY REFERENCE AS THOUGH FULLY RESTATED HEREIN. THE RECIPIENT AGREES TO ADMINISTER THIS AGREEMENT IN ACCORDANCE WITH ALL APPLICABLE FEDERAL AND STATE LAWS AND REGULATIONS INCLUDING, BUT NOT LIMITED TO:

APPLICABLE PROGRAM GUIDELINES <small>National Historic Preservation Act, 36CFR1.18Mo. Chapter 292.408 and Historic Preservation Fund</small>	APPLICATION NUMBER	RECIPIENT APPLICATION, AS NEGOTIATED, DATED
---	--------------------	---

BUDGET PLAN Attachment # A	DETAILED SCOPE OF WORK Attachment # A	SPECIAL CONDITIONS Attachment # A	GENERAL TERMS AND CONDITIONS Attachment # B	SUSPENSION/DEBARMENT Attachment # B	PUBLIC LAW Attachment #
PUBLICATIONS Attachment #	EPA MBE/WBE UTILIZATION Attachment # _____	CERTIFICATE REGARDING LOBBYING Attachment # B	INVOICE Attachment #	ADDITIONAL ATTACHMENTS Attachment # C Attachment #	

AMENDMENT INFORMATION

AMENDMENT ID 002	AMENDMENT DESCRIPTION (ATTACH ADDITIONAL PAGES AS NECESSARY) Reduction in scope and time extension.
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FEDERAL AWARD INFORMATION (ATTACH ADDITIONAL PAGES AS NECESSARY)

FEDERAL AWARD PROJECT TITLE AND DESCRIPTION			
<p>2022 Historic Preservation Fund Grant to Missouri. The objective is to provide Historic Preservation Fund money to State Historic Preservation Officers for the protection and conservation of state and local cultural and historic assets, and to assist them in executing their historic preservation programs and activities pursuant to 54 U.S.C. 300101 et seq (commonly known as the National Historic Preservation Act).</p>			

FEDERAL AWARING AGENCY National Park Service		FEDERAL AWARD ID NUMBER P22AF01279	PASS THROUGH ENTITY NAME MoDNR, State Historic Preservation Office
FEDERAL FUNDING YEAR 2022	FEDERAL AWARD DATE 10/01/2021	TOTAL AMOUNT OF FEDERAL AWARD \$ 1,169,522.00	INDIRECT COST RATE FOR MoDNR 15 %
HAVE YOU OR AN IMMEDIATE FAMILY MEMBER EVER SERVED IN THE U.S. ARMED FORCES? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> *This question is optional.			
IF YES, WOULD YOU LIKE INFORMATION ABOUT MILITARY-RELATED SERVICES IN MISSOURI? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> *This question is optional.			

APPROVAL

I am at least 18 years old, and certify I am duly authorized to accept this award for recipient using electronic signature. The recipient understands and agrees it is a condition precedent to receive reimbursement that recipient comply with and is not in breach or default of all terms and conditions of this award stated above and attached hereto, and that no request for reimbursement will be processed unless it is presented in proper form.

RECIPIENT ORGANIZATION AUTHORIZED OFFICIAL NAME AND TITLE (TYPED)	SIGNATURE	DATE
DEPARTMENT OF NATURAL RESOURCES DIRECTOR OR DESIGNEE NAME (TYPED)	SIGNATURE	DATE

**ATTACHMENT A:
SCOPE, PURPOSE AND DESCRIPTION OF GRANT ACTIVITIES**

Sedalia, Missouri
West Central Sedalia Survey Phase I
Project No. 29-22-10029-003

Starting Date: August 1, 2022

Ending Date: September 30, 2024

I. SCOPE AND PURPOSE:

The City of Sedalia will hire a 36 CFR 61 qualified architectural historian (herein referred to as “consultant”) to conduct a reconnaissance level architectural survey of the West Central Sedalia survey area. The boundaries were selected by the City of Sedalia in consultation with the State Historic Preservation Office. The approximately 90-acre survey area is a residential area that includes approximately 376 primary properties. The survey area excludes the approximately 115 acres bounded by South Park Avenue on the west, West Third Street on the north, South Moniteau Avenue on the east, and both sides of West Seventh Street on the south, which were surveyed in the 2021 Victorian Towers Historic Architectural Survey completed by SFS Architecture (See Exhibit 5). See Exhibit 1 for a map and description of the survey areas. The survey will be titled “The West Central Sedalia Phase I” and numbered PE-AS-007.

Architectural survey is an activity required of Certified Local Governments (CLGs) per 36 CFR 61 regulations. A survey is being conducted to ensure the City of Sedalia has the most accurate, up-to-date information on identified historic buildings and their condition to help with planning and preservation efforts. This survey will include recommendations for future preservation activities, including but not limited to identifying the boundaries of the envisioned Victorian Towers Historic District and properties eligible for the National Register of Historic Places.

II. ACTIVITIES AND FUNCTIONS:

A. Consultant Selection Process

The City of Sedalia will hire a professional that meets the *Secretary of the Interior’s Professional Qualifications Standards* for a historian or architectural historian, as outlined in the Code of Federal Regulations, 36 CFR Part 61 to conduct the West Side Survey. The Request for Proposal (RFP) sent to consultants shall include a copy of Attachment A: Scope, Purpose and Description of Grant Activities, the Milestone Schedule, and Exhibit 1 from the Grant Agreement with budgetary information removed. Pursuant to 2 CFR 200.331, the sub-recipient shall require the language of the certification and terms applicable to financial assistance awards to be included in sub-award documents at all tiers, and sub-recipients shall certify and disclose accordingly. City staff will serve as the primary point of contact for this project and will be expected to ensure milestones are submitted to the Historic Preservation Fund (HPF) Grant Manager on a timely basis. All contractual deadlines with the consultant shall not conflict with milestone deadlines set in the grant agreement. A draft of the RFP will be sent to the HPF Grant Manager **prior to initiating the bid process**. Documentation of the consultant selection process and a draft of the consultant contract shall be submitted to the HPF Grant Manager or their designee for approval **before it is signed**.

The consultant selection process shall produce the following products:

1. Submit a **draft of the RFP** for review prior to the initiation of the bid process.

2. Submit documentation of the **consultant selection process** and a draft of the consultant contract **prior to signature**. This documentation includes:
 - a. Indication of who the RFP was sent to and when
 - b. Copies of all responses received (proposals and responses of no bid)
 - c. Score sheets/an explanation for why a consultant was chosen
 - d. The unsigned draft consultant contract noted above
3. Submit a copy of the signed **consultant contract**.

B. Reconnaissance Level Survey

The consultant shall conduct a reconnaissance level architectural survey in the approximately 183-acre area in Sedalia (see Exhibit 1). The survey will be completed following the State Historic Preservation Office's "Standards for Professional Architectural and Historic Surveys" and "Instructions for Completing the General Architectural Survey Form" included as Exhibits 2 and 3 and available on the SHPO's website (<https://mostateparks.com/page/85651/standards-professional-architectural-and-historic-surveys> and <https://mostateparks.com/sites/mostateparks/files/ArchitecturalSurveyInstructions.pdf>). Before starting work, the consultant and the city will schedule a time with the HPF Grant Manager or their designee to discuss the level of documentation and how resources will be recorded. This survey will document the existing historic character and conditions of each property within the survey area, provide a historic context for the development of the survey area and make recommendations for future preservation activities, including additional survey recommendations and evaluation of National Register eligibility.

Prior to field work, a research design detailing the methodology and goals of the survey will be submitted in Word format approved by the HPF Grant Manager or their designee. Once the HPF Grant Manager or their designee approves the research design, a Missouri Architectural/Historic Inventory form will be completed for each primary property within the boundary, including any vacant lots. A minimum of 350 survey forms will be completed. Draft and final forms will be submitted in Word format to the HPF Grant Manager or their designee and to the City of Sedalia. Each form will be accompanied by at least one digital photo in JPEG format in color. The number of photos will be determined in consultation with the HPF Grant Manager or their designee. A map will be created that indicates the survey boundaries, property locations, addresses, potential district boundaries, and notation of each property's status as a contributing or non-contributing resource. Outbuildings will also be accounted for and assigned a contributing or non-contributing status. Any mapping will be submitted in digital format to the HPF Grant Manager or their designee and the City of Sedalia. The map shall be included in the survey report but must also be submitted as a separate file.

A final survey report will be prepared and submitted in Word format. This report will describe the scope and scale of the survey; provide a methodology of the project; discuss enough historic context for evaluation of the resources under National Register criteria; describe and analyze property types within the resources surveyed; discuss the rationale for evaluation; and make recommendations for future National Register listings (individual and districts) and survey activities.

The reconnaissance level architectural survey of Sedalia shall produce the following products. The Historic Preservation Commission will have an opportunity to review the grant products before they are submitted to the HPF Grant Manager or their designee:

1. A completed **research design** meeting the SHPO's "Standards for Professional Architectural and Historic Surveys" shall be submitted to the HPF Grant Manager or their designee prior to field work. The research design will describe the scope of the work, rationale of survey boundaries, proposed methodology and expected results and will be submitted in Word format.
2. Submit documentation for the **two public information meetings** (i.e. press release, newspaper/web advertisement, sign-in sheet). See subsection C for further information on public meetings.
3. **SHPO Architectural/Historic Inventory Forms** (or other pre-approved survey form) meeting SHPO's "Standards for Professional Architectural and Historic Surveys (see Exhibit 2)" and following the "Instructions for Completing the Architectural/Historic Inventory Form (see Exhibit 3)" shall be completed for each property within the boundary including vacant lots (see Exhibit 4 for an example of this form). If a property has more than one associated resource, the site plan on the inventory form shall be completed unless a master map showing the accurate orientation of outbuildings in the district is submitted as part of the project. In this case the second page of the survey form may be omitted. The forms shall be submitted in Word format for the HPF Grant Manager or their designee. The consultant will set up a time with the HPF Grant Manager or their designee to discuss the level of documentation before work on the project begins. An email documenting the discussion will be sent to the HPF Grant Manager or their designee by the consultant. Drafts will be completed as discussed via this conversation. Incomplete drafts will not be accepted.
4. **Digital color photographs** of each surveyed property submitted in digital JPEG format. Each digital image must be at least 1600 X 1200 pixels and at least 72 dpi. Draft digital images must be labeled by street address but final digital images files must be labeled according to National Register standards (i.e. MO_XXX County_Survey Name_0001). Photos will preferably be taken to avoid obstruction from foliage. If a property has a complex footprint, additional photographs may be necessary to accurately record all primary façades. If a property has secondary resources an additional photograph will be taken for each resource unless the secondary resource is clearly visible in the photograph of the primary resource. If a known outbuilding is not visible from the public right of way, its presence should be indicated on the survey form with an explanation why photography was not possible. The number of photographs will be determined in consultation with the HPF Grant Manager or their designee.
5. **A boundary map**, separate from the final report. The location of each property inventoried will be indicated on a large-scale map with addresses and the location of associated outbuildings. The map shall show the survey boundary and boundaries for any potential National Register districts. The contributing status of each property, including outbuildings, must be marked within the recommended historic district boundary (if applicable.) Likewise, individually eligible or previously listed properties must be noted. Any mapping will be submitted in digital format. If the boundary map includes building

footprints and accurate orientation of any outbuildings, second page of the survey form may be omitted.

6. **A survey report** meeting SHPO's "Standards for Professional Architectural and Historic Surveys" (see Exhibit 2) shall be submitted in Word format. This report will describe the scope and scale of the survey; methodology of the project a brief history of the development of the surveyed neighborhood(s), provide historic contexts for evaluation of the resources under National Register criteria as applicable; describe and analyze property types within the resources surveyed; discuss the rationale for evaluation; and make recommendations for future National Register listings (individual and districts if any) and survey activities. Any recommendations for National Register listing must identify potential areas, levels, and periods of significance, and provide an explanation supporting eligibility. The report must specifically provide a boundary recommendation for a Victorian Towers Historic District and make similar recommendations for any other potential districts within the survey boundary. Finally, it shall recommend sites of potential historic districts in Sedalia which are outside the survey area for future survey and nomination. These recommendations shall include survey boundaries.

C. Public Meetings

The grant recipient will conduct a minimum of two public meetings in Sedalia to inform owners of properties within the survey area and the interested public about the goals and scope of the survey project. The first meeting will be held as near to the beginning of the survey as practical and the second meeting will be conducted at the conclusion of the project, when survey results and recommendations will be presented. Meetings should be primarily informative in nature, but may also be used to solicit information from knowledgeable members of the public. The documentation required for the public meeting will include a copy of the public meeting notice, the agenda, and the sign-in sheet or record of attendance.

III. SPECIAL CONDITIONS:

- A. As a recipient of a federal subaward, the City of Sedalia is hereby reminded that it is subject to the requirements of 2 CFR 200.1 "Subaward", 200.101 "Applicability", and 200.331 "Requirements for pass-through entities."
- B. The procedures and requirements contained herein are subject to applicable laws and regulations, and any changes made to these laws and regulations, subsequent to the execution of this agreement. In the event that these procedures and requirements conflict with applicable federal laws, regulations and policies, the following order of precedence will prevail:
 1. Federal law
 2. Code of Federal Regulations
 3. Terms and conditions of grant award
 4. Historic Preservation Fund Grant Manual

The provisions included herein shall also be applied by the State to subgrantees and contractors performing work under this program.

- C. It is agreed that if the project should fall one (1) month behind the milestones, the Missouri Department of Natural Resources has the right unilaterally to terminate or reduce the dollar amount of this agreement. In addition, if the Department determines that full termination is warranted, the Department shall be sole authority in determining the amount of compensation owed.
- D. All work related to the development of the narratives within this project will either be supervised or completed by personnel who meet 36 CFR 61, Appendix A, professional qualifications for an historian.
- E. The Sedalia Historic Preservation Commission will have an opportunity to review and comment on milestone products before they are submitted to the HPF Grant Manager or their designee if they so choose. Any Commission comments will be submitted with the corresponding milestone to the HPF Grant Manager or their designee.
- F. Project work will be completed and payments made according to the milestone/payment schedule and project budget that follows.
- G. All grant funded publications, books, brochures and all public meeting notices regarding this grant project (including the app) shall include the following acknowledgement statement:

This material was produced with assistance from the Historic Preservation Fund, administered by the National Park Service, Department of the Interior and Missouri Department of Natural Resources, State Historic Preservation Office. Any opinions, findings, and conclusions or recommendations expressed in this material are those of the author(s) and do not necessarily reflect the views of the Department of the Interior or the Department of Natural Resources, State Historic Preservation Office, nor does the mention of trade names or commercial products constitute endorsement or recommendation.

[The above must by federal law appear in any publication funded by federal monies, including films, videos or slide shows. It may be printed in any size and placed in any location in the publication.]

MILESTONE/PAYMENT SCHEDULE

City of Sedalia
 West Central Sedalia Survey
 Project No. 29-22-10029-003

Starting Date: August 1, 2022

Ending Date: September 30, 2024

<u>Milestone</u>	<u>Product</u>	<u>Date Due</u>	<u>Federal Share</u>	<u>Non-Federal Share</u>
#1	Submit a draft RFP and/or RFQ to the HPF Grant Manager or their designee before the bid process is initiated.	12/15/2022	\$ 0	\$ 0
#2	Submit documentation of the consultant selection process and a draft of the consultant contract prior to signature submitted to the HPF Grant Manager or their designee for review and approval.	01/31/2023	\$ 0	\$ 0
#3	Submit a copy of signed consultant contract to the HPF Grant Manager or their designee.	02/15/2023	\$ 0	\$ 0
#4	The City will arrange a meeting with the consultant and HPF Grant Manager to discuss the level of documentation for the project. An email documenting this discussion will be submitted by the consultant to the City of Sedalia and the HPF Grant Manager or their designee (date approximate).	05/19/2023	\$ 0	\$ 0
#5	Submission of a draft research design to the HPF Grant Manager or their designee for review and approval. Submission of documentation for the first of two public information meetings (meeting date is approximate only).	05/26/2023	\$ 0	\$ 0
#6	Submission of final research design. Submission of five complete sample inventory forms (and site plans as appropriate) keyed to a base map of the survey area, to the HPF Grant Manager or their designee for review and approval.	06/30/2023	\$ 0	\$ 0
#7	Submission of draft inventory forms (and site plans as appropriate), and a draft map to the HPF Grant Manager or their designee for review and approval	3/15/2024	Estimated 50% of expenses	Estimated 50% of expenses
#8	Submission of final inventory forms (and site plans as appropriate), maps and photos to the HPF Grant Manager or their designee for review and approval. Submission of draft survey report to the HPF Grant Manager or their designee for review and approval.	06/01/2024	\$ 0	\$ 0
#9	Submission of final survey report to the HPF Grant Manager or their designee for review and approval, and submission of documentation for the second public meeting (date approximate).	08/19/2024	\$ 0	\$ 0
#10	Submission of final project report and fiscal data.	09/30/2024	Estimated remaining expenses	Estimated remaining expenses
	TOTALS:		\$24,950.00	\$33,319.00

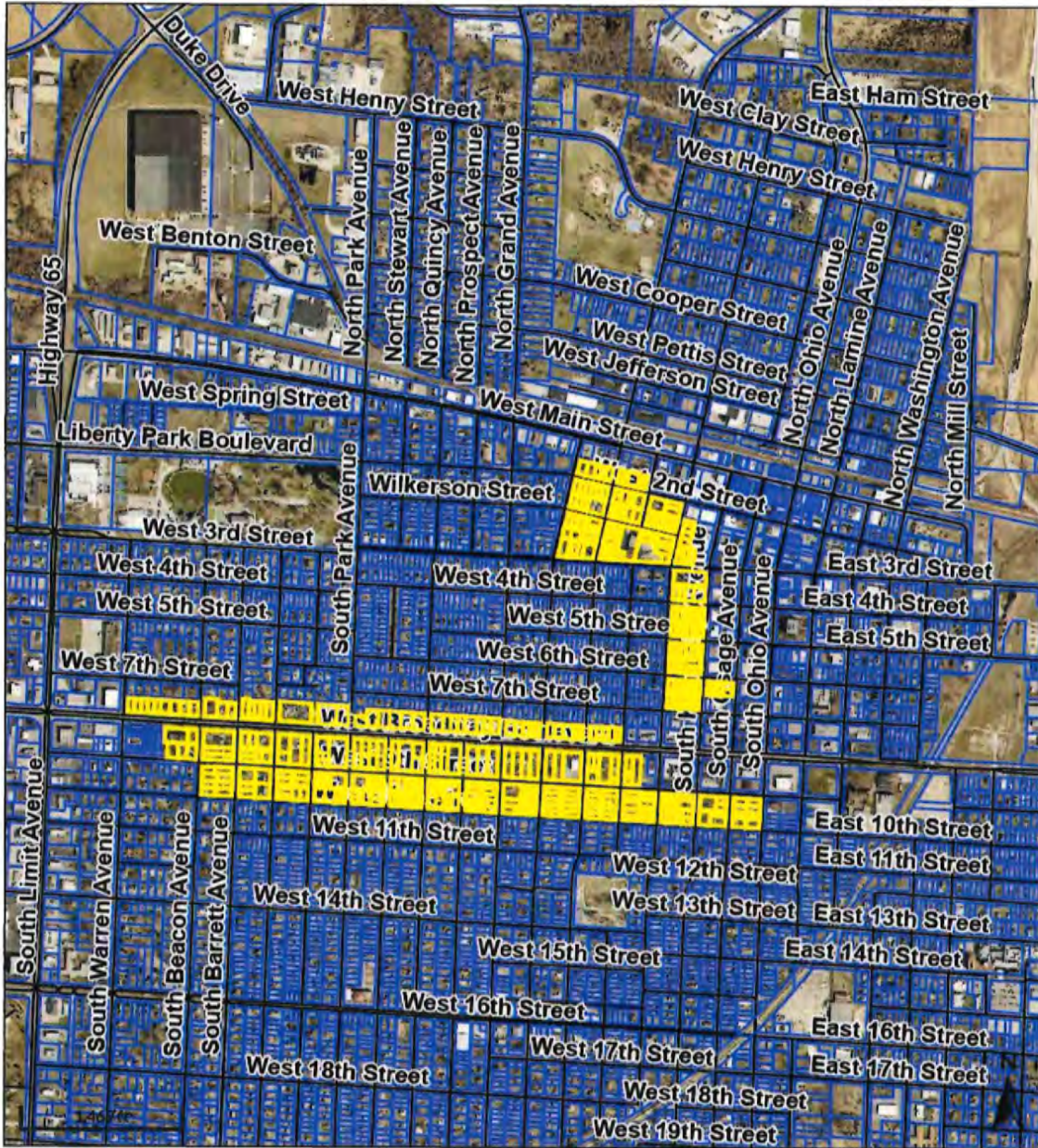
BUDGET
City of Sedalia
West Central Sedalia Survey
Project No. 29-22-10029-003

Starting Date: August 1, 2022
Ending Date: September 30, 2024

<u>Cost Category</u>	<u>Federal Share</u>	<u>Non-Federal Cash</u>	<u>Total Cost</u>
Contractor	\$ 24,950.00	\$ 24,950.00	\$ 49,900.00
Personnel	\$0	\$ 6,769.00	\$ 6,769.00
Supplies	\$0	\$ 1,600.00	\$ 1,600.00
	_____	_____	_____
Totals	\$ 24,950.00	\$ 33,319.00	\$ 58,269.00

**ATTACHMENT A
EXHIBIT 1**

Map of the Survey Area, Boundary Description, and Boundary Justification



Overview



Legend

- Political Townships
- Corporate Limits
- Parcels
- Roads

Disclaimer. The information provided on this site is for convenience only and is compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. In the preparation of this site, extensive efforts have been made to offer the most current, correct, and clearly expressed information possible. However, inadvertent errors can occur, and information placed on this site is not intended to replace any official source. The applicable county sources should be consulted for verification of the information provided on these pages. Users are advised that their use of any of this information is at their own risk.

Date created: 7/15/2024
 Last Data Uploaded: 7/15/2024 9:26:58 AM

Developed by  **Schneider**
 GEOSPATIAL

West Central Sedalia Survey Boundaries

The survey area consists of two areas:

The boundary of the first block begins at South Warren avenue and West Broadway Boulevard, runs east through the middle of the blocks between Broadway and West 7th Street until it reaches Vermont St., then runs east along West Broadway to 415 West Broadway, then cuts south through the block to West 9th Street, then runs east along West 9th Street to Ohio Ave., then south along Ohio Ave. to West 10th Street, then west along West 10th Street to South Beacon Avenue, then north along south Beacon to West 9th street, then west along West 9th Street to 1610 West 9th Street, then north to West Broadway, then west along West Broadway Ave. to South Warren Ave.

The Boundary of the second area begins at the corner of West 7th Street. and South Kentucky Ave., then runs west along West 7th Street, then north along S. Moniteau Ave. to West. 3rd Street, then west along West 3rd St. to S. Harrison Ave., then north along S. Harrison to the alley between W. 2nd Street and W. Main Street, then east along the alley to S. Vermont, then south to West 2nd Street, then east along West 2nd Street to S. Moniteau Ave., then south along S. Moniteau St. to 217 S. Moniteau Ave., then south along the alley between S. Moniteau Ave. and S. Kentucky Ave. to West 3rd St., then east along West 3rd St. to South Kentucky Ave., then south along South Kentucky Ave. to West 6th St., then east along W. 6th St. to South Osage Ave., then south along South Osage Ave. to 606 South Osage, Ave., then runs along the alley between W. 6th Street and W. 7th Street to South Kentucky Ave., then south along S. Kentucky Ave. to W. 6th St.

Boundary Justification

The boundary of the survey has multiple mid-block boundaries and extensions, particularly on the north and east boundary areas for several reasons. The north boundary of the residential area abuts modern commercial structures on West Main Street that should not be included in the survey as they do not contribute to the district and are distinctly of a modern era of construction, thus the boundary of the alley south of Main Street. The east boundary of the residential area abuts the historic commercial district and follows the irregular physical build-out of that commercial district where the commercial transitions to residential in an interlocking manner. The western boundary uses Harrison Ave. as an arbitrary cutoff for future survey.

This reconnaissance survey is but one phase of a multi-phase reconnaissance of more than 7,500 individual residential properties encompassing over 2,600 acres.

**ATTACHMENT A
EXHIBIT 2**

Standards for Professional Architectural and Historic Surveys



Definition:

Architectural survey is the process of identifying historic resources by location or theme. Surveys create an inventory of buildings, structures, sites, and objects that serve as a basis for local planning activities and historic preservation efforts such as National Register listings.

Standards:

An architectural survey is considered professional by the State Historic Preservation Office (SHPO) only if it meets the following standards:

1. **The survey is conducted under the supervision of a qualified 36CFR61 historian or architectural historian.**

Information on required qualifications and lists of consultants can be obtained at <https://mostateparks.com/page/84241/archaeology-and-historic-preservation-consultants-list-and-professional-qualifications> or by contacting SHPO. The list is not comprehensive and is not to be considered a recommendation or assurance of quality work.

2. **A research design is completed and submitted to the SHPO for approval.**

A research design serves as the plan for conducting the survey and allows the SHPO to make comments or recommendations on a survey project before actual fieldwork begins. The research design must be submitted to the SHPO and approved before further field work begins. In order to prepare the research design, some archival research and initial fieldwork is required. The research design consists of four sections: survey objectives, description of the geographical area to be surveyed, survey methodology, and expected results.

- **Survey Objectives**

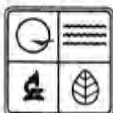
This section of the research design should explain why the survey is being undertaken. Almost always the ultimate goal will be to identify resources that are eligible for listing in the National Register of Historic Places, but there may also be secondary goals, which should also be included.

- **Geographical Description**

This is a general description of the survey area's geography and built environment. Include a brief summary of the setting outside and within the survey boundary. This would include a generalization of setbacks, major landscape features such as the presence of sidewalks or tree-lined streets, and a summation of the type of building stock (rural, urban, commercial, residential). The geographical description will justify the selection of the area in which the survey is conducted, including a brief discussion of any known historic contexts. It will also provide the rationale and a verbal description of the survey boundary, including approximate numbers of resources and acreage.

