



CITY COUNCIL Study Session

October 14, 2024

6:00 PM, Council Chambers - 111 E. Maple Ave.

To view a Council meeting agenda, visit <https://independencemo.portal.civicclerk.com/> and select 'Most Recent Council Agenda'.

COUNCIL SPONSORED ITEMS

1. Review of City Code Regarding the Sale and Discharge of Fireworks (Sponsored by Councilmember McCandless)
2. Citizen Requests - per Council Rules, Sec. 6.4 only "Council Sponsored Items" are eligible.

PRESENTATIONS

1. 2025 Public Transit Recommendations
2. 2025 Adventure Oasis Recommendations
3. 2025 State Legislative Agenda

CITIZEN REQUESTS

STAFF REPORTS

INFORMATION ONLY

1. **Please Note:** In accordance with RSMo. 610.021, the City Council may convene in an Executive Session during or after the meeting, in the Council Chambers and move to Conference Room D for the closed meeting, on matters of litigation, legal action, and/or attorney client communications, as permitted by Sec. 610.021(1), on matters of personnel, as permitted by Sec. 610.021(3) and personnel records, as permitted by 610.021(13), on matters of contracts, as permitted by 610.021(12), on matters of real

estate, as permitted by 610.021(2) and/or matters of labor negotiations, as permitted by 610.021(9).



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Facts About Fireworks Use and Sales

Should Fireworks Be Prohibited In the City Of Independence

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Fireworks Sales in Independence

- 16 fireworks stands allowed each year
- Sales allowed June 23 through July 5
- Pay a permit fee of \$400 each, generating \$6400 total
- Each tent requires a fire safety inspection prior to selling and must be inspected every day they are open, including weekends and July 4 holiday
- Require 208 visits by IFD personnel throughout the sales period
- Have been targets for robbery and theft

Fireworks Related Fire Calls

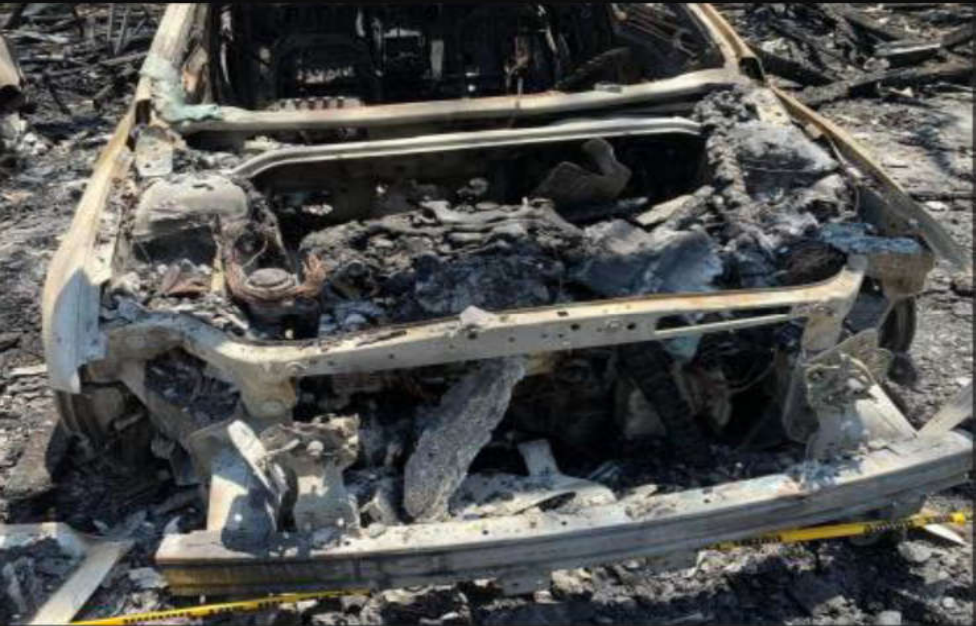
- 24 Fireworks related calls reported by Fire Crews between 2019 and 2024
- 5 medical responses
- 19 fire responses

Fireworks Related Medical calls

- Each was a trauma due to explosion
- 4 were traumatic hand injuries
- 1 traumatic foot injury
- Each trauma resulted in irreparable damage to the affected part



Fireworks Related Fire Calls



- 1 grass fire
 - 11 trash or dumpster fires
 - 2 vehicle fires
 - 1 miscellaneous fire involving appliances in the street
 - 4 building fires
-

July 4, 2022: Cedar Brook Apartment Fire

- Most significant fireworks related fire to date
- 10 vehicles
- Carport
- 2 apartment buildings
- 6 units in each building evacuated
- 12 families displaced as a result
- \$225,000 estimated loss



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Fire Cause and Origin

- This fire was caused by the improper disposal of spent fireworks
- Fire originated in a dumpster adjacent to the carport



In Review...

- Citizen complaints
- Very little revenue
- Overtime cost and work hours for inspections
- Serious, life altering injuries
- Hundreds of thousands of dollars in fire damages
- Property loss
- Targets for theft

Should Independence Ban the Sales and Use of Fireworks?

Do citizens benefit from the
sales and use of fireworks?



