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Ordinance No. 023368 Council Bill No. B 319-17

AN ORDINANCE

approving the Clary-Shy Community Park – Agriculture Park Master Plan; determining it is in the public interest to construct the Clary-Shy Community Park – Agriculture Park – Phase I improvement project; approving and adopting plans and specifications; determining that a portion of the work shall be done by contract; calling for bids through the Purchasing Division for a portion of the work; authorizing a portion of the project may be done by city employees; providing for payment for the improvements; appropriating funds; authorizing the City Manager to obtain, execute and record all documents necessary for the improvements; providing for compliance with the prevailing wage law and state-mandated construction safety training; and fixing the time when this ordinance shall become effective.

WHEREAS, interested parties meetings for the proposed construction of the Clary-Shy Community Park – Agriculture Park – Phase I improvement project were held by the Parks and Recreation Department on August 6, 2016, August 10, 2016 and August 13, 2016; and

WHEREAS, the City Council adopted a resolution declaring the necessity for the proposed construction of improvements; and

WHEREAS, the notice of a public hearing on this project was published in a daily newspaper of general circulation in the city; and

WHEREAS, the City Council has held a public hearing on construction of the proposed improvements.

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

SECTION 1. The City Council hereby approves Clary-Shy Community Park – Agriculture Park Master Plan, a copy of which is attached hereto and marked "Exhibit A."

SECTION 2. The Council finds that the construction of the Clary-Shy Community Park – Agriculture Park – Phase I improvement project in the City of Columbia, Missouri, is

necessary for the welfare and improvement of the city and that it is in the public interest that such improvements be made. Specific improvements include constructing the first phase of the farmers' market structure, a 40-car parking lot, infrastructure improvements, an urban garden, outdoor classroom and a maintenance center for the agriculture park.

SECTION 3. The plans and specifications for the improvements, as prepared by the Director of Parks and Recreation, are hereby approved.

SECTION 4. A portion of the construction of the improvements shall be done by contract in accordance with the plans and specifications, the laws of the State of Missouri, and the Charter and Ordinances of the City of Columbia, Missouri.

SECTION 5. The Purchasing Agent is hereby authorized to call for bids and execute a contract for construction of a portion of the improvements. As deemed advisable by the City Manager, city employees may be used to construct all other improvements.

SECTION 6. Payment for the improvements shall be made from park sales tax funds ($400,000.00), sponsorship funds from MU Health Care ($495,000.00), designated loan funds ($574,565.00), and such other funds as may be lawfully appropriated. The funds from the City's designated loan fund shall be repaid over three (3) years from the Recreation Services Fund utilizing donations from the Friends of the Farm fundraising partnership or such other funds as may be lawfully appropriated.

SECTION 7. The sum of $574,565.00 is hereby appropriated from the Designated Loan Fund Account No. 7100-132100 and $495,000.00 is hereby appropriated from the Clary-Shy Community Park Miscellaneous Revenue Account No. 5521-480000 RS089 to the Clary-Shy Community Park Miscellaneous Contractual Account No. 55215588-604990 RS089.

SECTION 8. The City Manager is authorized to obtain, execute and have recorded all licenses, easements, deeds and any other conveyances or instruments necessary for the City to complete the improvements.

SECTION 9. Pursuant to Section 290.250 RSMo., the contract for the improvements shall provide that not less than the prevailing hourly rate of wages, as found by the Department of Labor and Industrial Relations of Missouri, shall be paid to all workers performing work under the contract. The contractor's bond shall guarantee the faithful performance of the prevailing hourly wage clause in the contract.

SECTION 10. Pursuant to Section 292.675 RSMo., the bid specifications and contract for the improvements shall provide that the contractor and any subcontractor shall provide a ten-hour Occupational Safety and Health Administration construction safety program (or a similar program approved by the Missouri Department of Labor and Industrial Relations) for all employees working on-site. All employees working on the site of the improvement project are required to complete the safety program within sixty (60) days of beginning work on the improvement project.

SECTION 11. This ordinance shall be in full force and effect from and after its passage.

PASSED this 6th day of November, 2017.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor

CERTIFICATION: I certify there are sufficient funds available in the following accounts to cover the above appropriation:

Designated Loan Fund Account No. 7100-132100

Clary-Shy Community Park Miscellaneous Revenue
Account No. 5521-480000 RS089

Director of Finance