- **Methodology**

Methodology will almost always be the largest section of the research design. It will include expected fieldwork practices, such as the methods the surveyor plans to utilize when identifying resources. It will note the personnel involved in the project and what components of the survey they are responsible for (this is especially important if



using assistance from volunteers or other persons who may not qualify as a professional.) The methodology will discuss where the survey begins and why and how it will progress. Most importantly, it will define which resources will be surveyed. For example, a survey may provide an inventory form for every resource within a survey boundary or only those of a specific style or type if the survey is thematic. In addition to fieldwork practices, the methodology will discuss initial archival research and identify future sources of information. Local resources such as libraries, historic societies, and city offices must be included as a point of research. SHPO additionally recommends collecting oral histories from local residents where possible. Oral history is a particularly useful resource in small communities that may not have a lot of archival information available. The survey products (inventory forms, photography, maps, and the survey report) should also be described in this section, including their number and their recipients (SHPO, an agency, a town, etc.) Finally, the methodology should discuss any anticipated problems and how they will be addressed (foliage is obscuring resources for photography, lack of archival research available, strain on funding or time, etc.

- **Expected Results**

The research design will conclude with the projected results of the survey including potential National Register districts and individually eligible buildings. Expectations about the kind, number, character and condition of historic properties should be presented. Anticipated historic and/or development contexts should also be discussed in this section.

3. **The public is notified.**

There must be some form of notification to the public and/or residents within the survey boundaries. Postcards or other mailings, public meetings, newspaper announcements are all forms of public notification. The appropriate type of notification will depend on the scope of the survey project and may be determined via consultation with the SHPO. Generally, professional surveys require two public meetings. The initial meeting is at the beginning of the project. It is conducted to explain the survey process, answer questions, and collect information (oral history) and feedback from residents. The final meeting occurs at the end of the project to present the survey results and address any additional concerns or questions members of the public may have. SHPO additionally recommends that surveyors carry handouts explaining the project while conducting fieldwork. These are for the benefit of property owners who may inquire why their building is being photographed and assessed. In addition to the public, local officials and historic societies/groups should be notified as a courtesy. Likewise it is a good idea to let local law enforcement know about the project, especially during fieldwork (which helps to avoid "suspicious person" calls.)

4. **Architectural/Historic Inventory Forms issued by the SHPO are used in the survey.**

The SHPO's Architectural/Historic Inventory Form, or another form approved in advance by SHPO, must be used for each surveyed resource. The number and type of resources surveyed will vary depending on the scope of the project and the type of survey (thematic, rural, urban, etc.). The amount of information provided on the survey form will depend on the level of survey (reconnaissance level surveys record fundamental information derived from fieldwork whereas



intensive level surveys include information from fieldwork and historic research) and is determined via consultations with the SHPO. For architectural surveys the following fields must be completed on the inventory form, regardless of the level of survey:

- | | |
|--------------------------------------|---------------------------------|
| 1. Survey No. (Provided by the SHPO) | 28. No. of bays (first floor) |
| 2. Survey name | 29. Roof type |
| 3. County | 31. Chimney placement |
| 4. Address | 33. Exterior wall cladding |
| 5. City (check vicinity if rural) | 34. Foundation material |
| 11B. Current use | 36. Front porch type/placement |
| 12. Construction date | 37. Windows |
| 18. Previously Surveyed/NR listed | 40. No. of outbuildings* |
| 20. National Register eligible | 41. Architectural description** |
| 23. Category of Property | 43. Form prepared by |
| 24/25. Property type and/or style | 44. Survey date |
| 26. Plan shape | Page 2: Site Map/plan*** |
| 27. No. of stories | Page 2: Photographer*** |

*If outbuildings are present, briefly describe them in field #40. Also include parking lots with capacities over six vehicles. In addition, note the National Register eligibility for each resource in this field (i.e., two outbuildings: one contributing garage, one non-contributing modern shed).

**The level of description will vary depending on the scope of the project; however, an architectural description (field #41) must minimally note: fenestration, number of stories, porch, window types (three-over-one, one-over-one, casement, etc.), if windows and doors appear to be historic, wall cladding, roof shape, and any prominent architectural features (towers, brackets, dormers, parapets, etc.). The description should be detailed enough to identify the building if the photo were lost.

*** The site plan must generally be completed on the survey form if there are outbuildings. However, if a master map is submitted that provides the buildings' present-day footprints and accurate location of outbuildings, the site plan on the form may be left blank. The photographer's name and date of photograph can be placed in field 43, and page 2 can be removed.

Refer to the *Instructions for Completing the Architectural/Historic Inventory Forms* at <https://mostateparks.com/sites/mostateparks/files/ArchitecturalSurveyInstructions.pdf> before conducting fieldwork. Please remember, consistency is vital to the completion of a successful survey. Take care to use consistent terminology when considering factors such as architectural style, type, and exterior wall cladding. Likewise, the criteria for defining the number of bays, stories, and window pane arrangement should be uniform. Most importantly, a consistent framework for evaluating a resource's integrity and condition is necessary. This is especially true when considering potential National Register districts and their contributing/noncontributing resources.

5. **At least one photo is provided to the SHPO for each primary resource.**
Photos must clearly show the historic resource. Three-quarter views that capture the primary façade and a secondary elevation are preferred. At least one photo is required for each inventory form. Additional photos may be submitted of architectural details or other important



elevations. Properties consisting of more than one resource will include at least one photograph of each secondary resource in addition to the primary resource, unless the secondary resource is clearly visible in the photograph of the primary resource. Photos must be taken from the public right-of-way. If a resource is not visible from the public right-of-way permission must be granted by the property owner (an effort must be made to ask). If the property owner refuses access, note it on the architectural/historic inventory form (either in field #40 or #41 as appropriate.) Individual safety always takes priority. Do not attempt to take photos or conduct other fieldwork in dangerous situations or environments.

Photos must be submitted in digital format at a minimum 1600 by 1200 pixels and saved in color in JPEG format. For any final photos, label each digital image as "MO_County_Survey Name_001" The number at the end of the label should correspond to the associated survey form number. If there is more than one photo per form add a letter at the end of the label (MO_County_Survey Name_001A, MO_County_Survey Name_001B, etc.).

6. A map with exact survey boundaries is included in the survey project.

The location of each property inventoried will be indicated on a large scale (at least 1" = 200') map. It must be separate from the final report and provide clear survey boundaries. A legend, north arrow, and name of the survey must be included on the map. Boundaries for any potential historic districts must be provided, either on the central map or one or more additional maps as appropriate. The contributing status of each property must be marked within the recommended historic district boundary (if applicable.) Likewise, individually eligible properties must be noted. A master map that includes current footprints of the primary resource and any associated resources and shows their spatial relationship is preferred. If a master map is submitted, the site plan on the survey forms may be left blank.

7. A final survey report is submitted to the SHPO for approval.

A survey report discusses the results of the survey as well as the actual methodology and resources utilized in the project. The report has the same four primary sections as the research design: objectives, methodology, geographical description, and results. However, it will also include a recommendations section and, if the survey is intensive, a historic context section. A detailed table of contents should be provided at the beginning of the survey report.

- **Objectives**

The objectives should generally be the same as those in the research design.

- **Methodology**

This section will include the methods used to examine resources within the survey boundary, such as how historic integrity was assessed and the methodology used to assign contributing, non-contributing, and individual eligibility for any potential National Register eligible resources. Discuss the roles of the personnel involved in the project. Describe fieldwork practices and include the exact number of resources surveyed. Archival research and resources consulted must be discussed including any personal interviews, public meetings, or volunteer training.



- **Geographical Description**

The geographic description from the research design should be updated if necessary. Consultation with the SHPO is required if the survey boundaries must be changed from those presented in the research design. SHPO suggests including an image of the survey map and boundary in this section.

- **Historic Context**

Regardless of the level of survey, the final report should include a brief history of the survey area and its environment (i.e., the town in which the survey is located). For a reconnaissance survey this can be included in the geographical description or results section of the report. In an intensive survey a more thorough examination of the survey area's developmental context is required. This section will describe the general history of a survey area, but also consider the different themes and patterns that led to its development and evolution. Socio-economic, cultural, transportation-related, and agricultural factors may be examined, for example, in connection with neighborhood development.

- **Results**

Aside from any historic contexts or patterns discovered via archival research and field work, the survey report will include a section that considers the findings of the project outlined in the objectives section of the research design. The results section will include the following information:

- **Number of resources surveyed:** Reiterate the number of primary resources and the number of outbuildings actually surveyed. Differences, if any, between the anticipated results and actual results should be discussed.
- **Property styles and types:** If a style or type is noted on an inventory form it must be discussed in this section. The style/type will be defined in relation to its representation within the survey area. Examples, with corresponding images, of each type or style from the survey area will be provided. Including a representative image of each style or type within the survey boundary is encouraged. If appropriate, this subsection may also provide a similar analysis of property uses (commercial, residential, institutional, industrial, etc).
- **National Register eligible properties:** Individually eligible properties will be identified and their eligibility discussed in this section. Potential historic districts will also be noted and their boundaries defined and briefly justified. The period of significance must be considered and explained. Indicate historic district boundaries on one or more maps. Include an image as a figure for each potential individually eligible resource and/or a sample streetscape of any district. Provide an explanation as to why each resource/district is considered potentially eligible under specific National Register criteria and areas of significance.



MISSOURI DEPARTMENT OF NATURAL RESOURCES

STATE HISTORIC PRESERVATION OFFICE, P.O. Box 176, Jefferson City, MO 65102

STANDARDS FOR PROFESSIONAL ARCHITECTURAL AND HISTORIC SURVEY

- **Recommendations**

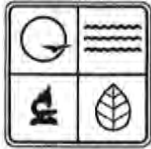
The survey report will conclude with the surveyor's recommendations. These may include such things as pursuing nomination to the National Register, additional survey, additional research, planning activities, etc.

8. **Final products are submitted to the SHPO in digital format.**

The final survey report, inventory forms, images and map will be submitted to the SHPO on disc or other pre-approved method. Inventory forms will be submitted in Word or other format that will allow SHPO staff to make changes and fill out the section reserved for SHPO use.

**ATTACHMENT A
EXHIBIT 3**

Instructions for Completing the Architectural/Historic Inventory Form



Missouri Department of Natural Resources

State Historic Preservation Office

P.O. Box 176, Jefferson City, MO 65102, 573-751-7858 or moshpo@dnr.mo.gov

ARCHITECTURAL/HISTORIC INVENTORY FORM

Instructions for Completing the Architectural/Historic Inventory Form

FORM PAGE 1

1. Survey Number: A survey number is assigned to each form for database and other purposes. It should consist of a two letter acronym for the county in which the survey is conducted, a code denoting the type of survey (AS), a number identifying the overall survey, and a number for the survey form. For example: AD-AS-001-0001. This number would be interpreted as AD (Adair county), AS (architectural survey) 001 (the first survey to be conducted in the county) - 0001 (the first survey form in the ADAS001 survey). See appendix 1 for a list of two letter county acronyms, and contact the SHPO for a county survey number. The forms should be organized by street alphabetically with numbered streets coming first, then addresses should be sorted in numerical order. For this reason the survey numbers should be added to the survey forms **after** they are organized. For example:
 - There are five inventory forms for an Adair County survey: 100 E 6th St., 100 W 6th St., 201 N Short Ave, 111 S. Short St., 459 Main St.
 - Numbered streets would come first and be organized by the smallest number to the largest. If there is a direction associated with the street name (North, South, East, West) it would be organized alphabetically **within** that street. For example 100 E 6th would come before 100 W 6th, likewise N Short Ave would come before S Short Ave.
 - Thus the final inventory numbers would be 100 E 6th (AD-AS-001-0001), 100 W. 6th St (AD-AS-001-0002), 459 Main St. (AD-AS-001-0003), 201 N Short Ave (AD-AS-001-0004), 111 S. Short St. (AD-AS-001-0005).
 - See below for instructions on labeling digital photos.
2. Survey Name: The survey project should be given a name based on the geographic area or type of resources being surveyed. For example:
 - Thematic name example: Metal Truss Bridges of Stone County
 - Geographical name examples: Rural Historic Resources of Liberty Township, Stoddard County; or Moreau Heights Neighborhood Survey, Jefferson City
3. County: Enter name of county in which property is located. A list of counties can be found in Appendix 1.
4. Enter the name and number of the street or road where the property is located. If the property does not have a physical address, provide the location and distance from the nearest crossroads. For example, "1/4 mi. east of intersection of CR345 and MOEE, north side."
5. City: Enter the name of the city or town in which the property is located. If the property is outside the city limits, type the name of the nearest city or town and mark "X" in the box for "Vicinity."

6. Geographical Reference: Enter either Latitude/Longitudes (Lat/Long) **or** Universal Transverse Mercator (UTM) Coordinates (choose one or the other, do not enter both). Coordinates can be obtained in several ways including on-line mapping systems such as Google Earth, with hand held global positioning systems (GPS) units, or by determining points from a 7.5 minute topographic map with a coordinate counter. If access to these sources is unavailable, leave blank.
7. Township/Range/Section: Though less accurate for pinpointing exact geographic locations than a UTM or Lat/Long reference, a township/range/ section reading can also be helpful when researching buildings using historic maps or legal descriptions. USGS topographic maps indicate township, range and section as do county plat maps.
8. Historic Name: Enter the name that best reflects the property's historic importance. Names of persons, events, characteristics, functions or historic associations can be used. If undetermined, leave blank.
9. Present/Other name: Enter any other name commonly associated with the property. If undetermined, leave blank.
10. Ownership: Mark an "X" in the box indicating either public or private ownership. If undetermined, leave blank.
11. a. Historic Use (if known): Use the "National Register Data Categories for Functions and Uses" found on pp. 20-23 of the National Register Bulletin How to Complete the National Register Registration Form, to select a category and subcategory that most accurately describes the property's historic use or function.
11. b. Current use: See above.

HISTORICAL INFORMATON

12. Construction date: It is sometimes difficult to determine a construction date for a building. If known, enter the exact year of construction. Construction dates can sometimes be found or surmised by researching deed or tax assessment records, building permit records, comparing historic Sanborn Fire Insurance or other maps, and from annual construction summaries published in newspapers. Check with city or county governments to see what records might be available. If the construction date is unknown or cannot be found, use your judgment and knowledge of architecture or local history to provide an approximate year (circa date) of construction or mark "unknown".
13. Significant date/period: If applicable, enter the date (year) or range of dates (i.e. c. 1900-1925) that denotes the time when the property was historically important. If the property is important because of its architectural design or is associated with a specific event (i.e. Civil War skirmish, treaty signing, etc.), type in the year of construction (for architecture) or year the event occurred. If the property is associated with an important person or broad pattern of events (i.e. education, local agriculture), type in the range of years for which the property was associated with that person or pattern of events. For more guidance, see pp. 42-43 of the National Register Bulletin How to Complete the National Register Registration Form.

14. Area(s) of significance: Enter 1-3 areas for which the property has significant historic association, if applicable. Use the guidance and terminology found on pp. 38-41 of the National Register Bulletin How to Complete the National Register Registration Form to select area(s) of significance.
15. Architect: Enter the name of the architect who designed the building or structure. If undetermined, leave blank.
16. Builder: Enter the name of the builder or contractor responsible for constructing the building. If undetermined, leave blank.
17. Original or significant owner: Enter the name of the original owner/inhabitant of the property or the person most closely associated with the history of the property. If undetermined, leave blank.
18. Previously surveyed? Has the property been identified in a previous survey of the community or area? For example, the property may have been identified in a survey conducted by MODOT or another agency in preparation for a project, or in the *Missouri Historic Sites Catalog*, published by the State Historical Society of Missouri in 1963. Many surveys are available on the SHPO's website at <http://dnr.mo.gov/shpo/survey-eg.htm> . Information on previous surveys can be found by contacting the SHPO. If known, mark an X in the box.

Survey name: If applicable, provide the name of the survey in which the property was originally identified in box 22 (cont.) on page 3 of the form.

19. On the National Register? If already listed in the National Register of Historic Places, mark an "X" by the box noting if the property was individually listed (individual) or listed as a contributing resource in a historic district (district). A list of Missouri properties listed in the National Register of Historic Places can be found on the SHPO website at: <http://www.dnr.mo.gov/shpo/MNRList.htm>.

Nomination: If applicable, enter the name of the nomination in box 22 (cont.) on page 3 of the form.


















20. National Register Eligible? In your opinion, is the property eligible for listing in the National Register of Historic Places? If so, mark an X in the box for individually eligible if the property's design or historic associations would warrant individual listing. If the building does not appear to be individually eligible, but is in an area or neighborhood that seems to constitute a National Register-eligible historic district, type an X in the box for "district potential." Also note if the property would be contributing to the district (place an X by C) or non-contributing (mark an X by NC). The architectural description (#41) should include the reason why the property is considered non-contributing (i.e. loss of integrity due to replacement siding and windows or the property was built after the period of significance, etc.). If the building appears to be individually eligible *and* in a potential historic district, mark an X in both boxes. If uncomfortable making an evaluation of eligibility, leave blank or mark as "not determined."
21. History and significance on continuation page. If additional information is included in the memo portion of the survey or on a continuation page, mark an X in the box.

22. Sources of information on continuation page. If a bibliography or additional information on sources is included on the memo portion of the survey form or on a continuation page, mark an X in the box.

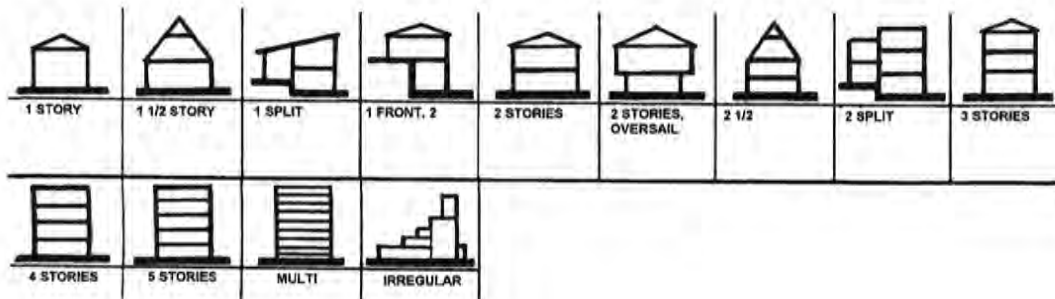
ARCHITECTURAL INFORMATION

23. Category of Property: Mark an "X" in the box next to the property category that best describes the surveyed property.
- Building: A resource primarily created to shelter any form of human activity. Examples: house, barn, sheds, garage, factory, commercial buildings, church, etc.
 - Site: The location of a significant event or activity where the location itself possesses historic, cultural or archaeological value regardless of the value of any existing resources on the location. Examples: archaeological sites, battlefields, gardens, ruins of historic buildings, trails, cemeteries, designed landscapes, natural features, etc. Note: There is a separate inventory form and surveying process for cemeteries and archaeological sites. Please contact the SHPO for more information.
 - Structure: A resource constructed for purposes other than shelter. Examples: paved parking lots, bridges, tunnels, fire towers, canals, dams, windmills, grain elevators, mounds, earthworks, boats, railroad locomotives and cars, bandstands, etc.
 - Object: A resource primarily artistic in nature or small in scale. Examples: sculpture, monuments, fountains, boundary markers, etc.
24. Vernacular or property type: Some resource types do not conform to popular architectural styles. Instead, they may be adaptations of building types associated with ethnic or cultural traditions. For example, Missouri's towns and rural areas contain numerous "I-Houses," two story frame or brick houses that are two rooms wide and one room deep and generally have side gable roofs. Architectural ornamentation from a wide range of architectural styles can be applied to the exterior of these houses, but their basic form stays the same. These traditional building types are best identified by their "type" rather than their style. This box can also be used for other resource types such as battlefields, bridges, and objects. Note: Do not use "vernacular" as a style or type.
25. Architectural Style: Use the "National Register Data Categories for Architectural Classification" found on pp. 25-26 of the National Register Bulletin How to Complete the National Register Registration Form, to select an architectural movement or style that most accurately describes the property's physical characteristics. If unknown, leave blank. Note: Do not use "vernacular" as a style or type.

26. Plan shape: Plan shape refers to the footprint of the building or structure. See below for examples. If none applies, mark N/A or leave blank.

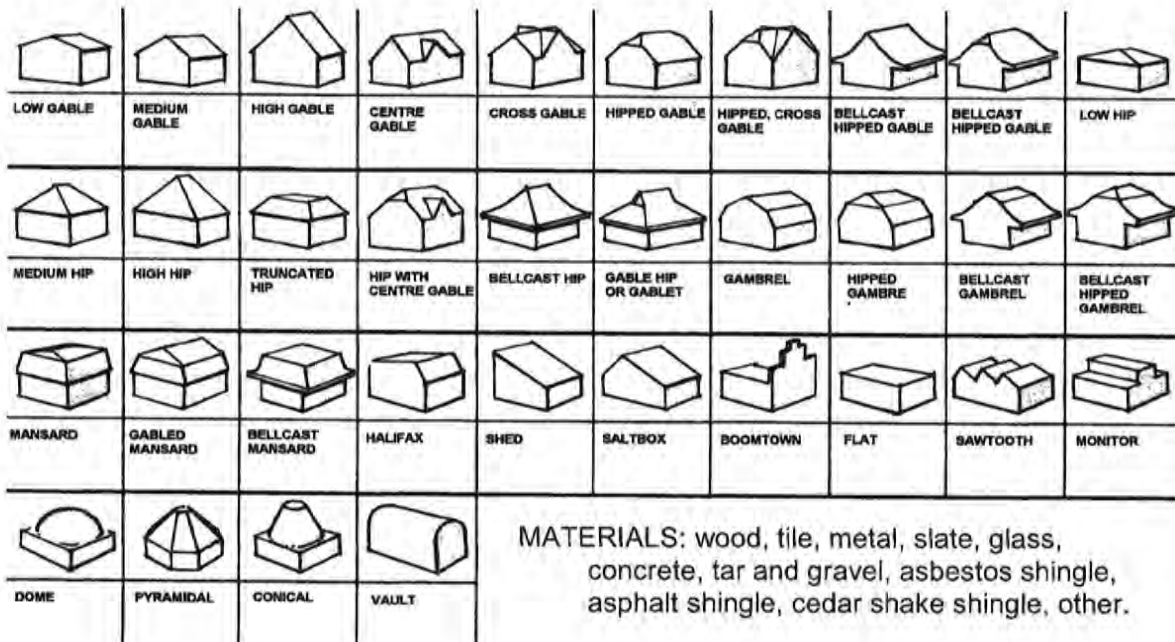
									
SQUARE	RECTANGULAR	RECTANGULAR	L	U	T	H	CIRCULAR	POLYGONAL	CENTRE SPACE
									
PAVILLION	IRREGULAR	CRUCIFORM	APSIDAL	APSE AND TRANSEPT	APSE AND NARTHEX	NARTHEX AND TRANSEPT			

27. No. of stories: For buildings, enter the number of stories. For sites or structures such as bridges, mark N/A. See below for examples of how to count the number of stories.



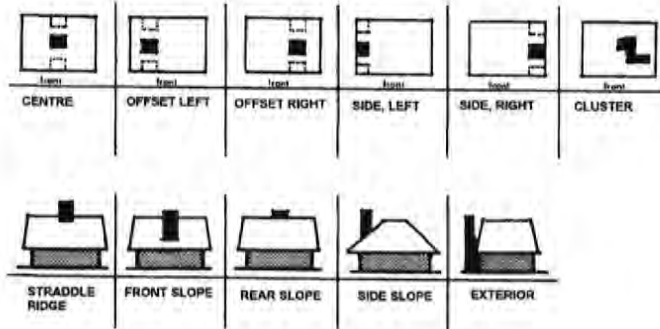
28. No. of bays (first floor): In architectural terminology, a bay (not to be confused with bay windows) is simply one of several external divisions of a building marked by fenestration, buttresses, columns, piers, or the like. For example, a simple facade that consists of a central door with a window to each side is said to have three bays or to be three bays wide. Enter in the blank the number of bays on the first floor of the building or structure.

29. Roof type: Roof type refers to the shape of the roof. See below for examples.

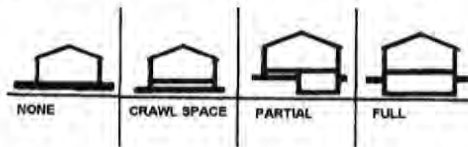


30. Roof material: Enter the type of material that covers the roof. See above for examples.

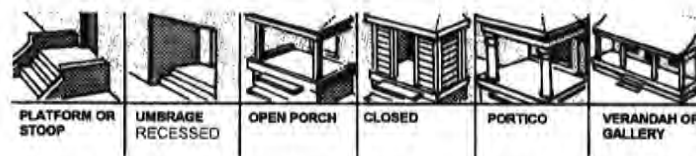
31. Chimney placement: Note where chimneys are located in the building and roof slope. See below for examples. If there is no chimney, mark N/A. Note material type in description (box 41 cont.).



32. Structural System: Are the walls constructed from logs, brick, stone, wood frame, concrete blocks, poured or reinforced concrete or something else? Care should be taken here because many older structures have had their walls covered with wood or aluminum siding, shingles, or some other type of sheathing which hides the actual wall construction. The owner may know if he or a previous owner has covered the building in this way. In addition, the original walls of a sheathed structure may be visible in some part of the building, such as the attic or basement. If unknown, leave blank.
33. Exterior wall cladding: Enter the type(s) of material covering the exterior walls of the building or structure. If more than one material is used as wall cladding or siding, enter the material that covers the majority of the wall space. If two types of siding cover equal amounts of wall space (i.e. brick first floor, stucco second floor), enter both materials.
34. Foundation material: Enter the type of material used to construct the foundation or piers or mark "unknown" if not visible.
35. Basement type: If possible to determine from visual inspection or discussions with the property owner or resident, note the type of basement. See below for examples. If not easy to determine, enter "unknown."



36. Front porch type/placement: Enter the type of porch currently extant on the front of the building. Note if the porch is full or partial width, wraparound, centered, or to one side or another. Also note if the porch is one or more stories in height. If there is no porch, enter N/A.



Other (not illustrated):
hood, loggia, piazza,
deck

37. Windows: Note if the windows are original or replacement (mark an X by the appropriate box). Also note the type (i.e. sash, casement, etc.) and pane arrangement (i.e. 1/1, 2/2, 3/1, etc.).
38. Acreage (rural): For rural properties such as farms or country estates, enter the overall acreage of the property. For properties located within towns or cities, leave blank unless the size of the property exceeds 1 acre.