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2025 Independence Transit Proposal

October 14, 2024



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Current Independence Transit Services

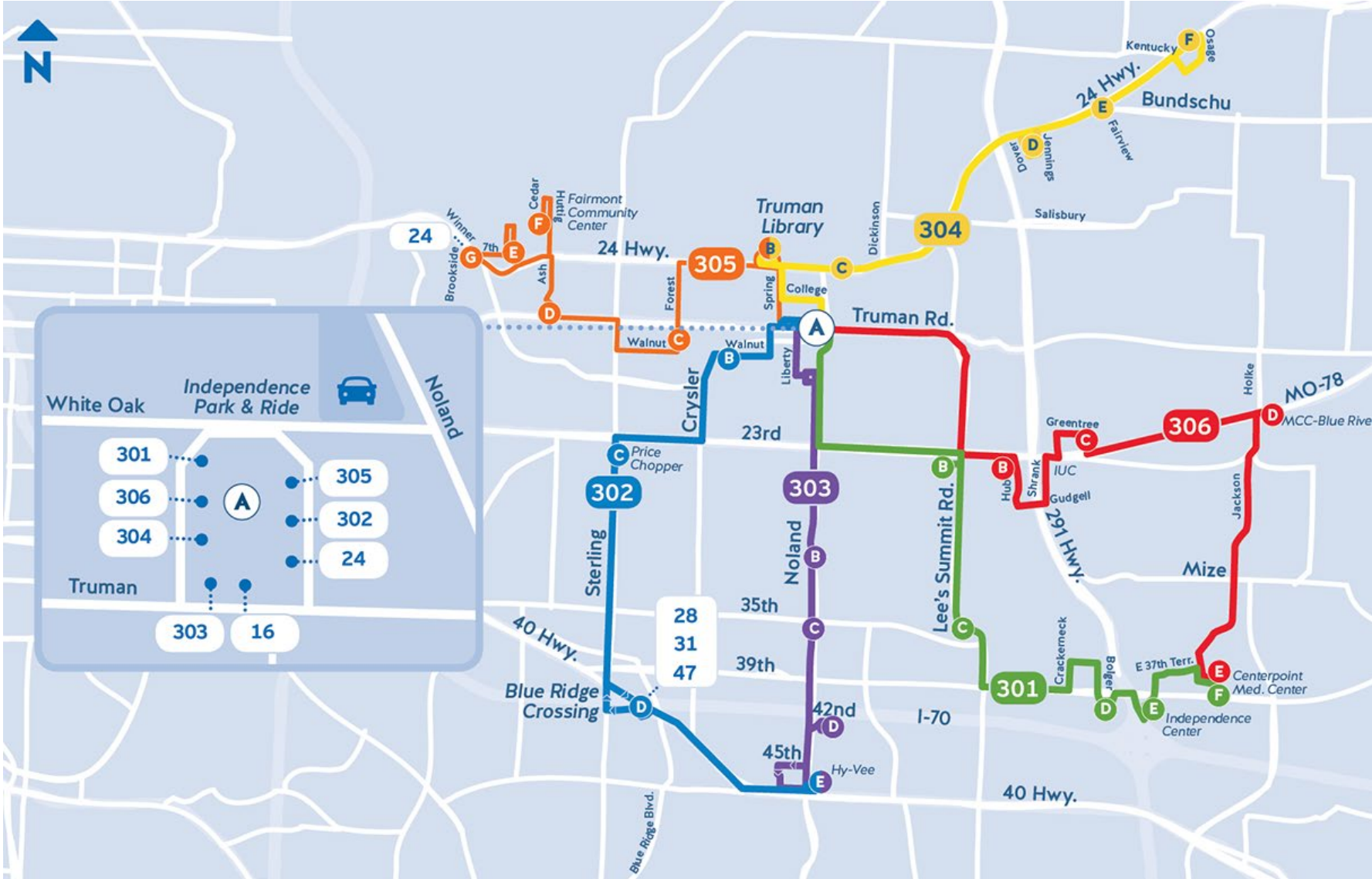
- Fixed route intra city – Service provided by First Transit
- Fixed route inter city – Service provided by KCATA
- ADA inter city paratransit service
- ADA intra city paratransit service
- Non-ADA intra city paratransit service
- All services provided Monday – Saturday



