

Exhibit B

Small Project Storm Water Grant Program

Program Eligibility and Information

A. The owners of any property (collectively, Property Owner(s)) located within the City of Ladue (the City), may apply for a grant from the storm water account fund (the Fund) as allocated by the City Council to the Ladue Storm Water Grant Program (the Grant Program), to cover up to 50% of the total Property Owner(s)' eligible costs, up to a maximum of \$25,000 per project, to design, review, install, and inspect a City-approved storm water project (a Project) under the Grant Program. The minimum Project cost is \$5000 with a City match of \$2500.

B. Each fiscal year a maximum of up to \$50,000 may be allocated to the Fund to be used for Project(s) approved for the then applicable fiscal year under the Grant Program for Property Owner(s) whose Project(s) are eligible for reimbursement as set forth in this Grant Program. The amount allocated to the Grant Program shall be determined annually by the City Council as part of its approval of the City's fiscal year budget. Amounts allocated under the Grant Program which are not expended during the applicable fiscal year shall not be cumulative nor added to the Grant Program for the following fiscal year.

C. The Grant Program is designed to assist Property Owner(s) in completing small storm water projects on their property that alleviate storm and surface water problems through the use of appropriately designed improvements that meet requirements under relevant law, are consistent with the City's Storm Water Ordinance and Storm Water Master Plan (the "Plan"), and result in a material and substantial improvement in the impact of storm and surface water for Property Owner(s). A Project, if approved, must result in sustained improvements and are not subject to modification without City approval.

D. All Projects submitted for consideration and participation in the Grant Program shall be reviewed, prioritized, and approved by the Director of Public Works (the "Director") and the Storm Water Advisory Committee (the "Committee"), under the scope and requirements of the Grant Program and the Storm Water Ordinance. Each fiscal year the Director and the Committee shall review all submitted proposed Projects and will either approve eligibility of a Project or deny eligibility and reject it. Projects that are determined to be eligible will then be prioritized in order of the date the completed application is approved. Projects approved for eligibility but which are not funded for reimbursement by the City during that fiscal year will be carried over to the next fiscal year upon a written request by the Property Owner(s) to do so subject to funding allocated to the Grant Program by the City Council during the budgeting process. Approved Projects will be prioritized and placed on an approved Project list and ranked on a first-approved, first-served basis, using the final application approval date of a completed application.

Procedure for Project Approval

To be considered for Project approval and eligibility in the Grant Program, Property Owner(s) must submit a fully completed and executed application containing all information, materials and documents as described and/or required in this Grant Program to the Director prior to commencement of any storm water remediation work. A meeting and site visit with the Director is

mandatory prior to submission of an application to enable the Property Owner(s) to understand whether the Project is eligible as well as to identify all information necessary to be submitted.

An executed application form, obtained from the City, must be submitted to the Director by the Property Owner(s) together with all required additional information described in the Grant Program. To be considered complete, an application must include, at a minimum, the following information as well as the information identified infra in the process for Project approval:

1. The Property Owner(s)' name(s), property address, telephone number, e-mail address, and the contact information of primary contact person.
2. A statement describing the specific issues, problems or concerns regarding surface or storm water on the subject property that is proposed to be addressed.
3. A description and scope of the proposed corrective action, including a formal site plan or a sketch showing the proposed actions, work or improvements to be performed on the property.
4. The formal site plan or a sketch to include:
 - A detailed plan and scope for proposed storm water remediation (e.g., Rain Gardens, Drain Berms, and Yard Inlets).
 - The specific location and scope of the proposed work and remediation improvements on the property.
 - The direction of storm and surface water drainage flow with directional arrows.

Process for Project Approval

Applicants shall be notified by the City if a Project is eligible for the Grant Program, and if so notified, the Property Owner(s) shall take the following additional steps identified below to complete the approval process. Applicants that are notified as eligible but whose Project is unable to be funded in the current fiscal year will be placed on a wait-list until funding is available whether during the then current fiscal year or carried over to the next fiscal year. Applicants whose Projects are approved but choose not to proceed must reapply in the future.