Visible from public road? Mark an X in the box if the property can be seen from the public right of way.

39. Changes: This is an important item because a historic property, especially a building, can have its character changed from its original condition by alteration. If not noted from the outset, erroneous judgments about the building's style, date, etc., may be drawn by researchers using the survey forms. Mark an X in the boxes next to any or all changes that may have occurred to the building (addition(s), altered, moved, other). Use your judgment or knowledge of the property to provide an approximate date for when those changes occurred. If date of changes is unknown, leave the date line blank. Describe known or apparent exterior changes in box 41 (cont.) on page 3 the form and/or on a continuation page.

Endangered by: Is the continued existence of the historic location threatened? It could be endangered by neglect, vandalism, disinterest on the part of the owner, an urban renewal project, etc. If the property does not appear to be endangered, leave blank.

40. No. of outbuildings: Note the number of outbuildings or structures associated with the surveyed property. In box 40 (cont.) on the back of the form or on a continuation page, list and describe the outbuildings or structures. Note in the description of outbuildings if they are contributing or non-contributing. If non-contributing, note why (i.e. loss of integrity due to siding replacement, modern construction, etc.). Small, non-historic, outbuildings such as dog houses or temporary sheds do not need to be noted.
41. Further description of buildings and associated resources on continuation page. If further architectural information is provided in box 41 cont. and/or on a continuation page, mark an X in the box.

OTHER:

42. Current owner/address: Enter the name and address of the current owner.
43. Form prepared by (name and organization): Enter the name of the individual that surveyed the property and completed the form, the name of their company or organization, and the contact information for that person (address, phone, e-mail address).
44. Enter the date the survey was conducted.
45. Date of revisions: Usually this will be left blank. The SHPO will inform the preparer if this field must be completed.

FOR SHPO USE: This section of the form will be completed by SHPO staff.

FORM PAGE 2

Location Map: Insert a map showing the location of the property. Make sure the map shows the streets and roads surrounding the property. Also include a north arrow.

Site Map/plan: Make a simple sketch of the plan of the historic property noting any associated outbuildings, natural features, bordering streets/roads, etc. Include a north arrow. If the property is large or complex, provide a site map/plan on a continuation page.

Photograph: In the boxes provided, enter the name of the photographer, date of photograph, and a brief description of the photograph (i.e. East elevation, facing northwest.). Insert digital image in large box provided (if available, color preferable).

ADDITIONAL INFORMATION

The boxes provided below "Additional information" are for the narrative portion of the survey and should expand on information provided on the front page of the form. These are flexible boxes, and it is acceptable if they expand onto additional pages.

21. (cont.) **History and significance:** Summarize the history and historical or architectural importance of the property. If a property is individually eligible note why in this section (or section 41 if architecturally significant). For an intensive level survey, provide a history of the property. For example, all of the known businesses and associated dates of a commercial property.
22. (cont.) **Sources of information:** Include bibliographic references for sources used in gathering historic data and construction history on the property. If information was obtained from oral interviews, include the name of the person interviewed, the interviewer, and the date and location of the interview. If notes or recordings were made of the interview, cite the location where the sources are kept.
40. (cont.) **Description of environment and outbuildings:** Provide a general description of the setting and additional information and descriptions on any outbuildings or structures associated with the property. Include approximate dates of construction for all outbuildings or structures. For each outbuilding, note if it is contributing or noncontributing to a district. If it is noncontributing, explain why it does not contribute. Small scale structures such as modern dog houses do not need to be described. However, small outbuildings, objects or structures (i.e. historic fences, arbors, cisterns/pumps) that are historic or important to the historic function of the property should be noted and described.
41. (cont.) **Description of Primary Resource:** . Describe the primary façade of the property. At a minimum start with the number of stories, roof type, and wall cladding. Then bay by bay describe each story, include the placement and type of fenestration. Use this section to elaborate on items noted in survey form numbers 13-24. Take special note of characteristics and features not covered by form data sets. If a property is not eligible, note why this is the case. If a property has characteristics specific to a style or type note what they are. The idea behind this section is to accurately describe the property if the photo is lost.

Other: Copies of additional information such as historic photographs, biographies of past owners, etc. can also be included on continuation pages.

PHOTOGRAPHS: Unless otherwise directed by SHPO, all survey forms must be accompanied by at least one photograph showing the front façade of the building. Oblique views which show the front and one side are acceptable. If there is more than one resource on the property that cannot be completely captured in the same photo as the primary property, additional photographs documenting these outbuildings, structures or objects should also be included.

All images must be 1600 x 1200 pixels at minimum and saved in color in JPEG format. For any final photos, label the photos as "MO_County_Survey Name_001". The number at the end of the label should correspond to the associated survey form number. If there is more than one photo per form add a letter at the end of the label (MO_County_Survey Name_001A, MO_County_Survey Name_001B, etc.).

Generally, the best time to take photographs is late fall, winter or early spring. Photographs should be taken from the public right of way (street, sidewalk, alley, etc.). If the view of the property or associated outbuilding is obscured from the public right of way, contact the property owner and/or neighbors to request permission to photograph the property from private land. If permission is not granted, provide a detailed description and explanation on the survey form.

Appendix 1: County Abbreviations

Adair	AD	Lafayette	LF	Taney	TA
Andrew	AN	Lawrence	LA	Texas	TE
Atchison	AT	Lewis	LE	Vernon	VE
Audrain	AU	Lincoln	LN	Warren	WN
Barry	BY	Linn	LI	Washington	WA
Barton	BA	Livingston	LS	Wayne	WE
Bates	BT	Macon	MC	Webster	WB
Benton	BE	Madison	MO	Worth	WO
Bollinger	BR	Maries	MS	Wright	WR
Boone	BO	Marion	MA		
Buchanan	BN	MacDonald	MD		
Butler	BU	Mercer	ME		
Caldwell	CW	Miller	ML		
Callaway	CY	Mississippi	MI		
Camden	CM	Moniteau	MU		
Cape Girardeau	CG	Monroe	MN		
Carroll	CA	Montgomery	MT		
Carter	CT	Morgan	MG		
Cass	CS	New Madrid	NM		
Cedar	CE	Newton	NE		
Chariton	CH	Nodaway	NO		
Christian	CN	Oregon	OR		
Clark	CK	Osage	OS		
Clay	CL	Ozark	OZ		
Clinton	CI	Pemiscot	PM		
Cole	CO	Perry	PY		
Cooper	CP	Pettis	PE		
Crawford	CR	Phelps	PH		
Dade	DA	Pike	PI		
Dallas	DL	Platte	PL		
Daviess	DV	Polk	PO		
Dekalb	DK	Pulaski	PU		
Dent	DE	Putnam	PT		
Douglas	DG	Ralls	RA		
Dunklin	DU	Randolph	RN		
Franklin	FR	Ray	RY		
Gasconade	GA	Reynolds	RE		
Gentry	GE	Ripley	RI		
Greene	GR	Saline	SA		
Grundy	GY	Schuyler	SK		
Harrison	HA	Scotland	SD		
Henry	HE	Scott	ST		
Hickory	HI	Shannon	SH		
Holt	HO	Shelby	SY		
Howard	HD	St. Charles	SC		
Howell	HL	St. Clair	SR		
Iron	IR	St. Francois	SF		
Jackson	JA	St. Louis	SL		
Jasper	JP	St. Louis City	SLC		
Jefferson	JE	Ste. Genevieve	SG		
Johnson	JO	Stoddard	SO		
Knox	KN	Stone	SN		
Laclede	LC	Sullivan	SU		

**ATTACHMENT A
EXHIBIT 4**

Architectural Survey Form



1. Survey No.		2. Survey name:	
3. County:		4. Address (Street No.)	Street (name)
5. City:	Vicinity: <input type="checkbox"/>	6. Geographical Reference:	7. Township/Range/Section: T: R: S:
8. Historic name (if known):		9. Present/other name (if known):	
10. Ownership: <input type="checkbox"/> Private <input type="checkbox"/> Public		11a. Historic use (if known):	11b. Current use:

HISTORICAL INFORMATION

12. Construction date:	15. Architect:	18. Previously surveyed? <input type="checkbox"/> Cite survey name in box 22 cont. (page 3)
13. Significant date/period:	16. Builder/contractor:	19. On National Register? <input type="checkbox"/> individual <input type="checkbox"/> district Cite nomination name in box 22 cont. (page 3)
14. Area(s) of significance:	17. Original or significant owner:	20. National Register eligible? <input type="checkbox"/> individually eligible <input type="checkbox"/> district potential (<input type="checkbox"/> C <input type="checkbox"/> NC) <input type="checkbox"/> not eligible <input type="checkbox"/> not determined
21. History and significance on continuation page. <input type="checkbox"/>		22. Sources of information on continuation page. <input type="checkbox"/>

ARCHITECTURAL INFORMATION

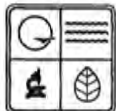
23. Category of property: <input type="checkbox"/> building(s) <input type="checkbox"/> site <input type="checkbox"/> structure <input type="checkbox"/> object	30. Roof material:	37. Windows: <input type="checkbox"/> historic <input type="checkbox"/> replacement Pane arrangement:
24. Vernacular or property type:	31. Chimney placement:	38. Acreage (rural): Visible from public road? <input type="checkbox"/>
25. Architectural Style:	32. Structural system:	39. Changes (describe in box 41 cont.): <input type="checkbox"/> Addition(s) Date(s): <input type="checkbox"/> Altered Date(s): <input type="checkbox"/> Moved Date(s): <input type="checkbox"/> Other Date(s): Endangered by:
26. Plan shape:	33. Exterior wall cladding:	
27. No. of stories:	34. Foundation material:	
28. No. of bays (1 st floor):	35. Basement type:	40. No. of outbuildings (describe in box 40 cont.):
29. Roof type:	36. Front porch type/placement:	41. Further description of building features and associated resources on continuation page. <input type="checkbox"/>

OTHER

42. Current owner/address:	43. Form prepared by (name and org.):	44. Survey date:
		45. Date of revisions:

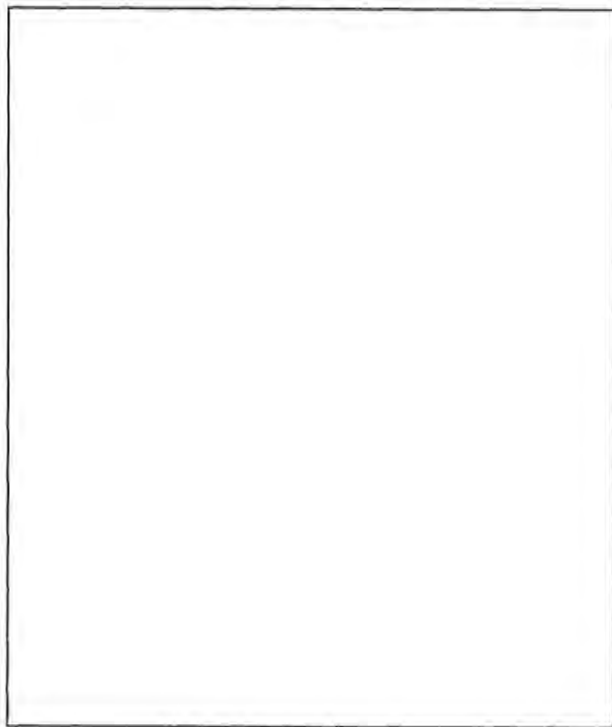
FOR SHPO USE

Date entered in inventory:	Level of survey <input type="checkbox"/> reconnaissance <input type="checkbox"/> intensive	Additional research needed? <input type="checkbox"/> yes <input type="checkbox"/> no
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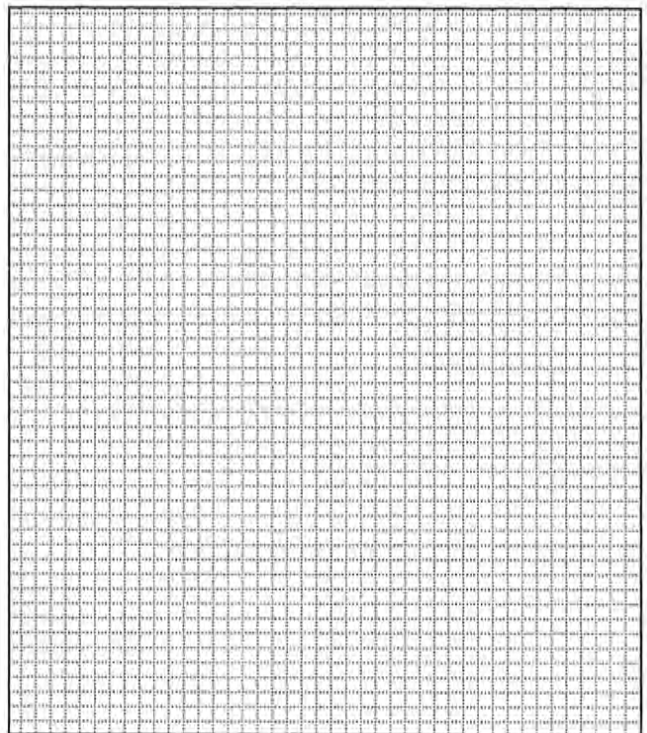


National Register Status: <input type="checkbox"/> listed <input type="checkbox"/> in listed district Name: <input type="checkbox"/> pending listing <input type="checkbox"/> eligible (individually) <input type="checkbox"/> eligible (district) <input type="checkbox"/> not eligible <input type="checkbox"/> not determined	Other:
---	--------

LOCATION MAP (include north arrow)



SITE MAP/PLAN (include north arrow)



PHOTOGRAPH

Photographer:	Date:	Description:
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Insert photograph of primary structure on property.



ADDITIONAL INFORMATION:

21. (cont.) History and significance. Expand box as necessary, or add continuation pages.

22. (cont.) Sources of information. Expand box as necessary, or add continuation pages.

40. (cont.) Description of environment and outbuildings. Expand box as necessary, or add continuation pages.

41. (cont.) Description of primary resource. Expand box as necessary, or add continuation pages.

MISSOURI DEPARTMENT OF NATURAL RESOURCES
Federal Financial Assistance Agreements
General Terms and Conditions

These general terms and conditions highlight requirements which are especially pertinent to federal assistance agreements made by the Missouri Department of Natural Resources. These general terms and conditions do not set out all of the provisions of the applicable laws and regulations, nor do they represent an exhaustive list of all requirements applicable to this award. These terms and conditions are emphasized here because they are frequently invoked and their violation is of serious concern.

Pursuant to 2 CFR 200.331, the sub-recipient shall require the language of the certifications and terms applicable to financial assistance awards to be included in sub-award document at all tiers and all sub-recipients shall certify and disclose accordingly. This "flow down" requirement imposed on the sponsoring agent by the Department is to ensure the financial assistance agreement is used in accordance with Federal statutes, regulations and the terms of the agreement. The sponsoring agent is accountable to the Department for compliance with Federal requirements. In turn, the Department is responsible to federal agency for ensuring sponsoring agents comply with Federal requirements and with federal General Terms and Conditions:

In addition to these terms and conditions, the recipient must comply with all governing requirements of their financial assistance agreement, including the Title 2 Grants and Agreements, Chapter II Part 200 of the Code of Federal Regulation, under the title "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards." The regulations can be found at http://www.ecfr.gov/cgi-bin/text-idx?SID=da74e925e27b89e7f8625019850377cf&tpl=/ecfrbrowse/Title02/2tab_02.tpl.

I. Administrative Requirements

- A. **Method of Payment.** The recipient will be reimbursed by the Department for all allowable expenses incurred in performing the scope of services. The recipient shall report project expenses and submit to the Department original payment requests as required by division/program per the financial assistance agreement. The form must be completed with the Department payment request amount and local share detailed, if applicable. Payment requests must provide a breakdown of project expenses by the budget categories contained in the financial assistance agreement budget. Payment requests must be received by the Department per the financial assistance agreement. No reimbursement will be made for expenditures prior to award unless approval for pre-award costs has been granted. No reimbursements will be made for expenditures incurred after the closing budget date unless a budget time period extension has been granted by the Department prior to the closing budget date.
1. Payments under non-construction grants will be based on the grant sharing ratio as applied to the total agreed project cost for each invoice submitted unless the financial assistance agreement specifically provides for advance

payments. Advance payments may only be made upon a showing of good cause or special circumstances, as determined by the Department and must be as close as is administratively feasible to the actual disbursement. Advance payments will only be made to cover estimated expenditures as agreed. The Department will not advance more than 25% of the total amount of the grant unless the recipient demonstrates good cause.

2. All payment requests must have the following certification by the authorized recipient official: By signing this report, I certify to the best of my knowledge and belief the report is true, complete and accurate and the expenditures, disbursements and cash receipts are for the purposes and objectives set forth in the terms and conditions of the financial assistance agreement. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise.

B. Retention and Custodial Requirements for Records. The recipient shall retain financial records, supporting documents, statistical records and all other records pertinent to the financial assistance agreement for a period of five years starting from the date of submission of the final payment request. Authorized representatives of federal awarding agencies, the Federal Inspectors General, the Comptroller General of the United States, the State Auditor's Office, the Department or any of their designees shall have access to any pertinent books, documents, and records of recipient in order to conduct audits or examinations. The recipient agrees to allow monitoring and auditing by the Department and/or authorized representative. If any litigation, claim, negotiation, audit, or other action involving the records has been started before the expiration of the five year period, the recipient shall retain records until all litigations, claims or audit findings involving the records have been resolved and final action taken.

C. Program Income.

1. The recipient is encouraged to earn income to defray program costs. Program income means gross income earned that is directly generated by a supported activity or earned as a result of the financial assistance agreement during the period of performance. Program income includes but is not limited to income from: fees for services performed, the use or rental of real or personal property acquired with financial assistance funds, the sale of commodities or items fabricated under the financial assistance agreement, license fees and royalties on patents and copyrights and payments of principal and interest on loans made with financial assistance funds. Program income does not include items such as rebates, credits, discounts, or refunds and interest earned.

2. Program income shall be deducted from total allowable outlays to determine net allowable costs. With prior approval of the federal awarding agency, program income may be added to the federal award or used to meet cost sharing or matching requirements. The default deductive alternative requires that program income be deducted from total allowable costs to determine the net allowable amount to which the respective matching ratios are applied. For example, 50/50 share ratio agreement with total allowable costs of \$10,000 that earns \$1,000 in program income would result in \$4,500 net share and a \$4,500 net financial assistance share.

D. **Match or Cost Share Funding.** In general, match or cost sharing represents that portion of project costs not borne by state appropriations. The matching share will usually be prescribed as a minimum percentage. In-kind (noncash) contributions are allowable project costs when they directly benefit and are necessary and reasonable for the accomplishment of the project or program objectives. Any in-kind match must be assigned a fair market value consistent with those paid for similar work in the labor market and be documented and verifiable. Neither costs nor the values of third party in-kind contributions count towards satisfying a cost sharing or matching requirement of a grant agreement if they have been or will be counted towards satisfying a cost sharing or matching requirement of another federal financial assistance agreement, a federal procurement contract, or any other award of federal funds. Federal funds from another federal grant or financial assistance agreement shall not count towards satisfying a cost sharing or matching requirement of a grant agreement.

1. Match or cost share funding will be established by the Department through negotiation with the recipient. Signature by both the Department and recipient on the financial assistance agreement form firmly affixes the match or cost sharing ratios. Full expenditure of recipient match or cost share funding is required over the life of the financial assistance agreement. Recipient must submit payment requests to the Department, as required by the financial assistance agreement, and provide financial records for total expenditure of state and match or cost share funding. The Department will reimburse the recipient for its percentage portion agreed to less any negotiated withholding.
2. Failure to provide 100% of the match or cost share ratio of total expenditures as identified in the financial assistance agreement may cause the recipient to become ineligible to receive additional financial assistance from the Department. Failure to provide the required match may result in other enforcement remedies as stated in Y. for noncompliance.

E. **Financial Management Systems.** The financial management systems of the recipient must meet the following standards:

1. **Financial Reporting.** Accurate, current, and complete disclosure of financial results of financially assisted activities must be made in accordance with the financial reporting requirements of the financial assistance agreement;
2. **Accounting Records.** Maintain records which adequately identify the source and application of funds provided for financially assisted activities to include the CFDA title and number, Federal Award Identification Number (FAIN) and year, name of the federal agency and pass-thru entity. These records must contain information pertaining to financial assistance awards and authorizations, obligations, unobligated balances, assets, liabilities, outlays or expenditures, and income;
3. **Internal Control.** Effective written internal controls and accountability must be maintained for all recipient cash, real and personal property, and other assets. The recipient must adequately safeguard all such property and must assure that it is used solely for authorized purposes. These internal controls should be in compliance with guidance in the "Standards for Internal Control in the Federal Government" and the "Internal Control Integrated Framework";
4. **Budget Control.** Actual expenditures or outlays must be compared with budgeted amounts for each financial assistance agreement;
5. **Allowable Costs.** OMB cost principles, applicable federal agency program regulations, and the financial assistance agreement scope of work will be followed in determining the reasonableness, allowability and allocability of costs;
6. **Source Documentation.** Records must adequately identify the source and application of funds for federally funded activities. These records must contain information pertaining to Federal awards, authorizations, obligations, unobligated balances, assets, expenditures, income and interest and be supported by source documentation. The documentation must be made available by the recipient at the Department's request or any of the following: authorized representatives of the federal awarding agency, the Federal Inspector General, the Comptroller General of the United States, State Auditor's Office or any of their designees;
7. The recipient shall have written procedures in place to minimize the time lapsed between money disbursed by the Department and spent by the recipient.

- F. Reporting of Program Performance.** The recipient shall submit to the Department a performance report for each program, function, or activity as specified by the financial assistance agreement or at least annually and/or after completion of the project. Performance report requirements, if not expressly stated in the scope of work, should include, at a minimum, a comparison of actual accomplishments to the goals established, reasons why goals were not met, including analysis and explanation of cost overruns or higher unit cost when appropriate, and other pertinent information. Representatives of the Department, the federal awarding agency, the Federal Inspector General, the Comptroller General of the United States, State Auditor's Office or any of their designees shall have the right to visit the project site(s) during reasonable hours for the duration of the contract period and for five years thereafter.
- G. Budget and Scope of Work Revisions.** The recipient is permitted to rebudget within the approved direct cost budget to meet unanticipated requirements. The following is a non-exclusive listing of when a recipient must request approval in writing to revise budgets and scopes of work under the following conditions:
1. For non-construction grants, the recipient shall obtain the prior approval of the Department, unless waived by the Department, for cumulative transfers among direct cost categories, or, if applicable, among separately budgeted programs, projects, functions or activities when the accumulative amounts of such transfers exceed or are expected to exceed 10% of the current total approved budget whenever the Department's share exceeds the simplified acquisition amount threshold.
 2. For construction and non-construction projects, the recipient shall obtain prior written approval from the Department for any budget revision which would result in the need for additional funds.
 3. For combined non-construction and construction projects, the recipient must obtain prior written approval from the Department before making any fund or budget transfer from the non-construction to construction or vice versa.
 4. A recipient under non-construction projects must obtain prior written approval from the Department whenever contracting out, subgranting, or otherwise obtaining a third party to perform activities which are central to the purpose of the award.
 5. Changes to the scope of services, including changes to key personnel described in the financial assistance agreement, must receive prior approval from the Department. Approved changes in the scope of work or budget shall be incorporated by written amendment to the financial assistance agreement.

6. The disengagement from the project for more than three months, or a 25 percent reduction in time devoted to the project, by the approved project director or principal investigator.
7. Changes in the amount of approved cost-sharing or matching provided by the recipient. No other prior approval requirements for specific items may be imposed unless a deviation has been approved.
8. Initiate a one-time extension of the period of performance by up to 12 months unless one or more of the conditions outlined below apply. For one-time extensions, the recipient must notify the Department in writing with the supporting reasons and revised period of performance at least 90 calendar days before the end of the period of performance specified in the financial assistance agreement. This one-time extension may not be exercised merely for the purpose of using unobligated balances. Extensions require explicit prior approval from Department when:
 - a. The terms and conditions of the financial assistance agreement prohibit the extension.
 - b. The extension requires additional funds.
 - c. The extension involves any change in the approved objectives or scope of the project.
 - d. Carry forward unobligated balances to subsequent period of performance.
9. Extending the agreement past the original completion date requires approval of the Department.

H. Equipment Use. The recipient agrees that any equipment purchased pursuant to this agreement shall be used for the performance of services under this agreement during the term of this agreement. The recipient may not use equipment purchased pursuant to this agreement for any other purpose without approval from the Department. The equipment shall not be moved from the State of Missouri without approval from the Department. State agencies shall follow the Code of State Regulations. The following standards shall govern the utilization and disposition of equipment acquired with financial assistance funds:

1. Title to equipment acquired under this financial assistance agreement will vest with the recipient on acquisition. Equipment means an article of nonexpendable, tangible personal property (including information technology systems) having a useful life of more than one year and a per unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the recipient for financial statement purposes or \$5,000.

- a. Equipment shall be used by the recipient in the program or project for which it was acquired as long as needed, whether or not the project or program continues to be supported by Department funds. When no longer needed for the original program or project, the equipment may be used in other activities currently or previously supported by the Department or the federal agency. If the Department puts the recipient on notice that it believes assistance assets are not being used for the intended purpose, the recipient shall not sell, give away, move or abandon the assets without the Department's prior written approval.
 - b. The recipient shall also make equipment available for use on other projects or programs currently or previously supported by the Department, providing such use will not interfere with the work on the projects or program for which it was originally acquired. User fees should be considered if appropriate.
 - c. The recipient must not use equipment acquired with funding from this financial assistance agreement to provide services for a fee to compete unfairly with private companies that provide equivalent services, unless specifically permitted or contemplated by state or federal law. This fee may be considered program income under Section C, Program Income.
 - d. When acquiring replacement equipment, the recipient may use the equipment to be replaced as a trade-in or sell the property and use the proceeds to offset the cost of the replacement property, subject to the approval of the Department.
2. Equipment Management. The recipient's procedures for managing equipment, whether acquired in whole or in part with financial assistance funds, will, at a minimum, meet the following requirements until disposition takes place:
- a. The recipient must maintain property records that include a description of the equipment, a serial number or other identification number, the source of funding, the acquisition date, cost of the property, percentage of federal or state participation in the cost of the property, the location, use and condition of the property and disposition information including the date of the disposal and sale price of the property.
 - b. A physical inventory of the property must be taken and the results reconciled with the property records at least once every two years.