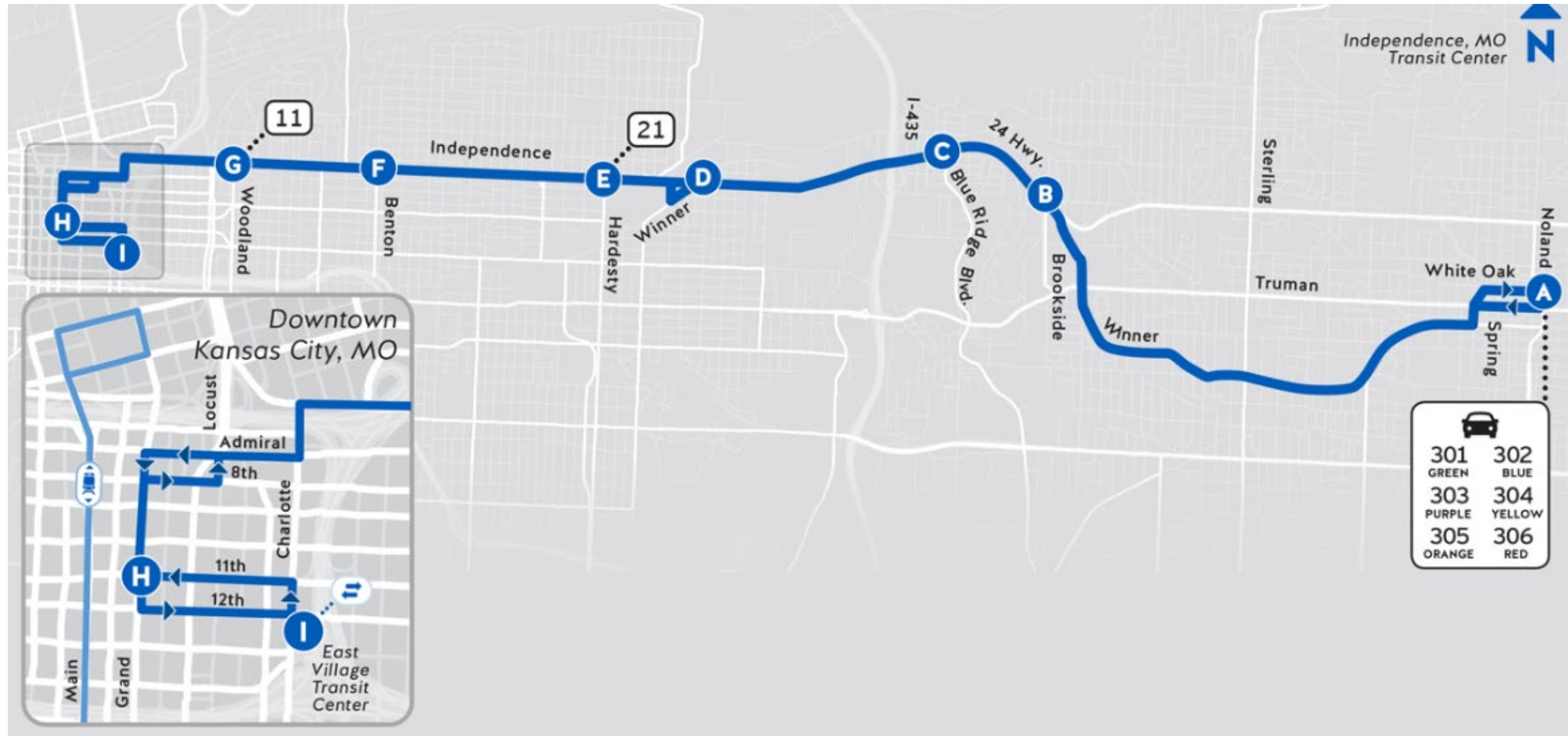
Current Fixed Route Map

Operates approximately 16,000 hours annually

220,000 to 230,000 rides annually



24 Route Map



History of Transit in Independence

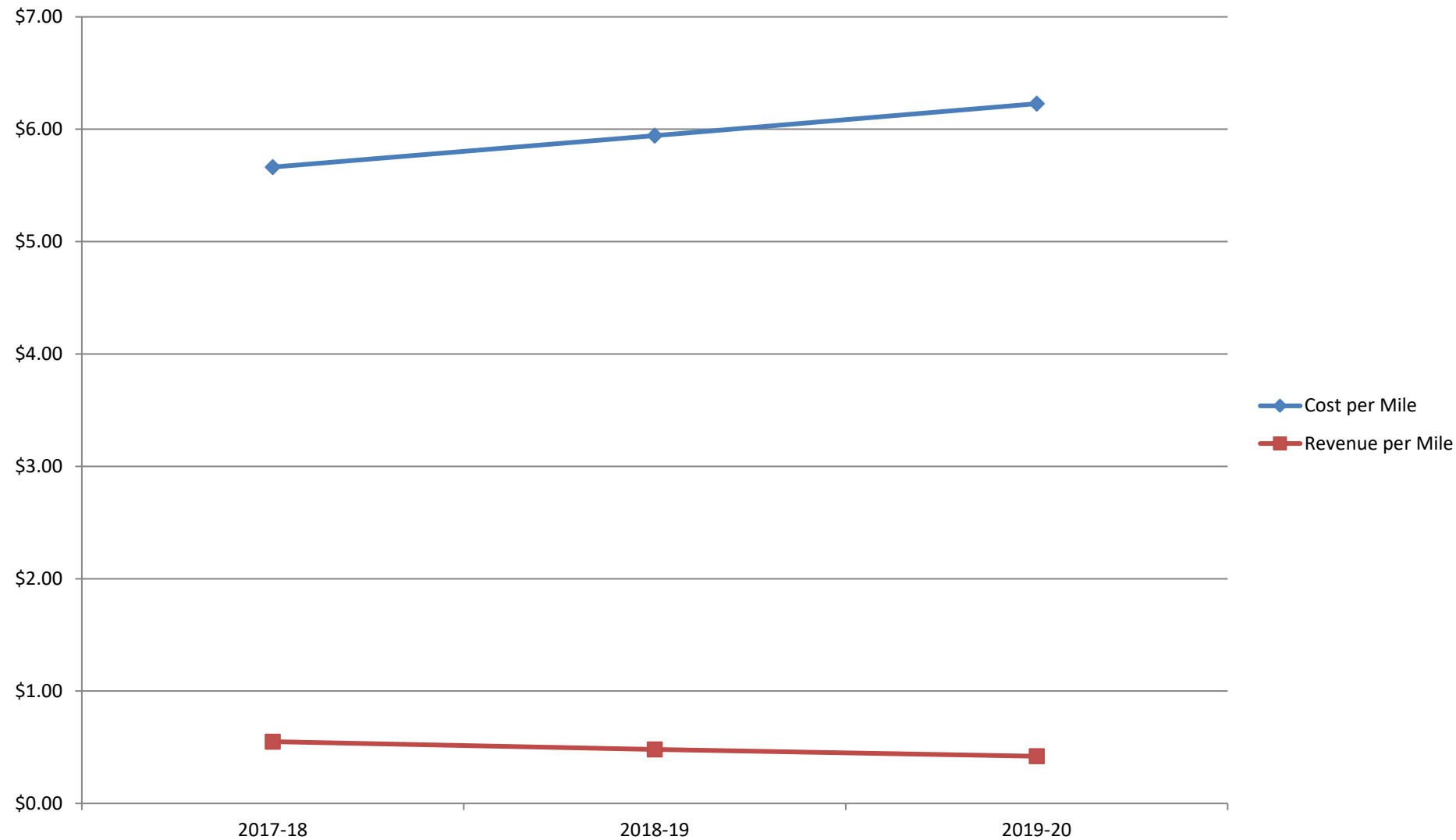
- City has provided transit since the 1970s
 - Service provided by KCATA or First Transit
- Over the years, City has provided cost efficient transit routes and looked for ways to fund this service.