- c. A control system must be developed to ensure adequate safeguards to prevent against loss, damage, or theft of the property. Any loss, damage, or theft shall be reported to and investigated by local authorities. The recipient shall procure and maintain insurance covering loss or damage to equipment purchased with a financial assistance agreement, with financially sound and reputable insurance companies or through self-insurance. Amounts and coverage of such risks should be that which are usually carried by companies engaged in the same or similar business and similarly situated.
 - d. The recipient must develop adequate maintenance procedures to keep the property in good condition.
 - e. If the recipient is authorized or required to sell the property, proper sales procedures must be established to ensure the highest possible return.
- 3. Disposition. When original or replacement equipment acquired under the financial assistance agreement is no longer needed for the original project or program or for other activities currently or previously supported by the Department, the recipient shall dispose of the equipment as follows:
 - a. Items of equipment with a current per-unit fair market value \$5,000 or less may be retained, sold or otherwise disposed of with no further obligation to the Department.
 - b. For items of equipment with a current per unit fair market value of more than \$5,000, the Department shall have a right to an amount calculated by multiplying the current market value or proceeds from sale by the Department's share of the equipment. Disposition instructions must be requested from the Department when equipment is no longer needed.
 - c. In cases where a recipient fails to take appropriate disposition actions, the Department may direct the recipient how to dispose of the equipment.
 - d. If the Department puts the recipient on notice that it believes assistance assets are not being used for the intended purpose, the recipient shall not sell, give away, move or abandon the asset without Department's written approval.
- I. **Supplies.** The recipient agrees that all supplies purchased pursuant to this agreement shall be used for the performance of services under this agreement during the term of this agreement. Title to supplies acquired under a financial assistance agreement will

vest, upon acquisitions, with the recipient. If there is a residual inventory of unused supplies exceeding \$5,000 in total aggregate fair market value upon termination or completion of the award, and if the supplies are not needed for any other federally sponsored programs or projects, the recipient shall compensate the department for its share. The recipient must not use supplies acquired with funding from this financial assistance agreement to provide services for a fee to compete unfairly with private companies that provide equivalent services, unless specifically permitted or contemplated by state or federal law. This fee may be considered program income under Section C, Program Income.

- J. **Inventions and Patents.** If any recipient produces subject matter, which is or may be patentable in the course of work sponsored by this financial assistance agreement, the recipient shall promptly and fully disclose such subject matter in writing to the Department. In the event that the recipient fails or declines to file Letters of Patent or to recognize patentable subject matter, the Department reserves the right to file the same. The Department grants to the recipient the opportunity to acquire an exclusive license, including the right to sublicense, with a royalty consideration paid to the Department. Payment of royalties by recipient to the Department will be addressed in a separate royalty agreement.
- K. **Copyrights.** Except as otherwise provided in the terms and conditions of this financial assistance agreement, the author or the recipient is free to copyright any books, publications, or other copyrightable material developed in the course of this agreement. However, the Department and federal awarding agency reserve a royalty-free, nonexclusive and irrevocable right to reproduce, publish, or otherwise use, and to authorize others to use, with the approval of the Department, the work for government purposes.
- L. **Prior Approval for Publications.** The recipient shall submit to the Department two draft copies of each publication and other printed materials which are intended for distribution and are financed, wholly or in part, by financial assistance funds. The recipient shall not print or distribute any publication until receiving written approval by the Department.
- M. **Mandatory Disclosures.** The recipient agrees that all statements, press releases, requests for proposals, bid solicitations, and other documents describing the program/project for which funds are now being awarded will include a statement of the percentage of the total cost of the program/project which is financed with federal and state money, and the dollar amount of federal and state funds for the program/project.
- N. **Procurement Standards.** The recipient shall use their own documented procurement procedures that reflect applicable state and local laws and regulations provided that procurement conforms to standards set forth in the "Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards."

1. No work or services paid for wholly or in part with state or federal funds, will be contracted without the written consent of the Department.
 2. The recipient agrees that any contract, interagency agreement, or equipment to be procured under this award which was not included in the approved work plan must receive formal Department approval prior to expenditure of funds associated with that contract, interagency agreement, or equipment purchase.
- O. **Audit Requirements.** The Department and the State Auditor's Office have the right to conduct audits of recipients at any time. The recipient shall arrange for independent audits as prescribed in "Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards, Subpart F", as applicable. Audits must confirm that records accurately reflect the operations of the recipient; the internal control structure provides reasonable assurance that assets are safeguarded, and recipient is in compliance with applicable laws and regulations. When the recipient has its yearly audit conducted by a governmental agency or private auditing firm, the relevant portion(s) of the audit report will be submitted to the Department. Other portions of the audit shall be made available at the Department's request.
- P. **Freedom of Information Act.** In response to a Freedom of Information Act (FOIA) request for research data relating to published research findings produced under a Federal award that were used by the Federal government in developing an agency action that has the force and effect of law, the Department must request, and the recipient must provide, within a reasonable time, the research data so that they can be made available to the public through the procedures established under the FOIA. If the Department obtains the research data solely in response to a FOIA request, the Department may charge the requester a reasonable fee equaling the full incremental cost of obtaining the research data. This fee should reflect costs incurred by the Department and the recipient. This fee is in addition to any fees the Federal awarding agency may assess under the FOIA (5 U.S.C. 552(a)(4)(A)).
- Q. **Conflicts of Interest.** The recipients must have written standards and policies covering conflicts of interest. No party to this financial assistance agreement, nor any officer, agent, or employee of either party to this assistance agreement, shall participate in any decision related to such assistance agreement which could result in a real or apparent conflict of interest, including any decision which would affect their personal or pecuniary interest, directly or indirectly. The recipient is advised that, consistent with Chapter 105, RSMo, no state employee shall perform any service for consideration paid by the recipient for one year after termination of the employee's state employment by which the former state employee attempts to influence a decision of a state agency. A state employee who leaves state employment is permanently banned from performing any service for any consideration in relation to any case, decision, proceeding, or application in which the employee personally participated during state employment.

- R. **State Appropriated Funding.** The recipient agrees that funds expended for the purposes of this financial assistance agreement must be appropriated and made available by the Missouri General Assembly for each fiscal year included within the financial assistance agreement period, as well as being awarded by the federal or state agency supporting the project. Therefore, the financial assistance agreement shall automatically terminate without penalty or termination costs if such funds are not appropriated and/or granted. In the event that funds are not appropriated and/or granted for the financial assistance agreement, the recipient shall not prohibit or otherwise limit the Department's right to pursue alternate solutions and remedies as deemed necessary for the conduct of state government affairs. The requirements stated in this paragraph shall apply to any amendment or the execution of any option to extend the financial assistance agreement.
- S. **Eligibility, Debarment and Suspension (SubPart C).** By applying for this financial assistance agreement, the recipient verifies that it, its board of directors, and all of its principals are currently in compliance with all state and federal environmental laws and court orders issued pursuant to those laws, and that all environmental violations have been resolved (for example, no pending or unresolved Notice of Violation (NOV)) at the time of application. If compliance issues exist, the recipient shall disclose to the Department all pending or unresolved violations noted in a NOV, administrative order, or civil and criminal lawsuit, but only where those alleged violations occurred in the State of Missouri. If a NOV occurs during the financial assistance period, the recipient must notify the Department immediately. The Department will not make any award or payment at any time to any party which is debarred or suspended, under federal or state authority, or is otherwise excluded from or ineligible for participation in federal assistance under Executive Order 12549, "Debarment and Suspension." The recipient may access the Excluded Parties List at www.sam.gov.
- T. **Restrictions on Lobbying.** No portion of this agreement may be expended by the recipient to pay any person for influencing or attempting to influence the executive or legislative branch with respect to the following actions: awarding of a contract; making of an assistance agreement; making of a loan; entering into a cooperative agreement; or the extension, continuation, renewal, amendment or modification of any of these as prohibited by Section 319, Public Law 101-121 (31 U.S.C. 1352).

In accordance with the Byrd Anti-Lobbying Amendment, any recipient who makes a prohibited expenditure under Title 40 CFR Part 34 or fails to file the required certification or lobbying forms shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such expenditure.

- U. **Recycled Paper.** Consistent with Federal Executive Order 13423 and EPA Executive Order 1000.25, the recipient shall use recycled paper consisting of at least 30% post-consumer fiber and double sided printing for all reports which are prepared as a part of this assistance agreement and delivered to the Department. The recipient must use

recycled paper for any materials that it produces and makes available to any parties. The chasing arrows symbol representing the recycled content of the paper will be clearly displayed on at least one page of any materials provided to any parties.

- V. **Contracting with Small and Minority Firms, Women's Business Enterprise, and Labor Surplus Area Firms.** In accordance with Missouri Executive Order No. 15-06 and federal administrative provisions, all recipients shall make every feasible effort to target the percentage of goods and services procured from certified minority business enterprises (MBE) and women business enterprises (WBE) to 10% and 10%, respectively, when utilizing financial assistance funds to purchase supplies, equipment, construction and services related to this financial assistance agreement.
1. The recipient agrees to take all necessary affirmative steps required to assure that small and minority firms and women's business enterprises are used when possible as sources when procuring supplies, equipment, construction and services related to the financial assistance agreement. The recipient agrees to include information about these requirements in solicitation documents. Affirmative steps shall include:
 - a. Placing qualified small and minority business and women's business enterprises on solicitation lists;
 - b. Ensuring that small and minority business and women's business enterprises are solicited whenever they are potential sources;
 - c. Dividing total requirements, when economically feasible, into small tasks or quantities to permit maximum participation by small and minority business and women's business enterprises;
 - d. Establishing delivery schedules, where the requirements of work will encourage participation by small and minority business and women's business enterprises;
 - e. Using the services of the Small Business Administration, the Minority Business Development Agency of the U.S. Department of Commerce and the MO Office of Equal Opportunity, and;
 - f. Requiring any prime contractor or other subrecipients, if subagreements are to be allowed, to take the affirmative steps in subparagraphs a. through e. of this section.
 2. For EPA funded financial assistance agreements, the recipient agrees to include disadvantaged business enterprises in the affirmative steps indicated above. For EPA funded financial assistance agreements, when

required the recipient shall utilize EPA form 5700-52A to report to Department procurements under the financial assistance agreement.

W. **Disputes.** The recipient and the Department should attempt to resolve disagreements concerning the administration or performance of the financial assistance agreement. If an agreement cannot be reached, the Department will provide a written decision. Such decision of the Department shall be final unless a request for review is submitted to the division director within ten (10) business days after the decision. Such request shall include: (1) a copy of the Department's final decision; (2) a statement of the amount in dispute; (3) a brief description of the issue(s) involved; and (4) a concise statement of the objections to the final decision. A decision by the Department shall constitute final action.

X. **Termination**

1. Termination for Cause. The Department may terminate any financial assistance agreement, in whole or in part, at any time before the date of completion whenever it is determined that the recipient has failed to comply with the terms and conditions of the financial assistance agreement. The Department shall promptly notify the recipient in writing of such a determination and the reasons for the termination, together with the effective date. The Department reserves the right to withhold all or a portion of agreement funds if the recipient violates any term or condition of this financial assistance agreement. Termination for cause may be considered for evaluating future applications. The recipient may object to terminations with cause and may provide information and documentation challenging the termination.
2. Termination for Convenience. Both the Department and the recipient may terminate the financial assistance agreement, in whole or in part, when both parties agree that the continuation of the project would not produce beneficial results commensurate with the further expenditure of funds.
3. Financial assistance agreements are not transferable to any person or entity.
4. Department and the recipient remain responsible for compliance with all closeout requirements.

Y. **Enforcement; Remedies for Noncompliance.** If the recipient falsifies any award document or materially fails to comply with any term of this financial assistance agreement, the Department may take one or more of the following actions, as appropriate:

1. Suspend or terminate, in whole or part, the current agreement;

2. Disallow all or part of the cost of the activity or action not in compliance;
 3. Temporarily withhold cash payments pending the recipient's correction of the deficiency;
 4. Withhold further awards from the recipient;
 5. Order the recipient not to transfer ownership of equipment purchased with assistance money without prior Department approval; or
 6. Take other remedies that may be legally available, including cost recovery, breach of contract, and suspension or debarment.
- Z. **Subgrantee's Signature.** The recipient's signature on the application and the award documents signifies the recipient's agreement to all of the terms and conditions of the financial assistance agreement.
- AA. **Human Trafficking. This requirement applies to non-profit recipients or subrecipients.** The recipient, their employees, subrecipients under this agreement, and subrecipients' employees may not engage in severe forms of trafficking in persons during the period of time that the agreement is in effect; procure a commercial sex act during the period of time that the award is in effect; or use forced labor in the performance of the agreement or subagreements under the award. The department has the right to terminate unilaterally: (1) implement section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended, noncompliance that are available to the recipient under this agreement.
- BB. **Illegal Immigration.** Any municipality that enacts or adopts a sanctuary policy will be ineligible for moneys provided through financial assistance agreements administered by any state agency or department until the policy is repealed or is no longer in effect (Missouri Statutes – RSMo 67.307 (2)). No business entity or employer shall knowingly employ, hire for employment, or continue to employ an unauthorized alien to perform work within the state of Missouri (RSMo 285.525 – 285.530).
- CC. **Management Fees.** Management fees or similar charges in excess of the direct costs and approved indirect rates are not allowable. The term "management fees or similar charges" refers to expenses added to the direct costs in order to accumulate and reserve funds for ongoing business expenses, unforeseen liabilities, or for other similar costs which are not allowable under this agreement. Management fees or similar charges may not be used to improve or expand the project funded under this agreement, except to the extent authorized as a direct cost of carrying out the scope of work.

DD. Federal Funding Accountability and Transparency Act (FFATA)

Requirements. If the original assistance agreement amount is \$30,000 or more or an amendment increases the award amount to \$30,000 or greater, the recipient must submit the following to the Department prior to Department signing the amendment (Subrecipient Informational Form):

1. Location of the entity receiving the financial assistance and primary location of performance under the award, including city, state, congressional district and county;
2. A unique entity identifier of the entity receiving the financial assistance;
3. A unique entity identifier of the parent entity of the recipient; and
4. Names and total compensation for the five most highly compensated officers for the preceding completed fiscal year

EE. Executive Compensation. If FFATA reporting requirements apply and if the agreement period will exceed 12 months, the recipient must provide to the Department updated compensation information for their five most highly compensated officers using the Subrecipient Informational Form at the end of each 12 month period.

FF. Competency. The recipient ensures that all personnel associated with this financial assistance agreement, including staff, contractors and subrecipients, possess adequate education, training and experience to satisfactorily perform all technical tasks to be performed in order to fulfill the requirements of this agreement.

GG. Prohibition on certain telecommunications and video surveillance service or equipment. Recipient is prohibited from obligating or expending funds to procure or obtain; extend or renew a contract to procure or obtain; or enter into a contract to procure or obtain equipment, services, or systems that use covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system.

As described in Public Law 115-232, section 889, covered telecommunications equipment is telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).

(i) For the purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities).

(ii) Telecommunications or video surveillance services provided by such entities or using such equipment.

(iii) Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.

Consistent with 2 CFR 200.471, cost incurred for telecommunications and video surveillance services or equipment such as phones, internet, video surveillance, and cloud servers are allowable except for the following circumstances:

- a. Obligating or expending funds for covered telecommunications and video surveillance services or equipment or services as described in 2 CFR 200.216 to:
 - a. Procure or obtain, extend or renew a contract to procure or obtain;
 - b. Enter into a contract (or renew a contract) to procure, or
 - c. Obtain the equipment, services, or systems

II. **Statutory Requirements**

The recipient must comply with all federal, state and local laws relating to employment, construction, research, environmental compliance, and other activities associated with grants from the Department. Failure to abide by these laws is sufficient grounds to cancel the agreement. For a copy of state and federal laws that typically apply to financial assistance agreements contact the Department. By applying for this financial assistance agreement, the recipient certifies that the recipient, its board of directors and principals are in compliance with the specific federal and state laws set out below. Further, the recipient shall report to the Department any instance in which the recipient or any member of its board of directors or principals is determined by any administrative agency or by any court in connection with any judicial proceeding to be in noncompliance with any of the specific federal or state laws set forth below. Such report shall be submitted within ten (10) working days following such determination. Failure to comply with the reporting requirement may be grounds for termination of this financial assistance agreement or suspension or debarment of the recipient.

A. Laws and regulations related to nondiscrimination:

1. Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin, including Limited English Proficiency (LEP);
2. Title VII of the Civil Rights Act of 1964 found at 42 U.S.C. §2000(e) et.seq. which prohibits discrimination on the basis of race, color, religion, national origin, or sex:

3. Title IX of the Education Amendments of 1972, as amended (U.S.C. §§ 1681-1683 and 1685-1686) which prohibits discrimination on the basis of sex;
4. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of disability;
5. Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 621-634), which prohibits discrimination on the basis of age;
6. Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse;
7. Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism;
8. Sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records;
9. Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing;
10. Chapter 213 of the Missouri Revised Statutes which prohibits discrimination on the basis of race, color, religion, national origin, sex, age, and disability.
11. The Americans with Disabilities Act (P. L. 101-336), 42 U. S. C. §12101 et seq., relating to nondiscrimination with respect to employment, public services, public accommodations and telecommunications.
12. Any other nondiscrimination provisions in the specific statute(s) and regulations under which application for federal assistance is being made.
13. The requirements of any other nondiscrimination statute(s) and regulations which may apply to the application.

B. State and Federal Environmental Laws:

1. The Federal Clean Air Act, 42 U.S.C. § 7606, as amended, prohibiting award of assistance by way of grant, loan, or contract to noncomplying facilities.
 2. The Federal Water Pollution Control Act, 33 U.S.C. § 1368, as amended, prohibiting award of assistance by way of grant, loan, or contract to noncomplying facilities.
 3. The National Environmental Policy Act of 1969, 42 U.S.C. § 4321 et seq., as amended, particularly as it relates to the assessment of the environmental impact of federally assisted projects.
 4. The National Historic Preservation Act of 1966, 16 U.S.C. § 470 et seq., as amended, relating to the preservation of historic landmarks.
 5. Earthquakes - Seismic Building and Construction Ordinances, §§ 319.200 - 319.207, RSMo (Cum. Supp. 1990), relating to the adoption of seismic design and construction ordinances by certain cities, towns, villages and counties.
 6. The Missouri Clean Water Law, Sections 644.006 to 644.141, RSMo.
 7. The Missouri Hazardous Waste Management Law, Section, 260.350 to 260.430, RSMo.
 8. The Missouri Solid Waste Management Law, Sections 260.200 to 260.245, RSMo.
 9. The Missouri Air Conservation Law, Sections 643.101 to 643.190, RSMo.
- C. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. §§ 4601 and 4651 et seq., relating to acquisition of interest in real property or any displacement of persons, businesses, or farm operations.
- D. The Hatch Act, 5 U.S.C. § 1501 et seq., as amended, relating to certain political activities of certain State and local employees.
- E. The Archaeological and Historic Preservation Act of 1974 (Public Law 93-291) relating to potential loss or destruction of significant scientific, historical, or archaeological data in connection with federally assisted activities.

- F. The Wild and Scenic Rivers Act of 1968 (16 U.S.C. § 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
- G. The flood insurance purchase requirements of § 102(a) of the Flood Disaster Protection Act of 1973 (Public Law 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
- H. The Privacy Act of 1974, P.L. 93-579, as amended prohibiting the maintenance of information about any individual in a manner which would violate the provision of the Act.
- I. Public Law 93-348 regarding the protection of human subjects involved in research, development and related activities supported by this award of assistance.
- J. The Laboratory Animal Welfare Act of 1966 (P. L. 89-544), 7 U.S.C. § 2131 et seq., pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
- K. The following additional requirements apply to projects that involve construction:
 - 1. The Davis-Bacon Act, as amended, 40 U.S.C. § 276a et seq., respecting wage rates for federally assisted construction contracts in excess of \$2000.
 - 2. The Copeland (Anti-Kickback) Act, 18 U.S.C. § 874, 40 U.S.C. § 276c.
 - 3. The Contract Work Hours and Safety Standards Act, 40 U.S.C. § 327 et seq.
 - 4. Convict labor shall not be used on construction projects unless by convicts who are on work release, parole, or probation.
 - 5. The Lead-Based Paint Poisoning Prevention Act (42 U. S. C. § 4801 et seq.) which prohibits the use of lead paint in construction or rehabilitation of residence structures.

ATTACHMENT B

EXHIBIT 1

U. S. Department of Interior
Assurance of Compliance
(Title VI, Civil Rights Act of 1964)

**U.S. DEPARTMENT OF THE INTERIOR
ASSURANCE OF COMPLIANCE
(TITLE VI. CIVIL RIGHTS ACT OF 1964)**

_____ (hereinafter called "Applicant-Recipient")
(Name of Applicant-Recipient)

HEREBY AGREES THAT IT will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and all requirements imposed by or pursuant to the department of the Interior Regulation (43 CFR 17) issued pursuant to that title, to the end that, in accordance with Title VI of that Act and Regulation, no person in the United States shall, on the ground of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Applicant-Recipient receives financial assistance from the Missouri Department of Natural Resources and hereby gives assurance that it will immediately take any measures to effectuate this agreement.

If any real property of structure thereon is provided or improved with the aid of Federal financial assistance extended to the Applicant-Recipient by the Missouri Department of Natural Resources, this assurance obligates the Applicant-Recipient, or in the case of any transfer of such property, any transferee for the period during which the real property or structure is used for a purpose involving the provision of similar services or benefits. If any personal property is so provided, this assurance obligates the Applicant-Recipient for the period during which the Federal financial assistance is extended to it by the Missouri Department of Natural Resources.

THE ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, Grant Agreements, property discounts or other Federal financial assistance extended after the date hereof to the Applicant-Recipient by the Missouri Department of Natural Resources, including installment payments after such date on account of arrangements for Federal financial assistance which were approved before such date. The Applicant-Recipient recognized and agrees that such Federal financial assistance will be extended in reliance on the representations and agreements made in this assurance, and that the United States shall reserve the right to seek judicial enforcement of this assurance. This assurance is binding on the Applicant-Recipient, its successors, transferees, and assignees, and the person or persons whose signature appears below are authorized to sign this assurance on behalf of the Applicant-Recipient.

_____ DATED

_____ APPLICANT-RECIPIENT

(President, Chairman of the Board or
Comparable Authorized Official)

_____ APPLICANT-RECIPIENT'S MAILING ADDRESS

ATTACHMENT B

EXHIBIT 2
Final Project Report

**Department of Natural Resources
State Historic Preservation Office
FINAL PROJECT REPORT**

Project No.: 29-22-10029-003

Project Title: West Central Sedalia Reconnaissance Survey

	<u>Budgeted</u>	<u>Amended</u>	<u>Actual</u>
Federal Share: \$	50,000.00	24,950.00	
Local Match: \$	58,369.00	33,319.00	
Total Project Costs: \$	108,369.00	58,269.00	

Amendments with Approval Dates: 001, 07/20/2023; 002

Project Description: The City of Sedalia, a Certified Local Government, will hire a 36 CFR 61, Appendix A, qualified historian or architectural historian to conduct an intensive level architectural survey of West Central Sedalia for the creation of a National Historic District nomination in Sedalia, Missouri. The proposed survey will include documentation of approximately 350 structural assets of the within the 115-acre boundary for the creation of one or more National Historic District nominations.

Project Results:

**Number of Properties
Surveyed and Cost per
Property:** _____

CERTIFICATION:

I certify that work under this subgrant (or Grant Agreement) has been accomplished according to applicable laws, regulations, the Secretary of the Interior's Standards, 2 CFR 200, and the terms and conditions of the applicable HPF grant.

Signature: _____

ATTACHMENT B

EXHIBIT 3

U. S. Department of the Interior
Certification Regarding
Debarment, Suspension, and Other Responsibility Matters
Drug-Free Workplace
Requirements and Lobbying

U.S. Department of the Interior

**Certifications Regarding Debarment, Suspension and
Other Responsibility Matters, Drug-Free Workplace
Requirements and Lobbying**

Persons signing this form should refer to the regulations referenced below for complete instructions:

Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions - **The prospective primary 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 Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.** See below for language to be used or use this form certification and sign. (See Appendix A of Subpart D of 43 CFR Part 12.)

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions - (See Appendix B of Subpart D of 43 CFR Part 12.)

Certification Regarding Drug-Free Workplace Requirements - Alternate I. (Grantees Other Than Individuals) and Alternate II. (Grantees Who are Individuals) - (See Appendix C of Subpart D of 43 CFR Part 12)

Signature on this form provides for compliance with certification requirements under 43 CFR Parts 12 and 18. The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of the Interior determines to award the covered transaction, grant, cooperative agreement or loan.

**PART A: Certification Regarding Debarment, Suspension, and Other Responsibility Matters-
Primary Covered Transactions**

CHECK IF THIS CERTIFICATION IS FOR A PRIMARY COVERED TRANSACTION AND IS APPLICABLE.

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
 - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;
 - (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- (2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

**PART B: Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -
Lower Tier Covered Transactions**

CHECK IF THIS CERTIFICATION IS FOR A LOWER TIER COVERED TRANSACTION AND IS APPLICABLE.

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

PART C: Certification Regarding Drug-Free Workplace Requirements

CHECK ___ IF THIS CERTIFICATION IS FOR AN APPLICANT WHO IS NOT AN INDIVIDUAL.

Alternate I. (Grantees Other Than Individuals)

A. The grantee certifies that it will or continue to provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing an ongoing drug-free awareness program to inform employees about--
 - (1) The dangers of drug abuse in the workplace;
 - (2) The grantee's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will --
 - (1) Abide by the terms of the statement; and
 - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (e) Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
- (f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted --
 - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a) (b), (c), (d), (e) and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Check ___ if there are workplaces on files that are not identified here.

PART D: Certification Regarding Drug-Free Workplace Requirements

CHECK ___ IF THIS CERTIFICATION IS FOR AN APPLICANT WHO IS AN INDIVIDUAL.

Alternate II. (Grantees Who Are Individuals)

- (a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;
- (b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to the grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

PART E: Certification Regarding Lobbying
Certification for Contracts, Grants, Loans, and Cooperative Agreements

CHECK IF CERTIFICATION IS FOR THE AWARD OF ANY OF THE FOLLOWING AND THE AMOUNT EXCEEDS \$100,000: A FEDERAL GRANT OR COOPERATIVE AGREEMENT; SUBCONTRACT, OR SUBGRANT UNDER THE GRANT OR COOPERATIVE AGREEMENT.

CHECK IF CERTIFICATION FOR THE AWARD OF A FEDERAL LOAN EXCEEDING THE AMOUNT OF \$150,000, OR A SUBGRANT OR SUBCONTRACT EXCEEDING \$100,000, UNDER THE LOAN.

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

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, and officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify accordingly.

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

As the authorized certifying official, I hereby certify that the above specified certifications are true.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL

TYPED NAME AND TITLE

DATE

ATTACHMENT C

GRANT NUMBER P22AF01279 BETWEEN
THE UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
AND
MISSOURI DEPARTMENT OF NATURAL RESOURCES
CFDA: 15.904

PROJECT TITLE: STATE HISTORIC PRESERVATION OFFICE FISCAL YEAR 2022
HISTORIC PRESERVATION FUND GRANT

TERMS AND CONDITIONS, FEDERAL TO STATE GRANT AWARD INCORPORATED
BY REFERENCE TO SUBRECIPIENT

Attached are the terms and conditions of the Department of the Interior, National Park Services to Missouri Department of Natural Resources grant award. A portion of these funds are being passed through Missouri Department of Natural Resources and awarded to you as a subrecipient. To ensure that this federal assistance is used in accordance with the federal statutes, regulations, terms and conditions of the federal award, 2 CFR 200.331 requires the Missouri Department of Natural Resources to ensure the requirements "flow down" to the subrecipient. The Missouri Department of Natural Resources hereby incorporates by reference the relevant, attached terms, conditions, disclosures and certifications in your grant agreement and requires compliance as a condition of your award.

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Federal Financial Report Cycle			
Reporting Period Start Date	Reporting Period End Date	Reporting Type	Reporting Period Due Date
10/01/2021	09/30/2022	Annual	12/29/2022
10/01/2022	09/30/2023	Annual	12/29/2023
10/01/2023	09/30/2024	Final	01/28/2025

Performance Progress Report Cycle			
Reporting Period Start Date	Reporting Period End Date	Reporting Type	Reporting Period Due Date
10/01/2021	09/30/2022	Annual	12/29/2022
10/01/2022	09/30/2023	Annual	12/29/2023
10/01/2023	09/30/2024	Final	01/28/2025

REMARKS

- Grant Agreement
between
the United States Department of the Interior
National Park Service
and
the Above-Named Recipient

Articles

- Department of the Interior Standard Terms and Conditions

Recipients must also adhere the Department of Interior Standard Terms and Conditions located at <https://www.doi.gov/grants/doi-standard-terms-and-conditions>.

- Legal Authority

NPS enters into this Agreement pursuant to:

- National Historic Preservation Act (NHPA) 54 USC 300101 *et seq.*
- Historic Preservation Fund Grants Manual, 2007 and subsequent memos and guidance
- 54 USC 302902(a) Grants to States
- 54 USC 302701(a) Grants to Indian Tribes and Native Hawaiian Organizations
- Consolidated Appropriations Act, enacted as P.L. 117-103,

- Performance Goals and Project Objectives

The objective of this Agreement is to provide Historic Preservation Funding (HPF) to State Historic Preservation Officers (SHPOs) for the protection and conservation of State, territorial, and local cultural and historic assets and to assist them in executing their historic preservation programs and activities pursuant to 54 U.S.C. 300101 *et seq.* (commonly known as the National Historic Preservation Act).

- Public Purpose

Annual Historic Preservation Fund grants to the 59 State Historic Preservation Offices (SHPO) support

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the Federal Preservation Partnership program by enabling the SHPOs to implement and fulfill the program areas outlined in the National Historic Preservation Act in accordance with their NPS approved State Historic Preservation Plans.

5. COVID-19 Provisions

Due to the COVID-19 pandemic, access to National Park Service (NPS) property, personnel, or resources may be limited at the start of the agreement. Any performance that requires access to National Park Service property, personnel, or resources shall not commence until the recipient receives confirmation from the NPS Financial Assistance Awarding Officer of the availability of those resources. The recipient shall contact the NPS Financial Assistance Awarding Officer for approval prior to incurring any costs for performance that requires access to National Park Service property or resources. Such approvals can only be provided by the NPS Financial Assistance Awarding Officer. In the event of a prolonged unavailability of resources, the period of performance may be modified to a later date, or the agreement may be cancelled, by either the National Park Service or the recipient, in its entirety. In addition, the recipient shall contact the NPS Financial Assistance Awarding Officer to coordinate any other changes to the agreement that may be needed to ensure successful performance during the COVID-19 pandemic.

6. Statement of Work

The Statement of Work to be performed in accordance with the Secretary of the Interior's *Standards and Guidelines for Archeology and Historic Preservation* includes:

1. Work agreed upon by the State Historic Preservation Officer (SHPO) and the NPS as stated in the State's annual application for Historic Preservation Fund grant assistance, and
2. Determined eligible as stated in the National Historic Preservation Act (NHPA), 54 USC 300101 *et seq.*, and in the *Historic Preservation Fund Grant Manual*.

7. Responsibilities of the Parties

1. The Recipient agrees to:
 1. Carry out the Statement of Work in accordance with the terms and conditions stated herein.
 2. Adhere to Federal, state, and local laws, regulations, and codes, as applicable.
 3. Perform work in accordance with the *Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation* in the assigned mandatory program areas as defined by the National Historic Preservation Act.
 4. Notify NPS of all selected subawards/subgrants, contracts, and in-house projects via HPF Online.
 5. Ensure subrecipients understand they are subject to the requirements of 2 CFR 200.1 "Subaward", 200.101 Applicability, and 200.331 Requirements for pass-through entities.
 6. Record their procurement of qualified consultants and contracts in accordance with 2 CFR 200.317.

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2. No substantial involvement on the part of the NPS is anticipated for the successful completion of the statement of work detailed in this award. It is anticipated that involvement will be limited to actions related to monitoring project performance and technical assistance at the request of the recipient.

8. Cost-Share Requirement

Non-Federal cost-share is required for costs incurred under this Agreement, as identified in the attached project budget. If pre-award costs are authorized, reimbursement of these costs is limited to Federal cost share percentage identified in this agreement.

9. Pre-Award Incurrence of Costs

The Recipient shall be entitled to reimbursement for costs incurred on or after the start date of this agreement, which, if they had been incurred after this Agreement was entered into, would have been allowable, allocable, and reasonable under the terms and conditions of this Agreement. The start date is identified in block 6 of the Notice of Award.

The Recipient is not authorized to incur costs prior to the start date of this agreement.

10. Administrative & Indirect Costs

The Federally negotiated indirect rate to be applied against total direct costs, less equipment, capital improvements and passthrough funds in this agreement shall be 12.99%* TDC. This rate is valid through June 30, 2022. It is the responsibility of the Recipient to work with their cognizant agency in a timely manner to avoid the expiration of the Federally negotiated rate.

Indirect costs must be charged consistently in accordance with the approved project budget, which is incorporated into this award as an attachment. If the recipient has a Federally approved indirect rate, it is the responsibility of the Recipient to work with their cognizant agency in a timely manner to avoid the expiration of the Federally negotiated rate.

The federally-negotiated indirect rate plus administrative costs to be applied against this agreement, by statute 54 U.S.C. § 302902, shall not exceed 25% of the total budget.

Administrative costs are defined as: Allowable, reasonable, and allocable costs related to the overall management of activities directly related to finance (accounting, auditing, budgeting, contracting), general administrative salaries and wages (grant administration, personnel, property management, equal opportunity) and other "overhead" functions (general legal services, general liability insurance, depreciation on buildings and equipment, etc.) not directly attributable to specific program areas identified in the grant agreement. All administrative costs reported must be absolutely necessary for project and/or program implementation, such as the cost items identified in the final grant agreement or items otherwise approved in writing by the NPS Awarding Officer (AO).

*Note: the negotiated indirect cost rate agreement between the Missouri Department of Natural Resources and the US Environmental Protection Agency provides for two rates -- 12.99% for "state parks programs" and 22.30% for "environmental program" *without* further defining those categories. Consequently, NPS interprets awards to the State Historic Preservation Office as a "state park program." If this is not the case, the recipient should promptly inform NPS and request a modification to this grant agreement.

11. Key Officials

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1. Communications. Recipient shall address any communication regarding this Agreement to the ATR/Program Officer with a copy to the Awarding/Grants Management Officer. Communications that relate solely to technical matters may be sent only to the ATR/Program Officer.
2. Changes in Key Officials. Neither the NPS nor Recipient may make any permanent change in a key official without written notice to the other party reasonably in advance of the proposed change. The notice will include a justification with sufficient detail to permit evaluation of the impact of such a change on the scope of work specified within this Agreement. Any permanent change in key officials will be made only by modification to this Agreement.

12. Award and Payment

1. The NPS will provide funding to the Recipient in an amount not to exceed the figure in block 11m of the Notice of Award for the Statement of Work described in Article VI and in accordance with the NPS approved budget. The approved budget detail is incorporated herein. Any award beyond the current fiscal year is subject to availability of funds. Acceptance of a Federal financial assistance award from the Department of the Interior carries with it the responsibility to be aware of, and comply with the terms and conditions within this award document. Acceptance is defined as the start of work, drawing down funds, or accepting the award via electronic means.
2. Recipient shall request payment in accordance with the following:
 1. **Method of Payment.** Payment will be made by advance and/or reimbursement through the Department of Treasury's Automated Standard Application for Payments (ASAP) system.
 2. **Requesting Advances.** Requests for advances must be submitted via the ASAP system. Requests may be submitted as frequently as required to meet the needs of the Financial Assistance (FA) Recipient to disburse funds for the Federal share of project costs. If feasible, each request should be timed so that payment is received on the same day that the funds are dispersed for direct project costs and/or the proportionate share of any allowable indirect costs. If same-day transfers are not feasible, advance payments must be as close to actual disbursements as administratively feasible.
 3. **Requesting Reimbursement.** Requests for reimbursements must be submitted via the ASAP system. Requests for reimbursement should coincide with normal billing patterns. Each request must be limited to the amount of disbursements made for the Federal share of direct project costs and the proportionate share of allowable indirect costs incurred during that billing period.
 4. **Adjusting Payment Requests for Available Cash.** Funds that are available from repayments to, and interest earned on, a revolving fund, program income, rebates, refunds, contract settlements, audit recoveries, credits, discounts, and interest earned on any of those funds must be disbursed before requesting additional cash payments.
 5. **Bank Accounts.** All payments are made through electronic funds transfer to the bank account identified in the ASAP system by the FA Recipient.
 6. **Supporting Documents and Agency Approval of Payments.** Additional supporting documentation and prior NPS approval of payments may be required when/if a FA Recipient is determined to be "high risk" or has performance issues. If prior Agency payment approval is in effect for an award, the ASAP system will notify the FA Recipient when they submit a request for payment. The Recipient must then notify the NPS AO that a payment request has been submitted. The NPS AO may request additional information from the Recipient to support the payment request prior to approving the release of funds, as deemed necessary. The FA Recipient is required to comply with these requests. Supporting documents may include invoices, copies of contracts, vendor quotes, and other expenditure explanations that justify the reimbursement requests.
3. Any award beyond the current fiscal year is subject to availability of funds; funds may be provided

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in subsequent fiscal years if project work is satisfactory and funding is available.

4. **Allowable and Eligible Costs.** Expenses charged against awards under the Agreement may not be incurred prior to the beginning of the Start Date of the Agreement, and may be incurred only as necessary to carry out the approved objectives, scope of work and budget with prior approval from the NPS AO. The Recipient shall not incur costs or obligate funds for any purpose pertaining to the operation of the project, program, or activities beyond the expiration date stipulated in the award.
5. **Recipient Cost Share or Match.** Any non-Federal share, whether in cash or in-kind, is expected to be paid out at the same general rate as the Federal share. Exceptions to this requirement may be granted by the AO based on sufficient documentation demonstrating previously determined plans for or later commitment of cash or in-kind contributions. In any case, the Recipient must meet their cost share commitment over the life of the award.

13. Prior Approval

The Recipient shall obtain prior approval for budget and program revisions, in accordance with 2 CFR 200.308.

14. Insurance and Liability

Flow-down: For the purposes of this clause, "recipient" includes such sub-recipients, contractors, or subcontractors as, in the judgment of the recipient and subject to the Government's determination of sufficiency, have sufficient resources and/or maintain adequate and appropriate insurance to achieve the purposes of this clause.

15. Reports and/or Outputs/Outcomes

1. Refer to the last page of the Notice of Award document for Federal Financial reporting frequency and due dates. Performance reports are also required at the same reporting frequency and due dates as the FFR. Reports must be submitted through the GrantSolutions "Manage Reports" functionality.
2. A final Performance Report and a final Federal Financial Report will be due 120 days after the end-date of the Term of Agreement. If the recipient does not submit the final report before the required due date, NPS is required to submit a finding of non-compliance to the Federal Awardee Performance and Integrity Information System (FAPIIS). Each report shall be submitted as described above.
3. The Secretary of the Interior and the Comptroller General of the United States, or their duly authorized representatives, will have access, for the purpose of financial or programmatic review and examination, to any books, documents, papers, and records that are pertinent to the Agreement at all reasonable times during the period of retention in accordance with 2 CFR 200.333.
4. Specific projects, tasks, or activities for which funds are reimbursed and/or advanced will be tracked and reported by the grantee's submission of:
 1. An annual report package reflecting the first year of the period of performance (page 2, Report Cycle table, row 1) including:
 1. Updated HPF Online
 2. Annual SF-425, *Federal Financial Report*
 3. SF-428A, *Tangible Personal Property Report* (only if NPS-approved equipment purchased)
 2. An annual report package reflecting the second year of the period of performance (page 2, Report Cycle table, row 2) including:
 1. Updated HPF Online
 2. Signed Carry Over Statement
 3. Annual SF-425, *Federal Financial Report*

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4. SF-428A, *Tangible Personal Property Report* (only if NPS-approved equipment purchased)
3. Final report package reflecting the full period of performance of this award (page 2, Report Cycle table, row 3) including:
 1. Completed HPF Online
 2. SF-425, *Federal Financial Report*
 3. SF-428B, *Tangible Personal Property Report* (only if NPS-approved equipment purchased)
 4. Copies of all indirect cost rate agreements, if any, applied against this grant
 5. Grant products, submitted digitally

16. Property Utilization

All tools, equipment, and facilities furnished by NPS will be on a loan basis. Tools, equipment and facilities will be returned in the same condition received except for normal wear and tear in project use. Property management standards set forth in 2 CFR 200.310 through 200.316 applies to this Agreement.

17. Modification, Remedies for Noncompliance, Termination

1. This Agreement may be modified at any time, prior to the expiration date, only by a written instrument executed by both parties. Modifications will be in writing and approved by the NPS Awarding Officer and the authorized representative of Recipient.
2. Additional conditions may be imposed by NPS if it is determined that the Recipient is non-compliant to the terms and conditions of this agreement. Remedies for Noncompliance can be found in 2 CFR 200.339.
3. This Agreement may be terminated consistent with applicable termination provisions for Agreements found in 2 CFR 200.340 through 200.343.

18. Reporting of Matters Related to Recipient Integrity and Performance

1. General Reporting Requirement

If the total value of your currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, then you, as the recipient, during that period of time must maintain the currency of information reported to the System for Award Management (SAM) that is made available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)) about civil, criminal, or administrative proceedings described in paragraph 2 of this award term and condition. This is a statutory requirement under section 872 of Public Law 110-417, as amended (41 U.S.C. 2313). As required by section 3010 of Public Law 111-212, all information posted in the designated integrity and performance system on or after April 15, 2011, except past performance reviews required for Federal procurement contracts, will be publicly available.

2. Proceedings You Must Report

Submit the information required about each proceeding that:

1. Is in connection with the award or performance of a grant, cooperative agreement, or procurement contract from the Federal Government;
2. Reached its final disposition during the most recent five year period; and
3. Is one of the following:
 1. A criminal proceeding that resulted in a conviction, as defined in paragraph 5 of this award term and condition;
 2. A civil proceeding that resulted in a finding of fault and liability and payment of a

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monetary fine, penalty, reimbursement, restitution, or damages of \$5,000 or more;

3. An administrative proceeding, as defined in paragraph 5 of this award term and condition, that resulted in a finding of fault and liability and payment of either a monetary fine or penalty of \$5,000 or more; or reimbursement, restitution, or damages in excess of \$100,000; or

4. Any other criminal, civil, or administrative proceeding if:

1. It could have led to an outcome described in paragraph 2.3.(1), (2), or (3) of this award term and condition;
2. It had a different disposition arrived at by consent or compromise with an acknowledgment of fault on your part; and
3. The requirement in this award term and condition to disclose information about the proceeding does not conflict with applicable laws and regulations.

3. Reporting Procedures

Enter in the SAM Entity Management area the information that SAM requires about each proceeding described in paragraph 2 of this award term and condition. You do not need to submit the information a second time under assistance awards that you received if you already provided the information through SAM because you were required to do so under Federal procurement contracts that you were awarded.

4. Reporting Frequency

During any period of time when you are subject to the requirement in paragraph 1 of this award term and condition, you must report proceedings information through SAM for the most recent five year period, either to report new information about any proceeding(s) that you have not reported previously or affirm that there is no new information to report. Recipients that have Federal contract, grant, and cooperative agreement awards with a cumulative total value greater than \$10,000,000 must disclose semiannually any information about the criminal, civil, and administrative proceedings.

5. Definitions

For purposes of this award term and condition:

1. Administrative proceeding means a non-judicial process that is adjudicatory in nature in order to make a determination of fault or liability (e.g., Securities and Exchange Commission Administrative proceedings, Civilian Board of Contract Appeals proceedings, and Armed Services Board of Contract Appeals proceedings). This includes proceedings at the Federal and State level but only in connection with performance of a Federal contract or grant. It does not include audits, site visits, corrective plans, or inspection of deliverables.
2. Conviction means a judgment or conviction of a criminal offense by any court of competent jurisdiction, whether entered upon a verdict or a plea, and includes a conviction entered upon a plea of nolo contendere.
3. Total value of currently active grants, cooperative agreements, and procurement contracts includes—
 1. Only the Federal share of the funding under any Federal award with a recipient cost share or match; and
 2. The value of all expected funding increments under a Federal award and options, even if not yet exercised.

19. Funding Used for the Operation of Unmanned Aircraft Systems (UAS)

If Federal funding is provided to a State, local, tribal, or territorial government for the use of UAS for their operations, the recipient must have in place policies and procedures to safeguard individuals' privacy, civil rights, and civil liberties prior to expending such funds.

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Per the policy memorandum issued by National Park Service Director, dated June 19, 2014, the launching, landing, and operating of unmanned aircraft, that is not under the control of the Federal government, on lands and waters administered by the National Park Service is prohibited unless approval is received from the Associate Director for such purposes as: Scientific study, search and rescue operations, fire operations, and law enforcement.

Administrative use includes the use of unmanned aircraft by

- NPS personnel as operators or crew;
- cooperators such as government agencies and universities that conduct unmanned aircraft operations for the NPS pursuant to a written agreement; and
- other entities, including commercial entities, conducting unmanned aircraft operations for the NPS, provided such entities are in compliance with all applicable FAA and Department of the Interior requirements.

20. Patents and Inventions (37 CFR 401)

Recipients of agreements which support experimental, developmental, or research work shall be subject to applicable regulations governing patents and inventions, including the government-wide regulations issued by the Department of Commerce at 37 CFR 401, Rights to Inventions Made by Non-profit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements. These regulations do not apply to any agreement made primarily for educational purposes.

In accordance with 37 CFR 401.3(a), the provision at 37 CFR 401.14(a), with authorized modifications for the National Park Service, is hereby included in this agreement:

1. Definitions

1. *Invention* means any invention or discovery which is or may be patentable or otherwise protectable under Title 35 of the United States Code, or any novel variety of plant which is or may be protected under the Plant Variety Protection Act (7 U.S.C. 2321 et seq.).
2. *Subject invention* means any invention of the recipient conceived or first actually reduced to practice in the performance of work under this agreement, provided that in the case of a variety of plant, the date of determination (as defined in section 41(d) of the Plant Variety Protection Act, 7 U.S.C. 2401(d)) must also occur during the period of agreement performance.
3. *Practical Application* means to manufacture in the case of a composition or product, to practice in the case of a process or method, or to operate in the case of a machine or system; and, in each case, under such conditions as to establish that the invention is being utilized and that its benefits are, to the extent permitted by law or government regulations, available to the public on reasonable terms.
4. *Made* when used in relation to any invention means the conception or first actual reduction to practice of such invention.
5. *Small Business Firm* means a small business concern as defined at section 2 of Public Law. 85-536 (15 U.S.C. 632) and implementing regulations of the Administrator of the Small Business Administration. For the purpose of this provision, the size standards for small business concerns involved in government procurement and subcontracting at 13 CFR 121.3-8 and 13 CFR 121.3-12, respectively, will be used.
6. *Nonprofit Organization* means a university or other institution of higher education or an organization of the type described in section 501(c)(3) of the Internal Revenue Code of 1954

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(26 U.S.C. 501(c) and exempt from taxation under section 501(a) of the Internal Revenue Code (25 U.S.C. 501(a)) or any nonprofit scientific or educational organization qualified under a state nonprofit organization statute.

2. Allocation of Principal Rights

The Recipient may retain the entire right, title, and interest throughout the world to each subject invention subject to this provision and 35 U.S.C. 203. With respect to any subject invention in which the Recipient retains title, the Federal government shall have a nonexclusive, nontransferable, irrevocable, paid-up license to practice or have practiced for or on behalf of the United States the subject invention throughout the world.

3. Invention Disclosure, Election of Title and Filing of Patent Application by Recipient

1. The Recipient will disclose each subject invention to the National Park Service within two months after the inventor discloses it in writing to Recipient personnel responsible for patent matters. The disclosure to the National Park Service shall be in the form of a written report and shall identify the agreement under which the invention was made and the inventor(s). It shall be sufficiently complete in technical detail to convey a clear understanding to the extent known at the time of the disclosure, of the nature, purpose, operation, and the physical, chemical, biological or electrical characteristics of the invention. The disclosure shall also identify any publication, on sale or public use of the invention and whether a manuscript describing the invention has been submitted for publication and, if so, whether it has been accepted for publication at the time of disclosure. In addition, after disclosure to the National Park Service, the Recipient will promptly notify the National Park Service of the acceptance of any manuscript describing the invention for publication or of any on sale or public use planned by the Recipient.
2. The Recipient will elect in writing whether or not to retain title to any such invention by notifying the National Park Service within two years of disclosure to the National Park Service. However, in any case where publication, on sale or public use has initiated the one year statutory period wherein valid patent protection can still be obtained in the United States, the period for election of title may be shortened by the National Park Service to a date that is no more than 60 days prior to the end of the statutory period.
3. The Recipient will file its initial patent application on a subject invention to which it elects to retain title within one year after election of title or, if earlier, prior to the end of any statutory period wherein valid patent protection can be obtained in the United States after a publication, on sale, or public use. The Recipient will file patent applications in additional countries or international patent offices within either ten months of the corresponding initial patent application or six months from the date permission is granted by the Commissioner of Patents and Trademarks to file foreign patent applications where such filing has been prohibited by a Secrecy Order.
4. Requests for extension of the time for disclosure, election, and filing under subparagraphs (1), (2), and (3) may, at the discretion of the National Park Service, be granted.

4. Conditions When the Government May Obtain Title

The Recipient will convey to the National Park Service, upon written request, title to any subject inventions

1. If the Recipient fails to disclose or elect title to the subject invention within the times specified in paragraph 3, above, or elects not to retain title; provided that the National Park Service may only request title within 60 days after learning of the failure of the Recipient to disclose or elect within the specified times.
2. In those countries in which the Recipient fails to file patent applications within the times

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specified in paragraph 3 above; provided, however, that if the Recipient has filed a patent application in a country after the times specified in paragraph 3 above, but prior to its receipt of the written request of the National Park Service, the Recipient shall continue to retain title in that country.

3. In any country in which the Recipient decides not to continue the prosecution of any application for, to pay the maintenance fees on, or defend in reexamination or opposition proceeding on, a patent on a subject invention.

5. Minimum Rights to Recipient and Protection of the Recipient Right to File

1. The Recipient will retain a nonexclusive royalty-free license throughout the world in each subject invention to which the Government obtains title, except if the Recipient fails to disclose the invention within the times specified in paragraph 3, above. The Recipient's license extends to its domestic subsidiary and affiliates, if any, within the corporate structure of which the Recipient is a party and includes the right to grant sublicenses of the same scope to the extent the Recipient was legally obligated to do so at the time the agreement was awarded. The license is transferable only with the approval of the National Park Service except when transferred to the successor of that party of the Recipient's business to which the invention pertains.
2. The Recipient's domestic license may be revoked or modified by the National Park Service to the extent necessary to achieve expeditious practical application of the subject invention pursuant to an application for an exclusive license submitted in accordance with applicable provisions at 37 CFR part 404 and the National Park Service licensing regulations (if any). This license will not be revoked in that field of use or the geographical areas in which the Recipient has achieved practical application and continues to make the benefits of the invention reasonably accessible to the public. The license in any foreign country may be revoked or modified at the discretion of the National Park Service to the extent the Recipient, its licensees, or the domestic subsidiaries or affiliates have failed to achieve practical application in that foreign country.
3. Before revocation or modification of the license, the National Park Service will furnish the Recipient a written notice of its intention to revoke or modify the license, and the Recipient will be allowed thirty days (or such other time as may be authorized by the National Park Service for good cause shown by the Recipient) after the notice to show cause why the license should not be revoked or modified. The Recipient has the right to appeal, in accordance with applicable regulations in 37 CFR part 404 and National Park Service regulations (if any) concerning the licensing of Government-owned inventions, any decision concerning the revocation or modification of the license.