Transit Funding Challenges

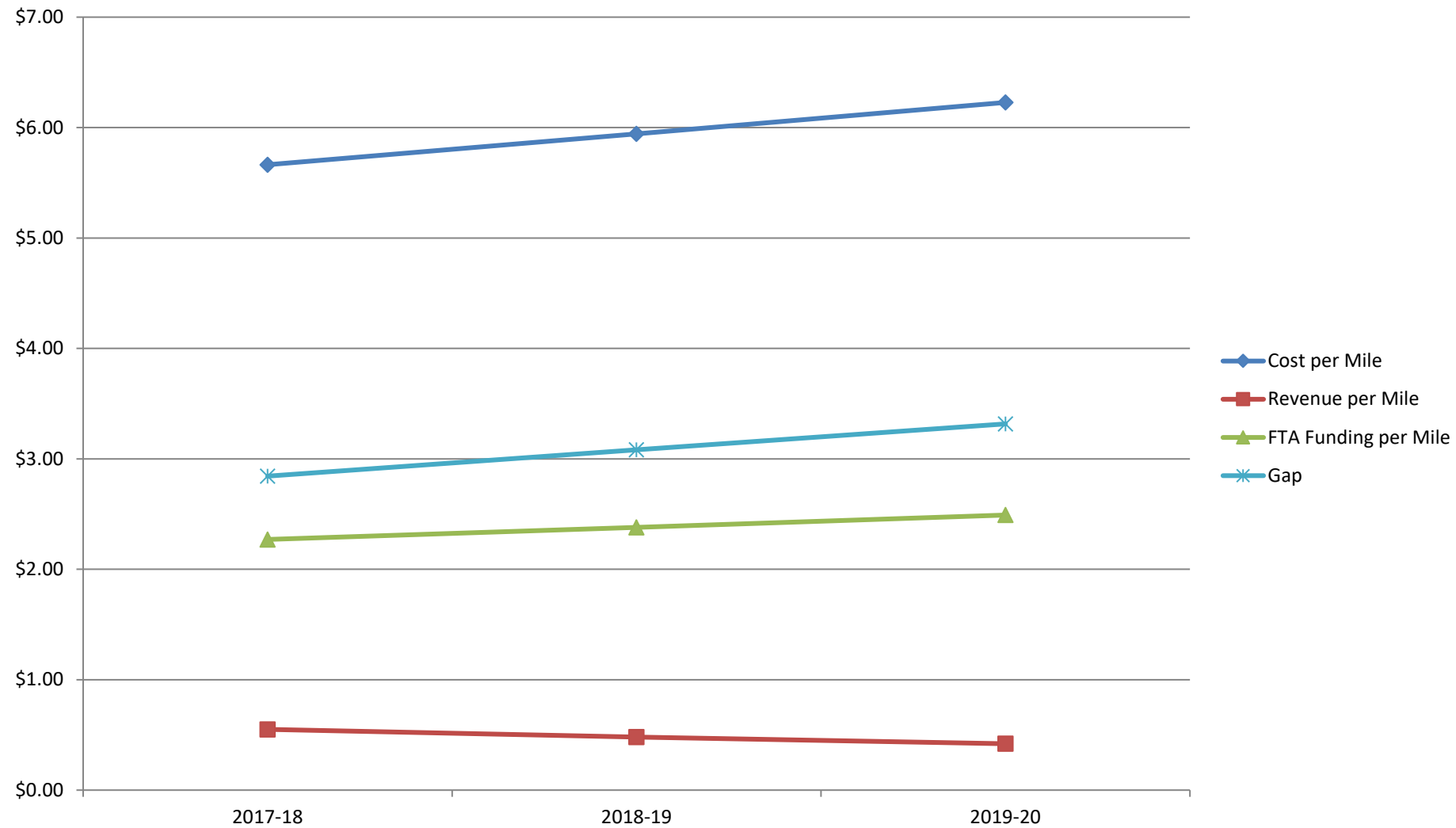
- 2008
 - 2-hour AM service break implemented
- 2012
 - Partnered with First Transit to operate service
- 2019
 - Reduced Truman 16 route – 1 AM & 1 PM
 - Reduced Saturday service
 - Reduced intra city fixed route by 1 hour; interlined Yellow & Orange
- 2020
 - Eliminated remaining Truman 16 route
 - Proposed elimination of all intra city fixed routes

2017-2020 Transit Cost and Revenues



Fare revenue decreased by approximately 24% while cost increased slightly above 10%