6. Recipient Action to Protect the Government's Interest

1. The Recipient agrees to execute or to have executed and promptly deliver to the National Park Service all instruments necessary to
 1. establish or confirm the rights the Government has throughout the world in those subject inventions to which the Recipient elects to retain title, and
 2. convey title to the National Park Service when requested under paragraph 4 above and to enable the government to obtain patent protection throughout the world in that subject invention.
2. The Recipient agrees to require, by written agreement, its employees, other than clerical and non-technical employees, to disclose promptly in writing to personnel identified as responsible for the administration of patent matters and in a format suggested by the

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Recipient each subject invention made under agreement in order that the Recipient can comply with the disclosure provisions of paragraph (3), above, and to execute all papers necessary to file patent applications on subject inventions and to establish the government's rights in the subject inventions. This disclosure format should require, as a minimum, the information required by (3)(1), above. The Recipient shall instruct such employees through employee agreements or other suitable educational programs on the importance of reporting inventions in sufficient time to permit the filing of patent applications prior to U.S. or foreign statutory bars.

3. The Recipient will notify the National Park Service of any decisions not to continue the prosecution of a patent application, pay maintenance fees, or defend in a reexamination or opposition proceeding on a patent, in any country, not less than thirty days before the expiration of the response period required by the relevant patent office.
4. The Recipient agrees to include, within the specification of any United States patent applications and any patent issuing thereon covering a subject invention, the following statement, "This invention was made with government support under (identify the agreement) awarded by (identify the Federal agency). The government has certain rights in the invention."

7. Subcontracts

The Recipient will include this provision, suitably modified to identify the parties, in all sub-agreements or subcontracts, regardless of tier, for experimental, developmental or research work. The sub-recipient or subcontractor will retain all rights provided for the Recipient in this provision, and the Recipient will not, as part of the consideration for awarding the sub-agreement or subcontract, obtain rights in the sub-recipient's or subcontractor's subject inventions.

8. Reporting on Utilization of Subject Inventions

The Recipient agrees to submit on request periodic reports no more frequently than annually on the utilization of a subject invention or on efforts at obtaining such utilization that are being made by the Recipient or its licensees or assignees. Such reports shall include information regarding the status of development, date of first commercial sale or use, gross royalties received by the Recipient, and such other data and information as the National Park Service may reasonably specify. The Recipient also agrees to provide additional reports as may be requested by the National Park Service in connection with any march-in proceeding undertaken by the National Park Service in accordance with paragraph (10) of this provision. As required by 35 U.S.C. 202(c)(5), the National Park Service agrees it will not disclose such information to persons outside the government without permission of the Recipient.

9. Preference for United States Industry

Notwithstanding any other part of this provision, the Recipient agrees that neither it nor any assignee will grant to any person the exclusive right to use or sell any subject inventions in the United States unless such person agrees that any products embodying the subject invention or produced through the use of the subject invention will be manufactured substantially in the United States. However, in individual cases, the requirement for such an agreement may be waived by the National Park Service upon a showing by the Recipient or its assignee that reasonable but unsuccessful efforts have been made to grant licenses on similar terms to potential licensees that would be likely to manufacture substantially in the United States or that under the circumstances domestic manufacture is not commercially feasible.

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10. March-in Rights

The Recipient agrees that with respect to any subject invention in which it has acquired title, the National Park Service has the right in accordance with the procedures in 37 CFR 401.6 and any supplemental regulations of the National Park Service to require the Recipient, an assignee or exclusive licensee of a subject invention to grant a nonexclusive, partially exclusive, or exclusive license in any field of use to a responsible applicant or applicants, upon terms that are reasonable under the circumstances, and if the Recipient, assignee, or exclusive licensee refuses such a request the National Park Service has the right to grant such a license itself if the National Park Service determines that:

1. Such action is necessary because the Recipient or assignee has not taken, or is not expected to take within a reasonable time, effective steps to achieve practical application of the subject invention in such field of use.
2. Such action is necessary to alleviate health or safety needs, which are not reasonably satisfied by the Recipient, assignee or their licensees;
3. Such action is necessary to meet requirements for public use specified by Federal regulations and such requirements are not reasonably satisfied by the Recipient, assignee or licensees; or
4. Such action is necessary because the agreement required by paragraph (9) of this provision has not been obtained or waived or because a licensee of the exclusive right to use or sell any subject invention in the United States is in breach of such agreement.

11. Special Provisions for Agreements with Nonprofit Organizations

If the Recipient is a nonprofit organization, it agrees that:

1. Rights to a subject invention in the United States may not be assigned without the approval of the National Park Service, except where such assignment is made to an organization which has as one of its primary functions the management of inventions, provided that such assignee will be subject to the same provisions as the Recipient;
2. The Recipient will share royalties collected on a subject invention with the inventor, including Federal employee co-inventors (when the National Park Service deems it appropriate) when the subject invention is assigned in accordance with 35 U.S.C. 202(e) and 37 CFR 401.10;
3. The balance of any royalties or income earned by the Recipient with respect to subject inventions, after payment of expenses (including payments to inventors) incidental to the administration of subject inventions, will be utilized for the support of scientific research or education; and
4. It will make efforts that are reasonable under the circumstances to attract licensees of subject invention that are small business firms and that it will give a preference to a small business firm when licensing a subject invention if the Recipient determines that the small business firm has a plan or proposal for marketing the invention which, if executed, is equally as likely to bring the invention to practical application as any plans or proposals from applicants that are not small business firms; provided, that the Recipient is also satisfied that the small business firm has the capability and resources to carry out its plan or proposal. The decision whether to give a preference in any specific case will be at the discretion of the Recipient. However, the Recipient agrees that the National Park Service may review the Recipient's licensing program and decisions regarding small business applicants, and the Recipient will negotiate changes to its licensing policies, procedures, or practices with the National Park Service when this review discloses that the Recipient could take reasonable steps to implement more effectively the requirements of this paragraph (11)(4).

12. Communication

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Communications regarding matters relating to this provision shall be directed to:
Deputy Associate Solicitor
Branch of Procurements and Patents
Office of the Solicitor
U.S. Department of the Interior
1849 C Street, NW
Washington, DC 20240

21. Ensuring the Future Is Made in All of America by All of America's Workers per E.O. 14005

Per Executive Order 14005, entitled "Ensuring the Future Is Made in All of America by All of America's Workers" the Recipient shall maximize the use of goods, products, and materials produced in, and services offered in, the United States, and whenever possible, procure goods, products, materials, and services from sources that will help American businesses compete in strategic industries and help America's workers thrive.

<https://www.federalregister.gov/documents/2021/01/28/2021-02038/ensuring-the-future-is-made-in-all-of-america-by-all-of-americas-workers>

22. Section 508 of the Rehabilitation Act of 1973 (29 U.S.C. §794 (d))

While the requirements of Section 508 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794d), do not apply to financial assistance agreements, the NPS is subject to the Act's requirements that all documents posted on an NPS or NPS-hosted website comply with the accessibility standards of the Act. Accordingly, final deliverable reports prepared under this agreement and submitted in electronic format must be submitted in a format whereby NPS can easily meet the requirements of Section 508 of the Rehabilitation Act of 1973, as amended. *NOTE: Interim progress reports and financial reports are not considered final deliverables and therefore the following requirements do not apply.*

All electronic documents prepared under this Agreement must meet the requirements of Section 508 of the Rehabilitation Act of 1973, as amended. The Act requires that all electronic products prepared for the Federal Government be accessible to persons with disabilities, including those with vision, hearing, cognitive, and mobility impairments. View Section 508 of the Rehabilitation Act, Standards and Guidelines for detailed information (<https://www.access-board.gov/guidelines-and-standards/communications-and-it/about-the-ict-refresh/final-rule/text-of-the-standards-and-guidelines>).

The following summarizes some of the requirements for preparing NPS reports in conformance with Section 508 for eventual posting by NPS to an NPS-sponsored website. For specific detailed guidance and checklists for creating accessible digital content, please go to <https://section508.gov/create>. All accessible digital content must conform to the requirements and techniques of the Web Content Accessibility Guidelines (WCAG) 2.0 or later (<https://www.w3.org/WAI/standards-guidelines/wcag/>), Level AA Success Criteria.

- **Electronic documents with images**

Provide a text equivalent for every non-text element (including photographs, charts and equations) in all publications prepared in electronic format. Use descriptions such as "alt" and "longdesc" for all non-text images or place them in element content. For all documents prepared, vendors must prepare one standard HTML format as described in this statement of work AND one text format that includes descriptions for all non-text images. "Text equivalent" means text sufficient to reasonably describe the image. Images that are merely decorative require only a very brief "text equivalent" description. However, images that convey information that is important to the content

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of the report require text sufficient to reasonably describe that image and its purpose within the context of the report.

• **Electronic documents with complex charts or data tables**

When preparing tables that are heavily designed, prepare adequate alternate information so that assistive technologies can read them out. Identify row and column headers for data tables. Provide the information in a non-linear form. Markups will be used to associate data cells and header cells for data tables that have two or more logical levels of row and column headers.

• **Electronic documents with forms**

When electronic forms are designed to be completed on-line, the form will allow people using assistive technology to access the information, field elements, and functionality required for completion and submission of the form, including all directions and cues.

23. General and Special Provisions

1. **Lobbying Prohibition.** 18 U.S.C. §1913, Lobbying with Appropriated Moneys, as amended by Public Law 107-273, Nov. 2, 2002 Violations of this section shall constitute violations of section 1352(a) of title 31. In addition, the related restrictions on the use of appropriated funds found in Div. F, § 402 of the Omnibus Appropriations Act of 2008 (P.L. 110-161) also apply.
2. **Anti-Deficiency Act.** Pursuant to 31 U.S.C. §1341 nothing contained in this Agreement shall be construed as binding the NPS to expend in any one fiscal year any sum in excess of appropriations made by Congress, for the purposes of this Agreement for that fiscal year, or other obligation for the further expenditure of money in excess of such appropriations.
3. **Minority Business Enterprise Development.** Pursuant to Executive Order 12432 it is national policy to award a fair share of contracts to small and minority firms. NPS is strongly committed to the objectives of this policy and encourages all recipients of its Cooperative Agreements to take affirmative steps to ensure such fairness by ensuring procurement procedures are carried out in accordance with the Executive Order.
4. **Assignment.** No part of this Agreement shall be assigned to any other party without prior written approval of the NPS and the Assignee.
5. **Member of Congress.** Pursuant to 41 U.S.C. § 22, no Member of Congress shall be admitted to any share or part of any contract or agreement made, entered into, or adopted by or on behalf of the United States, or to any benefit to arise thereupon.
6. **Agency.** The Recipient is not an agent or representative of the United States, the Department of the Interior, NPS, or the Park, nor will the Recipient represent its self as such to third parties. NPS employees are not agents of the Recipient and will not act on behalf of the Recipient.
7. **Non-Exclusive Agreement.** This Agreement in no way restricts the Recipient or NPS from entering into similar agreements, or participating in similar activities or arrangements, with other public or private agencies, organizations, or individuals.
8. **Partial Invalidity.** If any provision of this Agreement or the application thereof to any party or circumstance shall, to any extent, be held invalid or unenforceable, the remainder of this Agreement or the application of such provision to the parties or circumstances other than those to which it is held invalid or unenforceable, shall not be affected thereby and each provision of this Agreement shall be valid and be enforced to the fullest extent permitted by law.
9. **No Employment Relationship.** This Agreement is not intended to and shall not be construed to create an employment relationship between NPS and Recipient or its representatives. No representative of Recipient shall perform any function or make any decision properly reserved by law or policy to the Federal government.
10. **No Third-Party Rights.** This Agreement creates enforceable obligations between only NPS and

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Recipient. Except as expressly provided herein, it is not intended nor shall it be construed to create any right of enforcement by or any duties or obligation in favor of persons or entities not a party to this Agreement.

11. **Program Income.** If the Recipient earns program income, as defined in 2 CFR §200.80, during the period of performance of this agreement, to the extent available the Recipient must disburse funds available from program income, and interest earned on such funds, before requesting additional cash payments (2 CFR §200.305 (5)). As allowed under 2 CFR §200.307, program income may be added to the Federal award by the Federal agency and the non-Federal entity. The program income must be used for the purposes, and under the conditions of, the Federal award. Disposition of program income remaining after the end of the period of performance shall be negotiated as part of the agreement closeout process.
12. **Rights in Data.** The Recipient must grant the United States of America a royalty-free, non-exclusive and irrevocable license to publish, reproduce and use, and dispose of in any manner and for any purpose without limitation, and to authorize or ratify publication, reproduction or use by others, of all copyrightable material first produced or composed under this Agreement by the Recipient, its employees or any individual or concern specifically employed or assigned to originate and prepare such material.
13. **Conflict of Interest**
 1. **Applicability.**
 1. This section intends to ensure that non-Federal entities and their employees take appropriate steps to avoid conflicts of interest in their responsibilities under or with respect to Federal financial assistance agreements.
 2. In the procurement of supplies, equipment, construction, and services by recipients and by subrecipients, the conflict of interest provisions in 2 CFR 200.318 apply.
 2. **Requirements.**
 1. Non-Federal entities must avoid prohibited conflicts of interest, including any significant financial interests that could cause a reasonable person to question the recipient's ability to provide impartial, technically sound, and objective performance under or with respect to a Federal financial assistance agreement.
 2. In addition to any other prohibitions that may apply with respect to conflicts of interest, no key official of an actual or proposed recipient or subrecipient, who is substantially involved in the proposal or project, may have been a former Federal employee who, within the last one (1) year, participated personally and substantially in the evaluation, award, or administration of an award with respect to that recipient or subrecipient or in development of the requirement leading to the funding announcement.
 3. No actual or prospective recipient or subrecipient may solicit, obtain, or use non-public information regarding the evaluation, award, or administration of an award to that recipient or subrecipient or the development of a Federal financial assistance opportunity that may be of competitive interest to that recipient or subrecipient.
 3. **Notification.**
 1. Non-Federal entities, including applicants for financial assistance awards, must disclose in writing any conflict of interest to the DOI awarding agency or pass-through entity in accordance with 2 CFR 200.112, Conflicts of interest.
 4. Recipients must establish internal controls that include, at a minimum, procedures to identify, disclose, and mitigate or eliminate identified conflicts of interest. The recipient is responsible for notifying the Financial Assistance Officer in writing of any conflicts of interest that may arise during the life of the award, including those that have been reported by subrecipients. **Restrictions on Lobbying.** Non-Federal entities are strictly prohibited from using funds under this grant or cooperative agreement for lobbying activities and must provide the required

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certifications and disclosures pursuant to 43 CFR Part 18 and 31 USC 1352.

5. Review Procedures. The Financial Assistance Officer will examine each conflict of interest disclosure on the basis of its particular facts and the nature of the proposed grant or cooperative agreement, and will determine whether a significant potential conflict exists and, if it does, develop an appropriate means for resolving it.
6. Enforcement. Failure to resolve conflicts of interest in a manner that satisfies the Government may be cause for termination of the award. Failure to make required disclosures may result in any of the remedies described in 2 CFR 200.338, Remedies for Noncompliance, including suspension or debarment (see also 2 CFR Part 180).

24. Signatures

Recipients are **not** required to sign the Notice of Financial Assistance Award letter or any other award document. As per DOI standard terms and conditions, the recipient's acceptance of a financial assistance award is defined as the start of work, drawing down of funds, or accepting the award via electronic means.

25. Build America, Buy America

As required by Section 70914 of the Bipartisan Infrastructure Law (also known as the Infrastructure Investment and Jobs Act), P.L. 117-58, on or after May 14, 2022, none of the funds under a federal award that are part of Federal financial assistance program for infrastructure may be obligated for a project unless all of the iron, steel, manufactured products, and construction materials used in the project are produced in the United States, unless subject to an approved waiver. The requirements of this section must be included in all subawards, including all contracts and purchase orders for work or products under this program.

Recipients are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless:

1. all iron and steel used in the project are produced in the United States — this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
2. all manufactured products used in the project are produced in the United States — this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and
3. all construction materials are manufactured in the United States — this means that all manufacturing processes for the construction material occurred in the United States.

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project, but are not an integral part of the structure or permanently affixed to the infrastructure project.

For further information on the Buy America preference, please visit www.doi.gov/grants/BuyAmerica.

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Additional information can also be found at the White House Made in America Office website:
www.whitehouse.gov/omb/management/made-in-america/

Waivers

When necessary, recipients may apply for, and the Department of the Interior (DOI) may grant, a waiver from these requirements. The DOI may waive the application of the domestic content procurement preference in any case in which the agency determines that one of the below circumstances applies:

1. Non-availability Waiver: the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality;
2. Unreasonable Cost Waiver: the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent; or
3. Public Interest Waiver: applying the domestic content procurement preference would be inconsistent with the public interest.

There may be instances where an award qualifies, in whole or in part, for an existing DOI general applicability waiver as described at: www.doi.gov/grants/BuyAmerica/GeneralApplicabilityWaivers

If the specific financial assistance agreement, infrastructure project, or non-domestic materials meets the criteria of an existing general applicability waiver within the limitations defined within the waiver, the recipient is not required to request a separate waiver for non-domestic materials.

If a general applicability waiver does not already apply, and a recipient believes that one of the above circumstances applies to an award, a request to waive the application of the domestic content procurement preference may be submitted to the financial assistance awarding officer in writing. Waiver requests shall include the below information. The waiver shall not include any Privacy Act information, sensitive data, or proprietary information within their waiver request. Waiver requests will be posted to www.doi.gov/grants/buyamerica and are subject to public comment periods of no less than 15 days. Waiver requests will also be reviewed by the Made in America Office.

1. Type of waiver requested (non-availability, unreasonable cost, or public interest).
2. Requesting entity and Unique Entity Identifier (UEI) submitting the request.
3. Department of Interior Bureau or Office who issued the award.
4. Federal financial assistance listing name and number (reference block 2 on DOI Notice of Award)
5. Financial assistance title of project (reference block 8 on DOI Notice of Award).
6. Federal Award Identification Number (FAIN).
7. Federal funding amount (reference block 11.m. on DO Notice of Award).
8. Total cost of Infrastructure expenditures (includes federal and non-federal funds to the extent known).
9. Infrastructure project description(s) and location(s) (to the extent known).
10. List of iron or steel item(s), manufactured goods, and construction material(s) the recipient seeks to waive from Buy America requirements. Include the name, cost, countries of origin (if known), and relevant PSC or NAICS code for each.
11. A certification that the recipient made a good faith effort to solicit bids for domestic products supported by terms included in requests for proposals, contracts, and nonproprietary communications with the prime contractor.
12. A statement of waiver justification, including a description of efforts made (e.g., market research, industry outreach) by the recipient, in an attempt to avoid the need for a waiver. Such a justification

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may cite, if applicable, the absence of any Buy America-compliant bids received in response to a solicitation.

13. Anticipated impact if no waiver is issued.

Approved waivers will be posted at www.doi.gov/grants/BuyAmerica/ApprovedWaivers; recipients requesting a waiver will be notified of their waiver request determination by an awarding officer. Questions pertaining to waivers should be directed to the financial assistance awarding officer.

Definitions

“Construction materials” includes an article, material, or supply, other than an item of primarily iron or steel; a manufactured product; cement and cementitious materials; aggregates such as stone, sand, or gravel; or aggregate binding agents or additives, that is or consists primarily of:

- non-ferrous metals;
- plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables);
- glass (including optic glass);
- lumber; or
- drywall.

“Domestic content procurement preference” means all iron and steel used in the project are produced in the United States; the manufactured products used in the project are produced in the United States; or the construction materials used in the project are produced in the United States.

“Infrastructure” includes, at a minimum, the structures, facilities, and equipment for, in the United States, roads, highways, and bridges; public transportation; dams, ports, harbors, and other maritime facilities; intercity passenger and freight railroads; freight and intermodal facilities; airports; water systems, including drinking water and wastewater systems; electrical transmission facilities and systems; utilities; broadband infrastructure; and buildings and real property. Infrastructure includes facilities that generate, transport, and distribute energy.

“Project” means the construction, alteration, maintenance, or repair of infrastructure in the United States.

Program Specific Requirements

1. Eligible Costs

Eligible costs under this award are as described in this Notice, 2 CFR 200, and the Historic Preservation Fund Grants Manual (HPF Manual).

For this program eligible costs also include:

1. Projects under the eligible program areas as defined by the National Historic Preservation Act (NHPA): Administration, Local Government Certification, Development/Covenants, National Register, Planning, Review & Compliance, Survey & Inventory, and Tax Incentives;
2. Administrative costs necessary to complete and administer the grant requirements;
3. Rehabilitation of properties;

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1. Eligible properties include historic districts, buildings, sites, structures and objects listed in the National Register of Historic Places or applicable Tribal Register;
 2. All work must meet the Secretary of the Interior's *Standards and Guidelines for Archeology and Historic Preservation*; and
 3. All projects receiving repair assistance must enter into a preservation agreement/covenant/easement
4. Survey and Inventory of historic resources to determine eligibility;
 5. Cost for administering an easement/covenant for the property;
 6. Cost for any required audits or financial requests;
 7. Cost for the production of project signs;
 8. Costs for public notice of grant opportunities;
 9. Costs associated with required training or reporting; and/
 10. Any other costs as determined eligible by the NPS in accordance with the OMB circulars, NPS policies, and the Historic Preservation Fund Grants Manual.

2. NPS Oversight

The NPS will provide oversight of this grant project through the following NPS reviews:

1. Review and approval of annual and final reporting to include compliance with 2 CFR 200;
2. Review and approval for compliance with the Secretary of the Interior's *Standards and Guidelines for Archeology and Historic Preservation*;
3. Review and approval for compliance with Sections 106 (54 USC 306108) and 110f (54 USC 306107) of the National Historic Preservation Act in coordination with the appropriate State Historic Preservation Office;
4. Review and approval for compliance with the National Environmental Policy Act (NEPA); and
5. Any other reviews as determined by the NPS based on program needs or financial/programmatic risk factors (i.e., draft National Register nomination if required, etc.).

3. NAGPRA Costs Are Unallowable

Cost related to Native American Graves Protection and Repatriation Act (NAGPRA) activities are unallowable under this agreement. Funds for NAGPRA activities are available through the NPS National NAGPRA Program.

4. Equipment Purchases

Each item of equipment purchased under this award must be approved specifically and in writing by the NPS prior to purchase to confirm the allowability of the costs. Approval of the application is not approval of equipment included within the application. Equipment is defined by 2 CFR 200.1 as tangible personal

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property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the non-federal entity for financial statement purposes, or \$5,000.

5. Publicity & Press Releases

Press releases about this project must acknowledge the grant assistance provided by the Historic Preservation Fund and the National Park Service, and copies of the press releases must be provided to the NPS. The Recipient must transmit notice of any public ceremonies planned to publicize funded or related projects in a timely enough manner so that the NPS, Department of the Interior, Congressional or other Federal officials can attend if desired. All publicity and press releases related to activities funded with this award should include a statement that funding for the activity was provided (in part or in whole) by the Historic Preservation Fund (HPF) administered by the National Park Service.

6. Requirement for Project Sign & Public Notification

As stipulated in 36 CFR Part 800, public views and comments regarding all Federally-funded undertakings on historic properties must be sought and considered by the authorizing Federal agency. Therefore, the grantee is required to post a public notification regarding the undertaking under this grant in one or more of the major newspapers or news sources that cover the area affected by the project within 30 days of obligating any contracts or subgrants. A copy of the posted release must be submitted to NPS within 30 days of the posting.

HPF funded development projects must create public notification of the project in the form of a project sign, website posting, and proper credit for announcements and publications as appropriate. The sign/notification must be of reasonable and adequate design and construction to withstand weather exposure (if appropriate); be of a size that can be easily read from the public right-of-way; and be accessible to the public throughout the project term as stipulated in this Grant Agreement. At a minimum, all notifications must contain the following statement:

"[Project Name] is being supported in part by the Historic Preservation Fund administered by the National Park Service, Department of the Interior."

Additional information briefly identifying the historical significance of the property and recognizing other contributors is encouraged and permissible. The NPS arrowhead logo may only be used in conjunction with the HPF approved signage format that can be provided upon request. Any other use of the logo is prohibited.

7. Consultants & Contractors

Consultant/contractor(s) must have the requisite experience and training in historic preservation or relevant field to oversee the project work. All consultants and contractors must be competitively selected and documentation of this selection must be maintained by the grantee and be made readily available for examination by the NPS. Federal contracting and procurement guidance can be found in 2 CFR 200.318. Maximum rates charged to this grant may not exceed 120% of a Federal Civil Service GS-15, step 10 salary per project location. Current regional salary tables can be found on the Office of Personnel and Management website: <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/>.

8. Requirement for NEPA Compliance

All HPF funded grants are subject to the requirements of the National Environmental Policy Act (NEPA)

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of 1969, as amended. This Act requires Federal agencies to consider the reasonably foreseeable environmental consequences of all grant-supported activities. As part of the NPS implementation of NEPA, grantees are required to notify the NPS of any reasonably foreseeable impacts to the environment from grant-supported activities, or to certify that no such impacts will arise upon receipt of a grant award. In addition, the NPS has determined that most HPF grant funds are not expected to individually or cumulatively have a significant impact on the environment, unless the activity involves development (construction) or archeology. For construction or archeology projects, the applicant/grantee should use **HPFOnline** to submit an *Environmental Screening Worksheet*, in order to assist the NPS in determining if a Categorical Exclusion (found in NPS Director's Order 12) can be utilized.

9. Compliance with Section 106

Pursuant to Section 106 of the National Historic Preservation Act (54 USC 306108), the NPS and the grantee must complete the consultation process stipulated in the regulations issued by the Advisory Council on Historic Preservation (ACHP) in 36 CFR 800 **prior** to the commencement of all grant-assisted construction or ground disturbance on the property.

10. Compliance with Section 110

Section 110 of The National Historic Preservation Act identifies the responsibility of the federal agency in their treatment of historic properties. Section 110(f) (54 USC 306107) clarifies the responsibility of the agency to protect National Historic Landmarks (NHL) from harm. See this agreement for submission requirements regarding NHL properties. In addition, Section 110(k) (54 USC 306113) prohibits the NPS from funding any grantee or subgrantee that attempts to avoid the requirements of Section 106. Grantees must make every effort to fund preservation projects that do no harm or adverse effects to NHL properties. Should it be discovered a grantee has deliberately damaged a property (e.g., pre-emptive demolition) to avoid requirements, the NPS must be notified to determine, in consultation with the ACHP, if the project can proceed.

11. NPS Review of Planning/Design Documents for National Historic Landmarks

The grantee must submit the following through HPFOnline:

1. a site plan that has the north direction clearly marked;
2. a city/county map with the site of the property clearly labeled;
3. set of plans and specifications for the project;
4. digital images of all exterior elevations of the building or site, with views identified and oriented and keyed to the site plan;
5. digital images of all interior major rooms and those involved in the project, labeled and keyed to a floor plan;
6. for NHL Districts include overall views of the district from the project area; and
7. any additional information that will better enable a technical review of the project to be completed.

The grantee must submit documents for the entire undertaking to the NPS for its review and approval to ensure conformance with the Secretary of the Interior's *Standards and Guidelines for Archeology and*

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Historic Preservation, Historic Preservation Fund Grant Manual, and with the conditions listed in this Grant Agreement, **prior** to the beginning of grant-assisted work. Work that does not comply with these Standards in the judgment of the NPS will not be reimbursed, and may cause the grant to be terminated and funds deobligated.

Plans & specifications for the project must be marked on the cover with this statement:

The {name of property} is designated a National Historic Landmark for its architectural and historic significance. It is considered to have irreplaceable cultural, material, and aesthetic value. The work is funded in part by the Historic Preservation Fund, administered by the National Park Service, Department of the Interior. The funding of which is subject to having all work items meet The Secretary of the Interior's Standards for the Treatment of Historic Properties.

12. GIS Spatial Data Transfer Standards

All GIS data collected with HPF funds shall be in compliance with the NPS Cultural Resource Spatial Data Transfer Standards with complete feature level metadata. Template GeoDatabases and guidelines for creating GIS data in the NPS cultural resource spatial data transfer standards can be found at the NPS Cultural Resource GIS Facility webpage:

https://www.nps.gov/crgis/crgis_standards.htm

Technical assistance to meet the NPS Cultural Resource Spatial Data Transfer Standard specifications will be made available if requested. Execution of a Data Sharing Agreement between the NPS and the Recipient shall take place prior to collection of GIS data using HPF funds, as applicable.

13. Catalog of Federal Domestic Assistance/Assistance Listing Inclusion in Single Audit

Non-Federal entities receiving financial assistance through the Historic Preservation Fund must include the appropriate Catalog of Federal Domestic Assistance (CFDA) number in the Schedule of Expenditures of Federal Award in their Single-Audit. The CFDA number applicable to this award as identified in block 2 on the first page of this agreement document.

14. Notice of Financial Management Review

As part of government-wide efforts to improve coordination of financial management and increase financial accountability and transparency in the receipt and use of federal funding, the grantee is hereby notified that this award may be subject to higher scrutiny. This may include a requirement to submit additional reporting documentation.

15. Subgrant Awards

The awarding of subgrants must follow the eligibility factors outlined in the Notice of Funding Opportunity, OMB regulations in 2 CFR 200, and the Historic Preservation Fund Grant Manual.

16. Unanticipated Discovery Protocols

At a minimum, unanticipated discovery protocols for subgrants or contracts shall require the sub-grantee or contractor to immediately stop construction in the vicinity of the affected historic resource and take reasonable measures to avoid and minimize harm to the resource until the SHPO or THPO, sub-grantee or contractor, and Indian Tribes, as appropriate, have determined a suitable course of action within 15 calendar days. With the express permission of the SHPO and/or THPO, the sub-grantee or contractor may

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perform additional measures to secure the jobsite if the sub-grantee or contractor determines that unfinished work in the vicinity of the affected historic property would cause safety or security concerns.

17. Requirement for Training

At the direction of the National Park Service, personnel associated with management of the grant program may be required to attend trainings and/or meetings. The grantee will be provided adequate notice to plan for any required activities; expenses incurred as part of this requirement are eligible to charge towards the grant.

18. Demonstration of Effort – Performance Goals

In order to ensure the timely and successful completion of all HPF grant awards, the NPS requires acceptable demonstration of effort by the grantee on project work supported by all HPF funded grants.

Demonstration of effort means acceptable performance by undertaking meaningful progress on grant-supported activities and complying with award terms and conditions.

19. Funding for Use of Unmanned Aircraft Systems (UAS) (AKA Drones)

HPF funding for unmanned aircraft systems (UAS) usage is eligible only in the contracting of an experienced, licensed contractor of UAS who possesses the appropriate license, certifications, and training to operate UAS. The contractor is required to provide proof of liability insurance in the operation of UAS for commercial use.

If HPF funding is provided to a state, tribal, local, or territorial government, or other non-profit organization for the use of UAS as part of their scope of work, the recipient must have in place policies and procedures to safeguard individuals' privacy, civil rights, and civil liberties prior to expending such funds.

20. Easement/Covenant Requirement

Section 54 USC 302902 of the National Historic Preservation Act requires Historic Preservation Fund grantees agree to assume, after the completion of the project, the total cost of continued maintenance, repair and administration of the grant-assisted property in a manner satisfactory to the Secretary of the Interior. Accordingly, recipients awarded funds for the physical preservation of a historic site shall sign a preservation agreement/covenant/easement (easement) with the State or Tribal Historic Preservation Officer in which the site is located or with a nonprofit preservation organization acceptable to the NPS. For competitive (project) grants, a draft copy of the preservation covenant/easement template must be submitted to the NPS ATR within one year of grant agreement execution for review and comment.

All preservation easements must be executed by registering it with the deed of the property. Baseline documentation of the character defining features of the site must be documented prior to construction through photographs. The preservation easement must document the grant assisted condition of the site and the historic character defining features as part of the document registered with the deed.

The term of the preservation easement is dependent on the amount of assistance the historic property receives from this opportunity:

1. If the historic property is not currently protected by a preservation easement, a preservation easement must be executed for the term as given in the table below per the amount of

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funding awarded.

2. If the historic property is currently subject to a preservation easement that meets the minimum federal preservation requirements, an extension must be executed for an additional duration to meet the requirements of the new funding awarded. Required term is identified in the table below. For example, if a property had 10 years remaining on a previous 20-year easement, and receives \$300,000 in HPF funding, an amendment to add 15 years would be required.
3. If the historic property is currently protected by a perpetual or other preservation easement that meets or exceeds the requirements of this grant program as determined by the NPS, no additional duration or restrictions are necessary.

Amount of Federal Assistance Awarded	Covenant/Easement Term Requirement
\$1-\$50,000	5-year minimum preservation agreement; a covenant/easement amending the deed is not required
\$50,001 - \$250,000	10-year minimum preservation covenant/easement
\$250,001 - \$500,000	15-year minimum preservation covenant/easement
\$500,001- \$750,000	20-year minimum preservation covenant/easement
\$750,001+	25-year minimum preservation covenant/easement

21. Audit Findings and Follow-Up

The Recipient is hereby informed that the NPS may withhold or suspend award funds, or may impose other related conditions, if the recipient does not satisfactorily and promptly address findings from Single or program-specific audits, investigations, or reviews of NPS programs and awards. Each year the award is active, the Recipient must require its auditors to provide status report updates of all audit findings included in the prior audit's Schedule of Findings and Questioned Costs, as required by 2 CFR 200, Subpart F ("Grants and Agreements, Audit Requirements"). Upon review of subsequent annual audits, the NPS will determine if further corrective action is warranted.

When findings exist, the Recipient must submit a status report every six months to the NPS of all steps being taken to resolve related audit findings included in the prior audit's *Schedule of Findings and Questioned Costs* to remain in good standing for all NPS grant awards. If the Recipient fails to meet these deadlines without written approval of extension from the NPS, NPS may withhold remaining and future award funds, or may impose other related requirements to ensure compliance with this condition. Outstanding audit findings, if any, are included in the attachments of this Agreement.

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22. Copyright

Per 2 CFR 200.315(b), the NPS reserves a royalty-free right to reproduce, publish, or otherwise use the work for Federal purposes, and to authorize others to do so, any materials produced under this grant. All photos included as part of the interim & final reporting and deliverables/publication will be considered released to the NPS for future official use. Photographer, date, and caption should be identified on each photo, so NPS may provide proper credit for use.

A digital copy of all deliverables must be available for public access. Sensitive information may be redacted from the public access copy.

All consultants hired by the Recipient must be informed of this requirement.

23. Compliance with the Americans with Disabilities Act and the Architectural Barriers Act

The use of federal funds to improve public buildings, to finance services or programs contained in public buildings, or alter any building or facility financed in whole or in part with Federal funds (except privately owned residential structures), requires compliance with the 1990 Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, and the Architectural Barriers Act (ABA). Work done to alter the property should be in compliance with all applicable regulations and guidance.

24. Funding Acknowledgement

The grantee must include acknowledgment of grant support from the Historic Preservation Fund of the National Park Service, Department of Interior, in all deliverables and publications concerning NPS grant-supported activities as referenced in the Statement of Work.

All deliverables must contain the following disclaimer and acknowledgement:

"This material was produced with assistance from the Historic Preservation Fund, administered by the National Park Service, Department of the Interior under Grant Number [insert grant number] (and HPF Online Project Number, if applicable). Any opinions, findings, and conclusions or recommendations expressed in this material are those of the author(s) and do not necessarily reflect the views of the Department of the Interior."

1. Deliverables/publications include but are not limited to grant project reports; books, pamphlets, brochures or magazines; video or audio files; documentation of events, including programs; invitations and photos; websites; mobile apps; exhibits; and interpretive signs.
2. All digital copies must follow the file naming convention described in the attached Digital Product Submission Guidelines. Refer to the attached guidance document for instructions on creating, naming and submitting digital copies of deliverables/publications.
3. All consultants hired by the grantee must be informed of this requirement.
4. Grantees, subgrantees, contractors may not use the NPS Arrowhead in any form without written permission.

25. Determination of Risk

In accordance with 2 C.F.R. § 200.205, the application for this award was subjected to a pre-award risk assessment which included a review of information contained within the application, past audits, Federal Awardee Performance and Integrity Information System (FAPIIS), and/or past performance on previous Federal financial assistance awards and other factors.

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This award has been determined to be a low risk with the following requirements:

Requests for payment may be made directly from the ASAP grant account without prior NPS approval after expenses have been incurred, invoiced, and paid. All documentation of expenses must be kept on file for audit purposes and may be requested by the NPS at any time. If payments are drawn down prior to invoice and payment or in amounts larger than costs incurred, the Recipient may be determined medium or high risk and be subject to additional grant terms and conditions.

26. Cost Sharing/Matching Requirement

A minimum of 40% non-Federal cost-share is required for costs incurred under this grant program. The recipient agrees to contribute the amount identified in block 11n in eligible non-Federal matching contributions that are allowable, properly documented, and must be used during the grant period to share the costs for this statement of work. Failure to use the required non-Federal matching share will result in the disallowance of costs reimbursed, and/or the deobligation of remaining unexpended funds.

27. Pass-Through to Certified Local Governments

At least 10.0% of the amount awarded to each state (the Federal share of this grant) must be transferred to eligible Certified Local Governments (CLGs) in the state. **Funds not obligated to CLGs by July 1 of the second year may be recaptured and redistributed to the benefit of other CLGs. Funds not expended in the third year may be recaptured and returned to the U.S. Treasury.** If the State anticipates possible recapture, they must notify the NPS as soon as possible so they may assist in possible redistribution of the funds.

AWARD ATTACHMENTS

NATURAL RESOURCES, MISSOURI DEPARTMENT OF

P22AF01279-00

1. Environmental Certification
2. Digital Products Submission Guidelines



United States Department of the Interior

NATIONAL PARK SERVICE

1849 C Street, NW

Washington, DC 20240

ENVIRONMENTAL CERTIFICATION

Based upon a review of the application, proposed work, and the supporting documentation contacting in the applications, it has been determined that the proposed HPF funded work meets the criteria for categorical exclusion under the current Interim Director's Order 12 *Categorical Exclusions* (replacing DO-12 Handbook, Chapter 3, Sections 3.3, 3.4, and 3.5).

Applicable categorical exclusion(s) below apply to all proposed projects **except** development and archeological survey which must be reviewed independently: **F.1 – F.6 – Actions Related to Grant Programs**

Megan J. Brown
Chief State, Tribal, Local, Plans & Grants
National Park Service

[effective as of Date Issued]
(block 1, page 1)

Digital Product Submission Guidelines

The National Park Service's (NPS) State, Tribal, Local Plans & Grants (STLPG) Division developed these guidelines to outline the digital product submission process for grant recipients. These guidelines specify the types of products that should be submitted, supply guidance on the file names and formats grant recipients should use, and define how submissions should be made.

Products submitted digitally may be uploaded and shared with the general public through the [Integrated Resource Management Application \(IRMA\)](#), the NPS's digital repository system. To see grant products that have already been uploaded, use the above link, choose Historic Preservation Fund (HPF) under "Select a Park, Office, Program or Region" and selected a category of featured context.

What to submit:

- Provide one digital copy of each deliverable or publication under your grant agreement. Refer to the Reports, Outputs, & Outcomes article to find the deliverables and publications specified in your grant agreement.
- Deliverables and publications include, but are not limited to, the following materials:

SUBMIT	DO NOT SUBMIT
<p>Reports, plans and guidelines (including historic structure reports, design guidelines, economic impact studies, treatment reports, historic context statements, preservation plans)</p> <p>Substantive event materials (including programs, proceedings, handouts, photographs)</p> <p>Professionally produced content (including books, documentaries, oral histories, presentations and PSAs)</p> <p>Interpretive products (including books, brochures, posters, interpretive tours, coloring books or other youth-focused products, lesson plans)</p> <p>Online content (including websites, story maps, and other web-based projects)</p>	<p>Digital copies saved on CD/DVD-Rs or flash drives (unless arrangements have been made with your grant administrator)</p> <p>Confidential/restricted reports that cannot be viewed by the general public (including archeological reports, architectural reports on federal buildings or restricted sites)</p> <p>Other documentation not intended for the general public (including survey forms, financial records, correspondence)</p> <p>Ephemeral products unlikely to be of future value to the general public (including flyers, postcards, invitations, meeting minutes)</p>

- **Final grant products may be made available to the general public and should, by default, feature the NPS disclaimer.** Printed products must feature a printed disclaimer when feasible. Audio products must include a spoken version of the disclaimer. Video products must include the disclaimer as an on-screen graphic. A disclaimer is not required when it would be unreasonable to do so, such as on size-restrictive publications like postcards or flyers.

"This material was produced with assistance from the [Name of Program], administered by the National Park Service, Department of the Interior. Any opinions, findings, and conclusions or recommendations expressed in this material are those of the author(s) and do not necessarily reflect the views of the Department of the Interior."

- For additional questions about the required disclaimer, consult with your NPS grant manager.

Naming files for submission:

- Name each file you will be submitting using the following naming convention:
SHPO_[Fiscal Year]_[Grantee's State Abbreviation]_[Legal Name of Grantee or Subgrantee]_[Grant Number]_[Short File Description]
- Do not use spaces or special characters (#, %, &, ?) in the file name.
- For "Short File Description," write a brief (less than 50 characters), unique description that would help someone easily and quickly identify the file.
- If files are part of a series, append the number 001, 002, etc. to the end of the description.
Ex: Audio files submitted under a FY2018 grants by the DC State Historic Preservation Office
SHPO_18_DC_GranteeHistoricDistrict_P17AF00001_JohnDoeInterview001.mp3
SHPO_18_DC_GranteeHistoricDistrict_P17AF00001_JohnDoeInterview002.mp3

Required file formats and resolution standards:

- *Reports and publications:* PDF files created at 300 ppi (pixels per inch) minimum and 100% of the original document size. Convert authoring formats to PDFs (for example, saving Word or InDesign files as PDFs). When born-digital is not available, provide high resolution scans of printed materials as PDFs. Preference is for PDF/A-1 or PDF/A-2 format over standard PDF.
- *Photos:* JPEG or TIFF files saved at a minimum resolution of 3000 x 2000 pixels (or 6 megapixels).
 - **When submitting photographs, include captions, photo credit, and a signed release form (if needed).** [Photo release forms are available on the STLPG website.](#)
 - **Development (construction) grants must submit photographs of all work completed under the grant, including at least three views of the overall structure and all elements of the scope of work.** Refer to the [NPS Documenting Historic Places on Film guidelines](#) for more information on photographing a variety of historic environments and buildings.
- *Videos:* MP4 files saved at a resolution of 1280 by 720 pixels. All videos produced with HPF funding should include closed captioning. When reasonable, provide transcripts of videos as Word documents.
- *Audio:* Uncompressed WAV files. When reasonable, provide transcripts of audio files as Word documents.
- For more information about formatting deliverables, consult the [National Archives' Tables of File Formats.](#)

Creating an index file for your submission:

- Include this information in the index file for each product that is being submitted:
 - Grant Number
 - Subgrant Number (if applicable)
 - Title of Product
 - Filename
 - Product Creator(s) (give full names and their roles include up to 5 names or organizations)
 - Date Completed
 - Extent (number of pages, photographs, or length of audio/video files; use when applicable)
 - Description (up to 200 words)
- Save the index file as a Microsoft Word document using the following naming convention:
SHPO_[Fiscal Year]_[Grantee's State Abbreviation]_[Legal Name of Grantee or Subgrantee]_[Grant Number]_Index.docx
Ex. SHPO_18_DC_GranteeHistoricDistrict_P17AF00001_Index.docx
- Only submit one index per submission, including all of the products in that submission

Submitting Your Files:

1. Email stlpg@nps.gov to ask to be added to your grant folder.
2. You will receive an e-mail from the Records Management Assistant's e-mail account (currently caitlin_white@partner.nps.gov) with the subject 'White, Caitlin E shared the folder "[Grant Name]" with you'. Click 'Open' in the e-mail.
3. You will be sent to a page asking you to Request Verification Code. Click 'Send Code.'
4. A second e-mail from no-reply@sharepointonline.com with the subject 'Code [Eight digit number] is your Microsoft SharePoint verification code.'
 - a. Copy the code from the e-mail and paste into the box on the 'Enter Verification Code' page that appeared after you requested a code be sent to you.
5. Click the 'Upload' button at the top of the page.
 - a. It will give you the option to either upload file(s) or a folder.
6. In the new window, click on the file you wish to upload and then 'Open'. The file should now appear on the page.
7. E-mail the stlpg@nps.gov account to notify them that the files have been submitted using the template provided in your welcome e-mail. Unlike the previous system, there is no notification given when a file is uploaded and YOUR FILES WILL NOT BE CONSIDERED SUBMITTED UNTIL THIS EMAIL IS RECEIVED.

Reviewing submitted files:

- When NPS receives the files, we will review your submitted products for compliance with the HPF grants manual, the Secretary of the Interior's Standards of Archeology and Historic Preservation, and any other relevant requirements.
- If there are issues with the submitted files or grants products, your grant manager will contact you and may ask for corrections and resubmission if necessary.
- NPS will also determine whether the submitted products are suitable for sharing with the general public through the [Integrated Resource Management Application \(IRMA\)](#), the NPS's digital repository system. If so, we will upload the files there and make them publicly available.

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SEDALIA AMENDING THE CITY CODE REGARDING SUSPENSION AND REVOCATION OF LICENSES AND PERMITS.

WHEREAS, the City Council desires that appeals of license and revocation permit be heard by the Board of Appeals.

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

SECTION 1: Section 12-31 Suspension and revocation of licenses and permits is hereby amended to read as follows:

“Except as may be provided otherwise in this Code, any officer authorized under this Code to issue a license or permit may suspend or revoke a license or permit issued by him, for violation of any provision of law or of this Code or other city ordinance, or a revocation of Missouri state retail sales license, or any term or condition of such license or permit. Licensees and permittees affected by this section may appeal such suspension or revocation to the Board of Appeals and have the right to a public hearing. The action of the Board of Appeal, following such public hearing, if a hearing has been requested, shall be final, subject only to any right of appeal as may be provided by law.”

SECTION 2: The provisions of any ordinance or code section in conflict with any provision of this ordinance are hereby repealed to the extent of such conflict.

SECTION 3: This ordinance shall be in full force and effect following final passage and approval.

SECTION 4: The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional, or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

Read two times by title, copies of the proposed ordinance having been made available for public inspection prior to the time the bill is under consideration by the Council and passed by the Council of the City of Sedalia, Missouri this 19th day of August 2024.

Presiding Officer of the Council

Approved by the Mayor of said City this 19th day of August 2024.

Andrew L. Dawson, Mayor

ATTEST:

Jason S. Myers, City Clerk

**CITY COUNCIL
OF THE CITY OF SEDALIA, MISSOURI**

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEDALIA, MISSOURI,
STATING FACTS AND REASONS FOR THE NECESSITY TO AMEND AND INCREASE
THE CITY'S ANNUAL BUDGET FOR FISCAL YEAR 2025.**

WHEREAS, Section 67.010 of the Revised Statutes of Missouri requires each political subdivision of the State of Missouri ("State") to prepare an annual budget and establishes the requirements for that budget; and

WHEREAS, the City of Sedalia, Missouri ("City"), is a city of the third classification created pursuant to Chapter 77, RSMo, and is a political subdivision of the State of Missouri; and

WHEREAS, the City Council of the City adopted and approved the City's annual budget for Fiscal Year 2025 in accordance with the requirements of Section 67.010, RSMo, by Ordinance No. 11990 on March 18, 2024, and

WHEREAS, Sections 67.030 and 67.040 authorize and provide a procedure for the City Council to amend the City's annual budget to increase expenditures in any fund; and

WHEREAS, expenses for City's operations for Fiscal Year 2025 have been higher than budgeted, but do not exceed revenues plus the City's unencumbered balance brought forward from previous years; and

WHEREAS, the City Council of the City desire to state the facts and reasons necessitating an amendment to increase certain expenditures in the Fiscal Year 2025 annual budget.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEDALIA, MISSOURI, AS FOLLOWS:

Section 1. Expenditures from the City's General Fund must be increased by a total of \$6,550 above the amount authorized in the adopted annual budget for Fiscal Year 2025. An amendment to increase said budget is necessary for the following facts and reasons:

- A. Repair brick wall from street car crash plus cap stone and maintenance repair.

Section 2. This Resolution shall take effect immediately upon its execution by the Mayor or otherwise as provided by law.

PASSED by the City Council of the City of Sedalia, Missouri, on August 19, 2024

Presiding Officer of the Council

ATTEST: _____
Jason S. Myers, City Clerk

BILL NO. _____

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR 2024-2025
REGARDING BUILDING AND MAINTENANCE WALL REPAIR.**

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
SEDALIA, MISSOURI** as follows:

Section 1. The 2024-2025 fiscal year budget beginning April 1, 2024 and ending March 31, 2025 is hereby amended to modify certain budgeted line items as they appear on the attached schedule and made a part hereof as Exhibit A as if fully set out herein.

Section 2. This ordinance shall be in full force and effect from and after its passage and approval.

Read two times by title, copies of the proposed ordinance having been made available for public inspection prior to the time the bill is under consideration by the Council and passed by the Council of the City of Sedalia, Missouri this 19th day of August 2024.

Presiding Officer of the Council

Approved by the Mayor of said City this 19th day of August 2024.

Andrew L. Dawson, Mayor

ATTEST:

Jason S. Myers
City Clerk

Exhibit A
City of Sedalia
FY25 Budget Amendment 8/19/2024 Building & Maintenance Wall Repair

Account / Description	Current Budget	Change	Amended Budget	Comments
Expenditures / Uses of Funds				
10-17-222-05 Building & Grounds Maintenance	50,000.00	6,550.00	56,550.00	Brick Wall Crash Repair plus Maintenance and Cap Stone Repair
Total Expenditure Change		<u>6,550.00</u>		
		<u>(6,550.00)</u>		Net Increase (Decrease) in Projected Fund Balance

To: City Administrator Kelvin Shaw
From: ACA Matthew Wirt
Date: July 18th, 2024
Ref: Brick Wall Repair 100 Block of West Main St.

Sometime in the past the brick wall separating the sidewalk from the parking lot at 100 West Main St. was struck by a vehicle. After a lengthy time, the City received an insurance settlement for the damage. Additional structural problems have been discovered in the wall and there are also long-term maintenance repairs needed to make the wall last for the future. Director Fred Yates was able to find a brick mason willing to complete the wall repairs, repair the structural problems, and complete any needed long-term maintenance. The brick mason, John Bronson, quoted the total repairs as follows:

Repair the damage done by the traffic crash and structural repair.	\$4,850
Maintenance and capstone repair	\$1,700

The repairs were not part of the building maintenance budget for FY25. To complete the repairs, it is necessary to authorize a budget amendment for \$6,550 in the building maintenance general repair budget line.

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AN ENGAGEMENT LETTER FOR SERVICES RELATED TO THE PROPOSED DELIVERY OF CERTIFICATES OF PARTICIPATION.

WHEREAS, the City of Sedalia, Missouri has received an engagement letter from Gilmore & Bell, P.C. for special counsel/bond counsel services in connection with the proposed delivery of certificates of participation; and

WHEREAS, under the engagement letter, said certificates are for the purpose of constructing an aquatic center, a bowling alley, a fire training facility and a replacement for the existing Central Fire Station as more fully described in the engagement letter attached hereto and incorporated by reference herein.

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

Section 1. The Council of the City of Sedalia, Missouri hereby authorizes the engagement letter from Gilmore & Bell, P.C. in substantively the same form and content as it has been proposed.

Section 2. The Mayor or City Administrator are authorized and directed to execute and the City Clerk is hereby authorized and directed to attest and fix the seal of the City of Sedalia, Missouri on the engagement letter in substantively the same form and content as it has been proposed.

Section 3. The City Clerk is hereby directed to file in his office a duplicate or copy of the engagement letter after it has been executed by the parties or their duly authorized representatives.

Section 4. This ordinance shall be in full force and effect from and after its passage and approval.

Read two times by title, copies of the proposed ordinance having been made available for public inspection prior to the time the bill is under consideration by the Council and passed by the Council of the City of Sedalia, Missouri this 19th day of August 2024.

Presiding Officer of the Council

Approved by the Mayor of said City this 19th day of August 2024.

Andrew L. Dawson, Mayor

ATTEST:

Jason S. Myers
City Clerk



2405 Grand Boulevard, Suite 1100
Kansas City, Missouri 64108-2521

(816) 221-1000 / (816) 221-1018 FAX / gilmorebell.com

August 1, 2024

City of Sedalia, Missouri
200 South Osage Avenue
Sedalia, Missouri 65301
Attention: Kelvin Shaw, City Administrator

Re: Proposed Delivery of Certificates of Participation of the City of Sedalia, Missouri

Dear Kelvin:

The purpose of this engagement letter is to set forth certain matters concerning the cost for services we perform as special counsel/bond counsel to the City of Sedalia, Missouri (the "*Issuer*"), in connection with the delivery of the above-referenced certificates (the "*Certificates*"). We understand that the Certificates are being delivered for the purpose of constructing an aquatic center, a bowling alley, a fire training facility, and a replacement for the existing Central Fire Station.