2017-2020 Transit Cost and Revenues



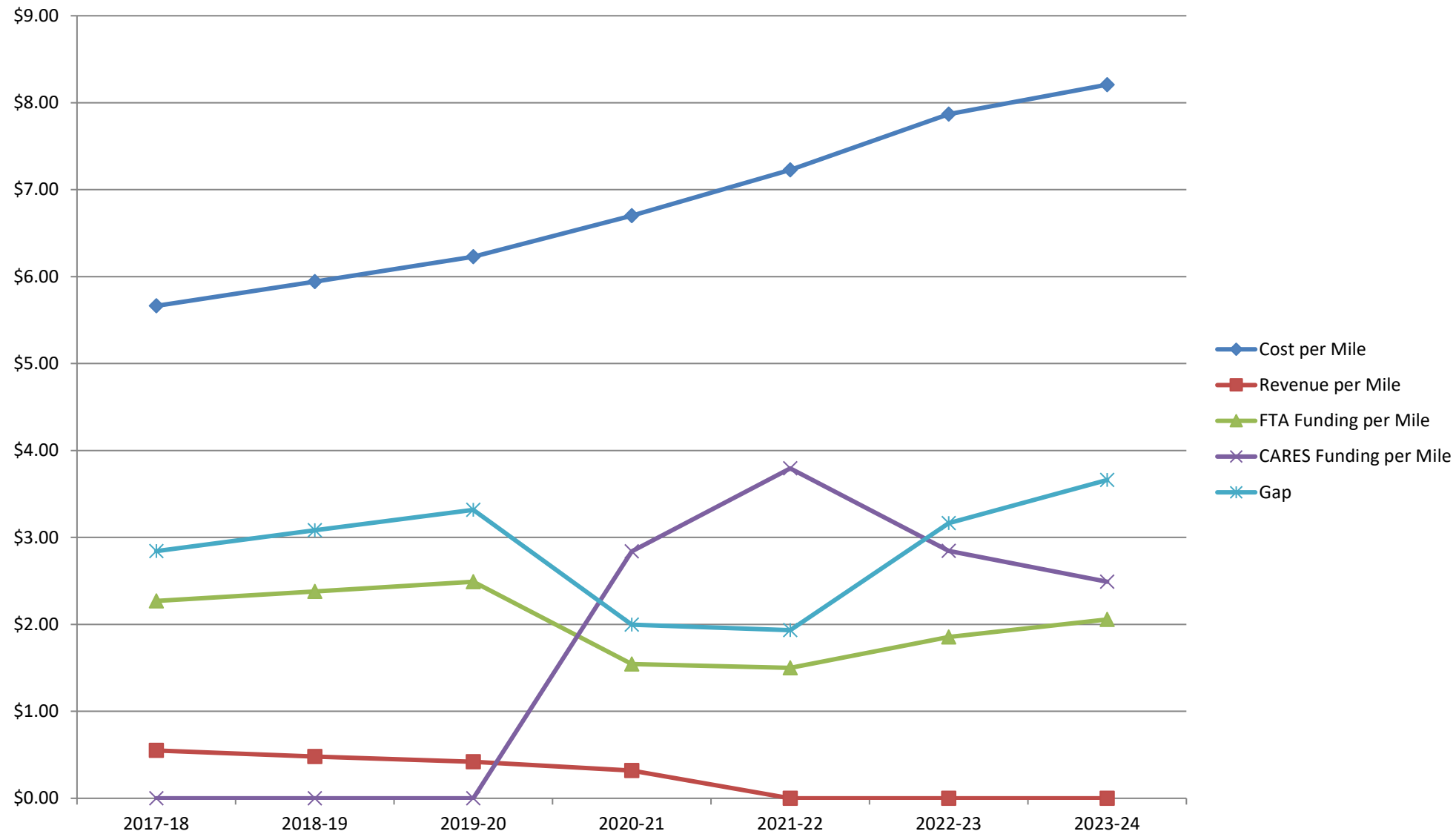
Funding gap
increased by 17%

Transit Funding Sources

- General Fund
- FTA 5307 funds
- From July 2020 – 2024
 - CARES - \$1,614,532
 - CRRSAA - \$1,118,580
 - Transit ARP - \$1,749,322
 - CDBG funding - \$701,384One-time funding = \$5,183,818

Funds had expenditure deadline of either 2023 or 2024.

2017-2024 Transit Cost and Revenues



Gap has grown from \$3.32 per mile in 2019 to \$3.66 per mile in 2023.

Without CARES funding, gap would have been \$6.15 per mile 2023.

Transit Funding Challenges

Initial Projections prepared in 2022

	Total Cost All Services	Grants & Federal Funds	General Funds Needed	
FY 22-23	\$2,745,195.62	\$1,651,396.83	\$1,093,798.79	5307, CRRSAA & Transit ARP funds
FY 23-24	\$2,882,455.40	\$1,637,703.47	\$1,244,751.93	5307, CRRSAA & Transit ARP funds
FY 24-25	\$3,098,639.56	\$927,718.00	\$2,170,921.56	5307 only
FY 25-26	\$3,331,037.52	\$927,718.00	\$2,403,319.52	5307 only
FY 26-27	\$3,580,865.34	\$927,718.00	\$2,653,147.34	5307 only

Transit Service Analysis

- In 2023, KCATA conducted a service analysis.
- Purpose to align transit services within budgeted amounts
- Options included combining current routes, removing fixed route service on Saturdays and decreasing frequency.
- Reductions in operations and frequency could be filled by IRIS.
- 4 Scenarios chosen
 - Ranged from a 40% - 70% reduction in service
 - No Orange/Yellow route, no Saturday, 2-hour headways

What is IRIS

- On demand mobility service
- Supplement existing service and/or increase mobility
- Flexible, user-friendly transportation experience
- Operates in a network of designated stops within an area. Stops could include existing RideKC stops or other locations
- Rides are booked through the app, over the phone or website.



Transit RFP

- RFP released May 1st; closed June 3rd
- 1 response received – First Transit
- Proposed cost 2-3 times higher than KCATA estimated
- All scenario costs were higher than current costs
- Cost ranged from \$2.04 million to \$2.5 million
 - For 40% to 70% reduction in service



Transit RFP Review

- Proposal thoroughly reviewed looking for areas to trim cost.
- Met with First Transit with the goal to look for ways to trim cost
 - Cost increase is attributable to their increased labor costs.
- We asked First Transit to provide cost for operating both fixed route and paratransit services within Independence.
 - Economies of scale.
- These cost slightly above if separate services
 - Year 1 – Fixed route & paratransit is over \$2.9 million

Estimated Cost

- 24 Route, First Transit provided Fixed Route & Paratransit with IRIS to supplement fixed route service reduction

	Total Cost All Services	Federal Funds	General Funds Needed
FY 25-26	\$4,266,725.00	\$927,718.00	\$3,339,007.00
FY 26-27	\$4,925,260.20	\$927,718.00	\$3,997,542.20
FY 27-28	\$5,609,793.79	\$927,718.00	\$4,682,075.79
FY 28-29	\$6,187,891.72	\$927,718.00	\$5,260,173.72
FY 29-30	\$6,367,340.58	\$927,718.00	\$5,439,622.58

Transit Options

- 24 Route along with Complementary Paratransit within $\frac{3}{4}$ mile and IRIS Citywide
- 24 Route, Citywide Paratransit and IRIS
- 24 Route, First Transit Fixed Route and Paratransit and IRIS

24 Route along with Complementary Paratransit & Citywide IRIS

- Lowest cost option
- No change to 24 route
- Complementary paratransit only operates within $\frac{3}{4}$ mile of 24 route
 - Significant impact to ADA and Non-ADA paratransit riders
 - Rides outside this area would need to switch to IRIS
 - Extra IRIS vehicles needed to meet demand and needs of paratransit users.
- Eliminates intra city fixed route service
 - Fixed riders would need to switch to IRIS
- IRIS used to pick up service reductions and frequency

24 Route along with Complementary Paratransit & Citywide IRIS

Estimated Annual Cost

24 Route along with Complementary Paratransit within 3/4 mile and IRIS Citywide	
24 Route	\$814,096
Paratransit within 3/4 mile	\$264,000
IRIS	\$861,120
Total Cost	\$1,939,216
IRIS Revenue	\$200,000
5307 Funds to 24 Route	\$650,000
Total FTA and Revenue	\$850,000
Estimated General Fund	\$1,089,216

24 Route, Citywide Paratransit and IRIS

- Middle price option
- No change to 24 route
- No change to ADA or Non-ADA paratransit operations
 - Re-Institute paratransit fare
- Eliminates intra city fixed route
 - Fixed riders would need to switch to IRIS
- IRIS used to pick up service reductions and frequency



24 Route, Citywide Paratransit and IRIS

Estimated Annual Cost

24 Route, Citywide Paratransit and IRIS	
24 Route	\$814,096
Paratransit Citywide	\$763,000
IRIS	\$804,192
Total Cost	\$2,381,288
IRIS Revenue	\$250,000
Paratransit Fare Revenue	\$65,000
5307 Funds to 24 Route	\$650,000
Total FTA and Revenue	\$965,000
Estimated General Fund	\$1,416,288

24 Route, First Transit Fixed Route and Paratransit and IRIS

- Most expensive option
 - More than 2x current budget amount
- No change to 24 route
- No change to ADA or Non-ADA paratransit
- Intra city fixed route service remains
 - Significant service reductions
- Some fixed riders may need to switch to IRIS

24 Route, First Transit Fixed Route and Paratransit and IRIS

Estimated Annual Cost

24 Route, First Transit Fixed and Paratransit and IRIS	
24 Route	\$814,096
First Transit Fixed	\$1,946,797
First Transit Paratransit	\$989,160
IRIS	\$516,672
Total Cost	\$4,266,725
<hr/>	
IRIS Revenue	\$75,000
5307 Funds to 24 Route	\$650,000
5307 Funds to First Transit Fixed	\$277,718
Total FTA and Revenue	\$1,002,718
<hr/>	
Estimated General Fund	\$3,264,007

Staff's Recommendation

- 24 Route with Citywide Paratransit and IRIS
 - Costs falls within budget amounts
 - No change to 24 route
 - No change to ADA or Non-ADA paratransit operations
 - IRIS is a more modern and convenient service
 - Increases mobility over fixed route
 - On demand service
 - Cost shared between rider and City.
 - Re-Institute fares for paratransit and charge fares for using IRIS

Adventure Oasis Water Park Discussion



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Discussion Points

- Background Information for Adventure Oasis (AO)
- Income & Expenditures
- Operational Cost Increases
- Capital Needs
- Attendance
- Follow-up Items from 2023
- Financial Viability of AO
- Recommendations

Background Information

- Adventure Oasis Water Park opened in 2005
- Always managed by a 3rd party vendor
- Capacity is 1,600
- No new water features added since opening in 2005
- Closed for 2020 season due to COVID
- Resident-only policy implemented for a portion of the 2021 season, and all of the 2022 and 2023 seasons
- No residency requirement for the 2024 season

AO Income/Expenditure Analysis

Fiscal Year	Revenues	PRT Staff Salaries & Benefits	Management Fees (MPM)	Salary Fees (MPM)	All Other Expenditures	Total Expenditures	Net Income/ (Loss)
FY19	\$458,697	\$155,427	\$77,785	\$295,952	\$338,840	\$868,004	(\$409,307)
FY20*	\$257,887	\$141,826	\$56,775	\$193,495	\$139,254	\$531,350	(\$273,463)
FY21*	\$219,855	\$135,784	\$40,356	\$173,108	\$69,021	\$418,269	(\$198,414)
FY22	\$337,741	\$168,888	\$81,722	\$386,647	\$161,196	\$798,453	(\$460,711)
FY23	\$377,338	\$177,160	\$86,963	\$510,589	\$282,819	\$1,057,531	(\$680,193)
FY24	\$439,389	\$170,304	\$85,856	\$537,009	\$242,044	\$1,035,213	(\$595,824)
FY25**	\$185,018	\$76,376	\$43,455	\$266,728	\$111,397	\$497,956	(\$312,938)

*The 2020 season was not opened due to COVID so numbers for FY20 & FY21 are impacted.

**FY25 reflects the second half of the 2024 season only. Numbers are not final for the season.

Reasons for Increasing Cost of Operations (1 of 2)

- Staffing Cost Increases:
 - Increased lifeguard pay in order to fill vacancies. This added \$258,800 to the cost over the 2023 and 2024 seasons.
 - Added training reimbursement for lifeguard certification. This added \$25,000 to the cost over the 2023 and 2024 seasons.
 - 61% increase in Missouri Minimum Wage from 2015 to 2024

Reasons for Increasing Cost of Operations (2 of 2)

- Maintenance Cost Increases:
 - Pump room repairs and replacement parts
 - Slide repairs
 - Water retention repairs
 - Landscaping
- Supplies, Materials Cost, and Inflation:
 - Chemicals, tubes, paint, lounge chairs, umbrellas, etc.