SCOPE OF ENGAGEMENT

In this engagement, as special counsel to the Issuer we expect to perform the following duties:

- (1) Subject to the completion of proceedings to our satisfaction, render our legal opinion (the "*Opinion*") regarding the validity and binding effect of the Certificates, the excludability of interest on the Certificates from gross income for federal and Missouri income tax purposes, and such related matters as may be necessary or appropriate.
- (2) Examine applicable law as it relates to the authorization and delivery of the Certificates and our Opinion and advise the Issuer regarding the legal authority for the delivery of the Certificates and other legal matters related to the structure of the Certificates.
- (3) Prepare or review authorizing proceedings and legal documents necessary or appropriate to the authorization and delivery of the Certificates and coordinate the authorization and execution of such documents.
- (4) Assist the Issuer in the preparation of a Preliminary Official Statement and a final Official Statement relating to the Certificates and consult with the Issuer regarding any disclosure issues that may arise in conjunction with the planned delivery of the Certificates.

August 1, 2024

- (5) Draft or review the continuing disclosure undertaking of the Issuer.
- (6) Assist the Issuer in seeking from other governmental authorities such approvals, permissions, and exemptions as we determine are necessary or appropriate in connection with the authorization and delivery of the Certificates, except that we will not be responsible for any required Blue Sky filing.
- (7) Assist the Issuer in presenting information to rating organizations and providers of credit enhancement relating to legal issues affecting the delivery of the Certificates.
- (8) Attend meetings and conferences related to the Certificates and otherwise consult with the parties to the transaction prior to the delivery of the Certificates.
- (9) Coordinate the closing of the transaction, and after the closing assemble and distribute transcripts of the proceedings and documentation relating to the authorization and delivery of the Certificates.

Our Opinion will be delivered by us on the date the Certificates are exchanged for their purchase price (the "*Closing*"). The Opinion will be based on facts and law existing as of its date. In rendering our Opinion, we will rely upon the certified proceedings and other certifications of public officials and other persons furnished to us without undertaking to verify the same by independent investigation, and we will assume continuing compliance by the Issuer with applicable laws relating to the Certificates. During the course of this engagement, we will rely on you to provide us with complete and timely information on all developments pertaining to any aspect of the Certificates and their security. We understand that you will direct members of your staff and other employees of the Issuer to cooperate with us in this regard.

Our duties in this engagement are limited to those expressly set forth above. Among other things, our duties do not include:

- (a) Preparing requests for tax rulings from the Internal Revenue Service or no-action letters from the Securities and Exchange Commission, or representing the Issuer in Internal Revenue Service examinations or inquiries or Securities and Exchange Commission investigations.
- (b) Preparing blue sky or investment surveys with respect to the Certificates.
- (c) Drafting state constitutional or legislative amendments or pursuing test cases or other litigation.
- (d) Making an investigation or expressing any view as to the creditworthiness of the Issuer or any credit enhancement provider for the Certificates.
- (e) Preparing or negotiating the terms of any guaranteed investment contract or other investment agreement.
- (f) Addressing any other matter not specifically set forth above that is not required to render our Opinion.

August 1, 20243

ATTORNEY-CLIENT RELATIONSHIP

The Issuer is our client and an attorney-client relationship exists between us. We assume that all other parties will retain such counsel as they deem necessary and appropriate to represent their interests in this transaction. We further assume that all other parties understand that in this transaction we represent only the Issuer, we are not counsel to any other party, and we are not acting as an intermediary among the parties. Our representation of the Issuer will not affect, however, our responsibility to render an objective Opinion.

CONFLICTS

As you are aware, our firm represents many political subdivisions, underwriters and others. It is possible that during the time that we are representing the Issuer, one or more of our present or future clients will have transactions with the Issuer. We also may represent, in unrelated matters, one or more of the entities involved in the delivery of the Certificates. We do not believe any such representation will adversely affect our ability to represent you as provided in this letter, either because such matters will be sufficiently different from the delivery of the Certificates so as to make such representations not adverse to our representation of the Issuer or because the potential for such adversity is remote or minor and outweighed by the consideration that it is unlikely that advice given to the other client will be relevant to any aspect of the delivery of the Certificates. In the event a conflict does arise, we will cooperate with the Issuer to resolve the conflict.

FEES

Our fees associated with the Certificates will be billed in accordance with the schedule attached as **Exhibit A**. Our fee may vary (a) based upon the principal amount of Certificates actually issued, (b) if material changes in the structure occur, or (c) if unusual or unforeseen circumstances arise which require a significant increase in our time or responsibility. If, at any time, we believe that circumstances require an adjustment of our fee schedule, we will advise you. In addition, we will expect to be reimbursed for all client charges made or incurred on your behalf, such as travel costs, deliveries, filing fees and similar expenses.

Our fee is usually paid at the Closing, and we customarily do not submit any statement until the Closing unless there is a substantial delay in completing the financing. We may submit an additional statement for client charges following the Closing. If the financing is not consummated or is completed without the delivery of our Opinion as special counsel, or our services are otherwise terminated, we will expect to be paid a fee that is mutually agreed on between you and us.

RECORDS

Papers and property furnished by you will be returned promptly upon request. Our own files, including lawyer work product, pertaining to the transaction will be retained by us. For various reasons, including the minimization of unnecessary storage expenses, we reserve the right to dispose of any documents or other materials retained by us after the termination of this engagement.

August 1, 2024

If the foregoing terms are acceptable to you, please so indicate by returning this engagement letter dated and signed by an authorized officer, retaining the original for your files.

GILMORE & BELL, P.C.

A handwritten signature in blue ink, appearing to be "S. E. Bell", written over a faint, illegible stamp or background.

ACCEPTED AND APPROVED:

CITY OF SEDALIA, MISSOURI

By: _____
Title: _____
Date: _____

EXHIBIT A
GILMORE & BELL, P.C.
FEE SCHEDULE

<u>Principal Amount</u>	<u>Fee</u>
\$10,000,000 to \$20,000,000	\$57,910 + \$2.10 per \$1,000 over \$10,000,000
Over \$20,000,000	\$78,910 + \$1.05 per \$1,000 over \$20,000,000

It is anticipated that the above schedule will be followed in most instances, but variations either upward or downward may be appropriate depending on the nature and complexity of the financing and other matters.

2. Disclosure Document Preparation. We will charge an additional fee for our work on the Official Statement in of the amount of 1/3 of the special counsel fee provided above.

3. Out-of-Pocket Expenses. In addition to the fees set forth above, we may request reimbursement for out of pocket expenses incurred in connection with each transaction in accordance with the section entitled "Client Disbursements and other Charges" in the attached engagement letter.

**CITY COUNCIL
OF THE CITY OF SEDALIA, MISSOURI**

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF CERTIFICATES OF PARTICIPATION FOR THE BENEFIT OF THE CITY OF SEDALIA, MISSOURI.

WHEREAS, the City of Sedalia, Missouri (the "City"), has selected the firm of Gilmore & Bell, P.C., as special counsel ("Special Counsel") and Baker Tilly Municipal Advisors, LLC, as municipal advisor (the "Municipal Advisor") for a series of certificates of participation (the "Certificates") for the purpose of financing the costs of acquiring, constructing, improving, equipping and furnishing an aquatic center, a bowling alley, a fire training facility, and a replacement for the existing Central Fire Station (the "Project"); and

WHEREAS, the City desires to authorize the offering for sale of the Certificates pursuant to a competitive sale, and to authorize the Municipal Advisor, Special Counsel, and the officers of the City to proceed with the preparation, review and distribution of documents for the sale.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEDALIA, MISSOURI, AS FOLLOWS:

Section 1. The Municipal Advisor, Special Counsel, and the officers of the City are hereby authorized to proceed with preparation of a notice of sale (the "Notice of Sale"), a preliminary official statement (the "Preliminary Official Statement") and a final official statement (the "Official Statement") to provide for the competitive sale of the Certificates. Upon completion of the preparation and review of the Notice of Sale and Preliminary Official Statement, the Municipal Advisor is hereby authorized to proceed with the offering for sale of the Certificates. The final terms of the Certificates shall be determined and approved by subsequent ordinance of the City Council of the City.

Section 2. The City Council hereby authorizes the execution of the final Official Statement by the Mayor, the City Administrator or other appropriate officers of the City with such changes and additions thereto as such officials shall deem necessary or appropriate, such official's signature thereon being conclusive evidence of such official's and the City's approval thereof. The City Council hereby consents to the use and public distribution of the Notice of Sale, Preliminary Official Statement and the final Official Statement in connection with the competitive sale of the Certificates. The Municipal Advisor is hereby authorized and directed to distribute the Notice of Sale and the Preliminary Official Statement to such banks and investment banking firms and other financial institutions located in the State of Missouri and elsewhere that might be interested in the purchase of the Certificates.

Section 3. For the purpose of enabling the successful bidder for the Certificates (the "Purchaser") to comply with the requirements of Rule 15c2-12(b)(1) of the Securities and Exchange Commission, the Mayor, the City Administrator or other appropriate officers of the City are hereby authorized, if requested, to provide the Purchaser a letter or certification to the effect that the City deems the information contained in the Preliminary Official Statement to be "final" as of its date, except for the omission of such information as is permitted by Rule 15c2-12(b)(1), and to take such other actions or execute such other documents as such officers in their reasonable judgment deem necessary to enable the Purchaser to comply with the requirements of such Rule.

Section 4. The City agrees to provide to the Purchaser within seven business days of the date of the agreement to purchase the Certificates or within sufficient time to accompany any confirmation that requests payment from any customer of the Purchaser, whichever is earlier, sufficient copies of the final Official Statement to enable the Purchaser to comply with the requirements of Rule 15c2-12(b)(4) of the Securities and Exchange Commission and with the requirements of Rule G-32 of the Municipal Securities Rulemaking Board.

Section 5. The City expects to make expenditures on and after the date of the adoption of this Resolution in connection with the Project, and the City expects to reimburse itself for such expenditures with the proceeds of the Certificates. The approximate principal amount of the Certificates expected to be issued, and the estimated costs of the Project, is \$18,500,000.

Section 6. The Mayor, the City Administrator and other officers and representatives of the City, and the Municipal Advisor and Special Counsel, are hereby authorized and directed to take such other action as may be necessary to carry out the competitive sale of the Certificates.

Section 7. This Resolution shall take effect immediately upon its execution by the Mayor or otherwise as provided by law.

PASSED by the City Council of the City of Sedalia, Missouri, on August 19, 2024

Presiding Officer of the Council

ATTEST: _____
Jason S. Myers, City Clerk

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE APPROVING AND ACCEPTING AN AMENDED SCOPE OF WORK FOR PROFESSIONAL SURVEYING AND CIVIL ENGINEERING DESIGN, PLANS AND SPECIFICATIONS FOR A SANITARY SEWER MAIN EXTENSION ALONG HIGHWAY 65 AND HIGHWAY HH.

WHEREAS, the City of Sedalia, Missouri has received an amended to the Scope of Work from Broadfoot Engineering LLC for professional surveying and civil engineering design, plans and specifications of a sanitary Sewer Main extension along Highway 65 and Highway HH from Breaktime to the new Peterbilt facility; and

WHEREAS, under the amendment, the City of Sedalia, Missouri shall pay the sum and amount of not-to-exceed Eight Thousand Five Hundred Dollars (\$8,500.00) to Broadfoot Engineering LLC for said services as more fully described in the amendment attached to this ordinance and incorporated by reference herein.

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

Section 1. The Council of the City of Sedalia, Missouri hereby approves and accepts the amendment by and between the City of Sedalia, Missouri and Broadfoot Engineering LLC in substantively the same form and content as it has been proposed.

Section 2. The Mayor or City Administrator are authorized and directed to execute and the City Clerk is hereby authorized and directed to attest and fix the seal of the City of Sedalia, Missouri on the amendment in substantively the same form and content as it has been proposed.

Section 3. The City Clerk is hereby directed to file in his office a duplicate or copy of the amendment after it has been executed by the parties or their duly authorized representatives.

Section 4. This ordinance shall take effect and be in full force and effect from and after its passage and approval.

Read two times by title, copies of the proposed ordinance having been made available for public inspection prior to the time the bill is under consideration by the Council and passed by the Council of the City of Sedalia, Missouri this 19th day of August, 2024.

Presiding Officer of the Council

Approved by the Mayor of said City this 19th day of August, 2024.

Andrew L. Dawson, Mayor

ATTEST:

Jason S. Myers, City Clerk

MEMO

TO: Kelvin L. Shaw, City Administrator
Matthew Wirt, Assistant City Administrator
Jason Myers, City Clerk

FROM: Christopher R. Davies, P.E. City Engineer

DATE: August 12, 2024

**SUBJECT: AMENDMENT TO DESIGN SERVICES – PUBLIC WATER MAIN
EXTENSION ALONG HWY 65 AND HWY HH – BREAKTIME TO NEW
PETERBILT FACILITY**

Background:

The City of Sedalia has been working with Peterbilt to provide utility services (water and wastewater) to their new facility, near the intersection of HWY HH and HWY 65. While specifically working with Peterbilt on this project, other adjacent landowners have been in contact with the City to inquiry about utilities and development. Mr. Theron Broadfoot has been the engineer working with the majority of the property owners in this area. He has an understanding of the owners needs and has worked with the City on many other projects and is currently under contract to design a sewer project on HWY 65. The City Council approved the original design services contract at the June 17th, 2024.

Discussion:

City staff recently met with the developer and engineer for the Peterbilt property and discussed the development of the property. It was discussed and mutually agreed the design of the water line should extend to the northeast corner of the Peterbilt property; whereas before the design brought the water line to the southeast corner. The reason for the change was for the following reasons:

1. Complete the construction of the water line now to prevent future construction on developed property.
2. Peterbilt is willing to provide an utility easement.
3. This provides easy access for properties to the north, if they decide to develop.

Recommendation:

City staff recommends approval of the Amended Scope of Work from Broadfoot Engineer, LLC for professional surveying and civil engineering design, plans and specifications for the amended extension of a water main from the new Peterbilt facility located to the north (Option C1) to the northeast corner of the Peterbilt property. Approximate length of the amended water main is 930 linear feet; services as outlined in the proposal letter on a time and material basis with a Not-to-Exceed of \$8,500.00



Broadfoot Engineering, LLC

30277 Carpenter Road
Sedalia, MO 65301
Phone: 660-619-7001
broadfooteng@yahoo.com

August 7, 2024

Mr. Christopher R. Davies, P.E.
Public Works Director
City of Sedalia
200 South Osage Avenue
Sedalia, Missouri 65301

RE: ADDENDUM to Proposal for Surveying and Civil Engineering
Public Water Main Extension along Hwy N65 & Hwy HH from Breaktime to New Peterbilt Facility
Sedalia, Missouri 65301

Dear Mr. Davies,

Thank you for the opportunity to submit this addendum to the proposal for professional surveying and civil engineering services for the referenced project. We understand the addendum to include the construction of an additional 930 linear feet of new public water main extension, continuing north from the referenced project, ending at the north property line of the new Peterbilt property (see attached showing dashed blue line for approximate route). The following outlines our proposed scope of services:

- Provide a boundary, topographic, and utility locate survey as required for the public water main extension project area. This includes showing existing property corners, all existing on-site easements, topographic one-foot contours, any other notable topographic features, and utilities marked by Missouri One Call.
- Provide an initial soils investigation including excavating test pits to verify the top of rock, if encountered, for the desired conceptual water main route option.
- Coordinate with Sedalia Water Department regarding their public water system requirements.
- Provide public utility (water and future sewer) easement legal descriptions/exhibits, as required.
- Provide detailed public water main construction plans for the selected water main route, including horizontal and vertical alignment of water main and all required appurtenances. Also, plan notes, details, and specifications. The plans and specifications shall be included in the bid documents.
- Provide opinion of probable site (water main extension) construction costs during design process.
- Submit our plans, along with our supporting analysis, to the City and MDNR for their review and approval and construction permitting.
- Assist the City with the bidding process.
- This proposal excludes all permitting fees; environmental assessments; public water system (transmission/distribution) hydraulic modeling; construction staking; and construction testing and inspections.



Broadfoot Engineering, LLC

30277 Carpenter Road

Sedalia, MO 65301

Phone: 660-619-7001

broadfooteng@yahoo.com

Broadfoot Engineering will provide the above proposed addendum surveying and civil engineering services as outlined on a time and material basis with a Not-to-Exceed of \$8,500.

Broadfoot Engineering is prepared to start work immediately upon receipt of this signed proposal. We will submit invoices upon completion of project milestones, until completion. Terms are Net 45 days. We appreciate your consideration of Broadfoot Engineering and look forward to working with you on this project. If you have any questions or require additional information, please contact me.

Sincerely,

Theron J. Broadfoot, PE

Accepted by: _____
Signature: _____
Printed Name and Title: _____
Date: _____

Sedalia, MO

Development Site for Peterbilt



1 in. = 215ft.

429.6 0 214.80 429.6 Feet

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



Legend

- Parcel
- Roads
 - Other
 - State Hwy
 - US Hwy
- Corporate Limit Line

Notes

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE APPROVING AND ACCEPTING A QUOTE FOR THE PURCHASE OF RADIOS FOR THE SEDALIA POLICE DEPARTMENT.

WHEREAS, the City of Sedalia, Missouri received a quote from Motorola Solutions for the purchase of Twenty-two Motorola APX8500 radios under the cooperative purchasing GSA contract for the Sedalia Police Department; and

WHEREAS, under the quote, the City of Sedalia, Missouri shall pay the sum and of amount of One Hundred Forty-nine Thousand Five Hundred Sixty-five Dollars and Two Cents (\$149,565.02) to Motorola Solutions for said radios as more fully described in the quote attached hereto and incorporated by reference herein.

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

Section 1. The Council of the City of Sedalia, Missouri hereby approves and accepts the quote from Motorola Solutions in substantively the same form and content as the quote has been proposed.

Section 2. The Mayor or City Administrator are authorized and directed to execute and the City Clerk is hereby authorized and directed to attest and fix the seal of the City of Sedalia, Missouri on the quote in substantively the same form and content as it has been proposed.

Section 3. The City Clerk is hereby directed to file in his office a duplicate or copy of the quote after it has been executed by the parties or their duly authorized representatives.

Section 4. This ordinance shall be in full force and effect from and after its passage and approval.

Read two times by title, copies of the proposed ordinance having been made available for public inspection prior to the time the bill is under consideration by the Council and passed by the Council of the City of Sedalia, Missouri this 19th day of August 2024.

Presiding Officer of the Council

Approved by the Mayor of said City this 19th day of August 2024.

Andrew L. Dawson, Mayor

ATTEST:

Jason S. Myers
City Clerk

Sedalia Police Department
DEPARTMENTAL MEMORANDUM
Office of the Chief of Police

To : City Administrator Kelvin Shaw

From : Chief David Woolery

Date : August 12, 2024

Ref : 2024 ARPA SLFRF CIIEG

The Sedalia Police Department had the opportunity to apply for the 2024 American Rescue Plan Act (ARPA) State and Local Fiscal Recovery Funds (SLFRF) First Responder Capital Improvements & Interoperable Communications Equipment Grant (CIIEG) in November of 2023. The grant would provide 50/50 matching funds toward the project.

A resolution was passed by the City Council in November 6, 2023 authorizing former Chief Matthew Wirt to apply for the grant. During a council work session, the City Council chose to include this project in the budget.

On August 2, 2024, we learned that our application was selected for funding.

The purpose of applying for the grant was to replace the aging radios in our patrol vehicles. The Department has 26 car radios and 22 of those radios are over 17 years old. These radios are currently unsupported by Motorola, so they cannot be serviced if they were to fail.

Commenco has provided a quote for the purchase of 22 Motorola APX8500 radio under the cooperative purchasing GSA contract price of \$149,565.02 with a matching amount of \$74,782.51. The purchase and revenue were both planned for FY2025. Staff recommends the total purchase for \$149,565.02.



SEDALIA POLICE DEPT, CITY OF

ARPA Grant - Twenty Two APX8500 mobiles

08/08/2024



QUOTE-2420126
 ARPA Grant - Twenty Two APX8500
 mobiles

Billing Address:
 SEDALIA POLICE DEPT, CITY OF
 PO BOX 1707
 SEDALIA, MO 65301
 US

Shipping Address:
 COMMENCO INC
 4901 BRISTOL AVE
 KANSAS CITY, MO 64129
 US

Quote Date:08/08/2024
 Expiration Date:10/07/2024
 Quote Created By:
 James Brafford
 Public Safety Account Manager
 james.brafford@commenco.com
 816-753-2166

End Customer:
 SEDALIA POLICE DEPT, CITY OF
 Sergeant Aaron Berry
 aberry@sedaliapolice.com
 660-827-7823

Contract: Johnson County KS
 Payment Terms:30 NET

Line #	Item Number	Description	Qty	List Price	Sale Price	Ext. Sale Price
	APX™ 8500					
1	M37TSS9PW1AN	APX8500 ALL BAND MP MOBILE	22	\$10,195.68	\$6,309.41	\$138,807.02
1a	GA00318AF	ENH: 5 YEAR ESSENTIAL SVC	22			
1b	G51AT	ENH:SMARTZONE	22			
1c	GA05509AA	DEL: DELETE UHF BAND	22			
1d	GA01606AA	ADD: NO BLUETOOTH/WIFI/GPS ANTENNA NEEDED	22			
1e	B18CR	ADD: AUXILIARY SPKR 7.5 WATT APX	22			
1f	G843AH	ADD: AES ENCRYPTION AND ADP	22			
1g	G89AC	ADD: NO RF ANTENNA NEEDED	22			
1h	G444AH	ADD: APX CONTROL HEAD SOFTWARE	22			
1i	G67EH	ADD: REMOTE MOUNT E5 MP	22			
1j	GA01517AA	DEL: NO J600 ADAPTER CABLE NEEDED	22			
1k	G806BL	ENH: ASTRO DIGITAL CAI OP APX	22			



Any sales transaction following Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the "Underlying Agreement") that authorizes Customer to purchase equipment and/or services or license software (collectively "Products"). If no Underlying Agreement exists between Motorola and Customer, then Motorola's Standard Terms of Use and Motorola's Standard Terms and Conditions of Sales and Supply shall govern the purchase of the Products.
 Motorola Solutions, Inc.: 500 West Monroe, United States - 60661 - #: 36-1115800

Line #	Item Number	Description	Qty	List Price	Sale Price	Ext. Sale Price
1l	GA01670AA	ADD: APX E5 CONTROL HEAD	22			
1m	W22BA	ADD: STD PALM MICROPHONE APX	22			
1n	W969BG	ADD: MULTIKEY OPERATION	22			
1o	G361AH	ENH: P25 TRUNKING SOFTWARE APX	22			
2	LSV00Q00202A	DEVICE PROGRAMMING Program twenty two APX8500 mobile radios to current template on file with Commenco.	22	\$64.29	\$64.29	\$1,414.38
3	EQ000103A01	MULTIPLEXER,ALL BAND, APX8500	22	\$194.40	\$165.24	\$3,635.28
4	CB000091A09	CABLE, COAXIAL,QMA PLUG TO MINI-UHF JACK CONNETOR (BECU QMA)	44	\$103.50	\$87.98	\$3,871.12
5	HAF4013A	7/8/900 MHZ WIDEBAND LOW PROFILE, 3DB GAIN THROUGH HOLE NMO MOUNT	22	\$52.50	\$44.63	\$981.86
6	HAD4021A	VHF ANT WIDEBAND 136-174 MHZ	22	\$64.80	\$38.88	\$855.36

Grand Total
\$149,565.02(USD)
Notes:

- Unless otherwise noted, this quote excludes sales tax or other applicable taxes (such as Goods and Services Tax, sales tax, Value Added Tax and other taxes of a similar nature). Any tax the customer is subject to will be added to invoices.



BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE APPROVING A QUIT CLAIM DEED FOR THE SALE OF PROPERTY COMMONLY KNOWN AS _____ FROM THE CITY OF SEDALIA, MISSOURI TO _____.

WHEREAS, The City of Sedalia, Missouri has received a proposal from _____ to purchase property commonly known as _____ for the sum and amount of _____ as contained in the contract for sale of real estate and quit claim deed attached hereto and incorporated by reference.

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

Section 1. The Council of the City of Sedalia, Missouri approves and accepts the terms as contained in the contract for sale of real estate in substantially the same form and content as proposed.

Section 2. The Council of the City of Sedalia, Missouri, hereby approves the giving of a quit claim deed by the City of Sedalia, Missouri to _____ for the conveyance of property commonly known as _____ in substantially the same form and content as proposed.

Section 3. The Mayor or City Administrator are authorized to accept said contract, sign said contract and deed and execute any and all closing documents on behalf of the City of Sedalia, Missouri and the City Clerk is hereby authorized and directed to file in his office the said contract and deed after recording said deed and ordinance with the Pettis County Recorder of Deeds.

Section 4. This ordinance shall be in full force and effect from and after its passage and approval.

Read two times by title, copies of the proposed ordinance having been made available for public inspection prior to the time the bill is under consideration by the Council and passed by the Council of the City of Sedalia, Missouri this 19th day of August, 2024.

Presiding Officer of the Council

Approved by the Mayor of said City this 19th day of August, 2024.

Andrew L. Dawson, Mayor

ATTEST:

Jason S. Myers
City Clerk

BILL NO. _____

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Presiding Officer of the Council

Approved by the Mayor of said City this 19th day of August, 2024.

Andrew L. Dawson, Mayor

ATTEST:

Jason S. Myers
City Clerk

BILL NO. _____

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Presiding Officer of the Council

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Andrew L. Dawson, Mayor

ATTEST:

Jason S. Myers
City Clerk

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Presiding Officer of the Council

Approved by the Mayor of said City this 19th day of August, 2024.

Andrew L. Dawson, Mayor

ATTEST:

Jason S. Myers
City Clerk

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Presiding Officer of the Council

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Andrew L. Dawson, Mayor

ATTEST:

Jason S. Myers
City Clerk

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Jason S. Myers
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Presiding Officer of the Council

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Andrew L. Dawson, Mayor

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Jason S. Myers
City Clerk