AO Capital Not Included In GO Bond

- April 2025 ballot – Proposed \$250 million General Obligation (GO) Bond
 - Current list of GO Bond projects includes \$75 million for a new Recreation Center
 - Anticipate new Recreation Center would include year-round indoor aquatics
- \$8.4 million in Capital needs for AO are not currently included in the \$250 million GO Bond proposal nor in the FY25 Adopted Budget

Capital Costs excluding Operations

Priority	Low Estimate	High Estimate	
1	\$901,029	\$1,293,330	Items that must be addressed prior to opening in May 2025. This includes health and safety issues and code requirements.
Total Priority 1		\$1,293,330	Must be done to open in May 2025.
2	\$68,700	\$154,600	Improvements that would enhance the visitor experience.
3	\$6,209,600	\$6,964,700	Includes new features that would help keep the waterpark competitive with surrounding municipalities. The 2010 Parks Master Plan called for a new feature every five years. Nothing new has been added since the park opened.
Total Priority 2 & 3	\$6,278,300	\$7,119,300	Improvements to enhance the visitor experience and enable AO to remain competitive with surrounding water parks.
Grand Total	\$7,179,329	\$8,412,630	

AO Attendance by Season

Season	Attendance by Season	Season Pass Holders	Notes
2018	65,972	5,218	Open to all
2019	61,820	3,207	Open to all
2020	0	0	Closed due to COVID
2021	38,940	2,654	Mix of Open to all/Residents only
2022	42,944	2,337	Residents only
2023	44,767	3,096	Residents only
2024	45,660	3,080	Open to all

- *82% of attendance is daily pass sales for the 2024 season*
- *Attendance is highly dependent on weather.*

City Staff Follow-up Items from 2023

At the October 9, 2023 Study Session, a Councilmember's proposal to provide free passes to City residents led to a lengthy discussion and follow-up items for City staff:

- Staff was asked to provide recommendations on implementing free passes to City residents
- Staff was asked to provide information to Park Commission and ask for their feedback
- Staff was requested to take a deeper look at the financial viability of AO and present information to the Audit & Finance Committee

Park Commission Recommendation October 2023

- Open AO to non-residents for the Summer 2024 season.
- Utilize recommendations from the 2024 Parks & Recreation Master Plan to make long-term decisions for AO.
- AO is already operating at a significant loss and the Park Commission did not recommend proceeding with free passes or coupons.

Audit & Finance Recommendation

- In November 2023, the Audit & Finance Committee recommended opening the water park to non-residents one final season to allow time to plan for a replacement asset.

Financial Impact to Keep AO Open

Based on the Audit & Finance Committee recommendation, AO revenues of \$254,982 and operational costs of \$410,757 for Spring 2025 (March through June) were not budgeted. Also, funds are not budgeted for the \$1,293,330 in life safety repairs that cannot be deferred any longer.

To open the waterpark next May, an additional \$1,449,105 in funding needs to be identified in FY25.

Options could include:

- Identify new funding source.
- Utilize fund balance. This is a temporary stop-gap as fund balance would fall below the 16% reserve in FY26.
- Eliminate or drastically reduce programs and staffing in the Department.

Staff Recommendation

- Based on the continual financial losses, unfunded deferred capital investment needed, the end of the management contract in December 2024, and the limited impact of operating for 12 weeks per year, staff recommends closing Adventure Oasis Water Park.



Questions?

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City of Independence, Missouri 2025 State Legislative Agenda

The 2025 City of Independence State Legislative Agenda is a policy document expressing the positions of the City of Independence for the 2025 Missouri General Assembly Session. It is not intended to be either an exclusive or an all-inclusive document, but rather captures the major policy positions of the City. In general, the City of Independence supports local control of issues that local governments are best positioned to address for the needs of their local constituents and welcomes regional cooperation on issues of mutual interest.

TOP LEGISLATIVE PRIORITIES

The following are the top legislative priorities for the City of Independence for the 2025 legislative session. The corresponding pages in the policy provide additional information:

1. The City opposes any changes to Economic Development tools, such as Community Improvement Districts (CID) that would hamper development and redevelopment. (Page 3).
2. The City opposes any reductions, caps or altering of the local sales tax rate. (Page 4).
3. The City opposes any legislation that takes away the right of cities to manage public rights of way including the regulation of pole attachments. (Page 6)
4. The City supports increased funding for mental health services in Independence and Eastern Jackson County including funding for the Missouri 988 program. (Page 5).

Contacts:

Richard Sheets
Missouri Municipal League (MML)
(573) 635-9134 (Office)

Zachary Walker, City Manager
(816) 325-7170 (Office)
zwalker@indepmo.org

John Mayfield, CMO
(816) 325-7394 (Office)
jmayfield@indepmo.org

Contents

TOP LEGISLATIVE PRIORITIES	1
ECONOMIC DEVELOPMENT	3
Business Incubation	3
Financing Tools.....	3
Pay Day Loans.....	3
FINANCE	4
Sales Tax Caps.....	4
Unfunded Mandates	4
Appropriate Fines	4
Driver’s License Suspension.....	5
PUBLIC SAFETY	5
Crisis Intervention Teams.....	5
Mental Health	5
Ground Emergency Medical Transportation.....	6
TOURISM	6
Short-Term Rentals	6
UTILITIES.....	6
Telecommunications Issues	6



STATE LEGISLATIVE POLICY

ECONOMIC DEVELOPMENT

Business Incubation

The City supports legislation that promotes startup businesses, including business opportunities for graduates from the Ennovation Center. The Independence Regional Ennovation Center formerly housed the Independence Regional Hospital. In 2007 the hospital announced its closure, and community leaders worked together to repurpose the building. The Ennovation Center opened in 2010 and has housed over 60 startup businesses. Resources are needed to help tenants graduate into expansion spaces within the community. Research confirms that new and young businesses create most of the new jobs nationwide.

Financing Tools

The City opposes any changes in state law that would restrict the flexibility of cities to use financing tools to promote economic development in their communities. The ability to utilize Community Improvement Districts (CID), Chapter 353 tax abatement, and Transportation Development Districts (TDD) is critical for development and redevelopment in Independence. This is especially true in blighted or distressed areas that would not otherwise support investment at market rates. These tools are essential to communities throughout Missouri when engaging in public improvement and economic development projects.

Pay Day Loans

The City supports legislation to control payday loan interest rates. The City has zoning codes to limit the number and types of businesses that profit from loaning money to low-income people. The City supports legislation to cap the amount of interest that may be charged by payday and car title loan companies. According to the State Commissioner of Finance's report to the Governor, the average interest rate for payday loans in Missouri in 2023 is 365.07%.

FINANCE

Sales Tax Caps

The City opposes legislation to limit or cap sales tax rates. In 1980 Missouri voters approved the “Hancock Amendment” to the Missouri Constitution Article X Section 22. This provision states that a majority of the qualified voters of the political subdivision must vote to approve any increases in local taxes. In the last several years several bills were filed that would cap or otherwise alter sales taxes. This legislation would tie the hands of local leaders in addressing future needs and could result in the reduction or elimination of City services that our citizens require and have come to expect.

Sales Tax Exemptions

The City opposes legislation to expand sales tax exemptions. In 2016, voters approved a constitutional amendment to prohibit local governments from asking voters to expand sales taxes beyond goods. It is important to preserve the existing tax base to ensure stable local revenues to deliver crucial municipal services. Further exemptions threaten to erode revenues generated by retail sales.

Unfunded Mandates

The City opposes legislation that impose state mandated costs for which there is no guarantee of local reimbursement or other related benefits. The City welcomes open dialogue with members of the General Assembly regarding the burden of unfunded mandates on the daily operations of local governments.

MUNICIPAL COURT

Appropriate Fines

The City supports legislation to raise municipal court fines to \$500 in order to be a deterrent to criminal behavior and offset the staff time dedicated to processing criminal offenses.

The City has experienced increased numbers of serious violations, including fraudulent use of credit cards, bad checks, assaults, and stealing cases that are now handled in municipal court. The City supports raising fines up to \$1,000 for cases that could be filed as felonies, such as possession of methamphetamines, possession of heroin and car thefts. Municipal courts in Jackson County are processing more of these serious offenses.

Driver's License Suspension

The City supports legislation to allow municipal courts to suspend driver's licenses for offenders who fail to pay court fines and/or appear in court.

Several loopholes exist in state law which allow those found guilty of certain "minor traffic violations" to avoid compliance with judicial renderings in municipal court, thereby eliminating any real incentive for an offender to comply with state and local laws. With the passage of Senate Bill 5 in 2015, municipal courts lost much of their enforcement authority, including the ability to suspend in-state driver's licenses for non-compliance with judgments. In the past four years, Independence has experienced a considerable decline in compliance. This poses a real threat to public safety since traffic offenders understand they can ignore tickets and judge's verdicts with little consequence. This is especially important to communities like Independence with multiple major state and federal highway routes.

PUBLIC SAFETY

Crisis Intervention Teams

The City supports legislation for sustainable funding and partnerships to expand Crisis Intervention Teams for local law enforcement. Crisis Intervention Teams (CITs) are police officers trained to safely respond to persons with mental illness in crisis. As a result, those persons receive appropriate access to emergency, inpatient, and community-based mental health treatment services instead of jail time. The Independence Police Department currently has grant funding to support one CIT officer, but the need far exceeds this single resource and finite funding stream. Based on a recent Community Health Assessment and feedback received through the Community Health Improvement Planning process, the Independence Health Department identified mental health as one of the top health priority areas for Independence.

Mental Health

The City supports increased funding for Mental Health Services in our community. 1 in 5 adults and 1 in 6 youth in the United States experience a mental health disorder each year. The 2022 Independence Health Assessment indicated that Mental Health was one of the top public health concerns by our residents. Independence has a higher suicide rate than Eastern Jackson County, Kansas City, the State of Missouri, and the United States in 2020. Increased funding options for the Missouri 988 hotline is expected to divert individuals in a mental health crisis away from law enforcement, emergency, and hospital resources potentially reducing the burden on these systems.

Ground Emergency Medical Transportation

The City of Independence supports legislation that would provide reimbursement for any agency that provides emergency medical transport services for a particular area. This legislation would allow the City of Independence to appreciate these funds from the state of Missouri through the Center for Medicaid and Medicare Services (CMS) if it chose to provide this service in the future.

TOURISM

Short-Term Rentals

The City opposes any legislation that would limit the authority of local governments to regulate short-term rentals. Communities like Independence are increasingly seeing owner-occupied homes used as short-term rentals for short-term stays through websites such as Airbnb and VRBO. Short-term housing can benefit local economies by increasing tourism and the affordability of housing. Cities need flexibility to regulate short-term rentals in a way that best meets the needs of the local community.

UTILITIES

Telecommunications Issues

The City opposes any legislation to limit local control of telecom attachments to municipally-owned utility facilities.

Independence Power & Light has the responsibility of managing the safe and reliable delivery of electrical power to Independence ratepayers. This mission is often complicated by the competing needs of telecommunications companies that seek to attach to utility poles and related rights-of-way and infrastructure. The City has worked closely with telecommunications providers to develop new ordinances and applications to accommodate small cell wireless attachments on utility poles. The City must maintain authority to impose reasonable regulations to protect its assets and the public interest.