1. No application will be considered as submitted until it is complete with all necessary information included. Prior to Project approval applicants shall:
 - a. Submit a formal and complete engineering plan prepared by a licensed Missouri professional civil engineer or landscape architect with the necessary scope and design requirements for review.
 - b. Obtain any required permits, easements or other information required by other governmental agencies or permitting authorities, such as the St. Louis Metropolitan Sewer District, U.S. Army Corps of Engineers, or the Missouri Department of Natural Resources.
 - c. Submit any necessary easements required by the City, fully executed and in recordable form.

- d. Submit signed agreements from all adjacent property owners for the work to be performed including any necessary temporary easements.
2. Upon approval of a formal application, eligible applicants shall obtain and submit a minimum of three comparable bids from contractors which are fully capable of completing the proposed work for the Project in a workmanlike manner in full compliance with the scope of work and applicable law and regulations.
3. All Project improvements shall be located within easements created and dedicated to the City. Proposed easements for this purpose shall be submitted together with the plan for Project approval. Recorded easements must be submitted with recording receipts before reimbursement will be made.
4. Property Owner(s) are responsible for directly hiring and paying the contractor to perform the work and assuring that the contractor completes the Project pursuant to the approved plan, scope and specifications. It is expressly understood that the City has no responsibility to the contractor for payment, which is the sole responsibility of the Property Owner(s).
5. Upon completion of the work, and before any reimbursement is made by the City, the Property Owner(s) shall provide to the Director, for review and approval, the following:
 - a. Written verification by the Property Owner(s) of completion of the work by the Property Owner(s)' contractor and compliance with Project documents and requirements:
 - b. Paid receipts or invoices identifying the necessary detail and itemization for the materials and work done by the contractor, with fully executed and completed lien waivers and releases from the contractor, subcontractors and material suppliers; and
 - c. A copy of required recorded easements.

Scope of City Review

- A. The Director and the Committee will review the completed application together with the information submitted by the Property Owner(s). The Director, after Committee approval, will notify the Property Owner(s) of the eligibility of the proposed Project as either:
 1. Accepted with funding available;
 2. Accepted with funding not available and placed on the wait-list;
 3. Not eligible and denied.
- B. Accepted Projects will be prioritized by submission date. Projects eligible for funding in the current fiscal year may be approved pending submission of any required additional information, as set forth herein. Approved Projects that cannot be funded during the current fiscal year shall be put on a waitlist and may be approved if funding becomes available.

- C. For Projects accepted and approved for funding, Property Owner(s) must submit all additional required information as set forth herein. Upon submission of all required information for approval, the Director will review the formal plan and information to assure the Project and proposed work meets all requirements under applicable law, regulations and ordinances and is consistent with the Project.
- D. After approval of the Project plan and submission of the required proposals and bids from the Property Owner(s)' contractors, the Director will review the contractor submissions and the proposed eligible project costs.
- E. Upon completion of the Project work and submission of all final information required for reimbursement, the Director will perform a final inspection to verify that the Project was completed as designed and is in full compliance with the scope of the work, applicable law and regulations, and the Project plan.
- F. Upon proof of payment in full by the Property Owner(s) of all costs and expenses of the Project and submission of itemized bills, invoices and recorded easements, the City shall reimburse the Property Owner(s) for 50% of the total eligible Project costs, but no more than \$25,000 for any Project regardless of the total Project cost. The minimum Project cost is \$5,000 with a City match of \$2,500.

Reimbursement Costs

The following costs are authorized for reimbursement under the Grant Program, in a total amount not to exceed the lesser of 50% of the total approved or \$25,000:

1. The cost of demolition or removal of any site improvements (i.e. fences, sidewalks, driveway, etc.) necessary for excavation and installation of the improvements.
2. The cost of restoration of any section of sidewalk, driveway, or landscaping required to be removed by the work.
3. The cost of the improvements themselves.
4. The cost of necessary professional services employed for survey, design and engineering related to the proposed improvements.

Non-Eligible Costs

The following costs are not eligible for reimbursement under the Grant Program:

1. The cost of interior clean-up or any damage to the interior of a home, building or personal property caused by the construction or installation of the improvements.
2. Any lost wages or income to the Property Owner(s) or any occupant due to absence from work or time necessary to accommodate the City or contractors to complete the Project plan.

3. Flowers, bushes, trees, landscaping, turf, and other similar yard improvements unrelated to or not reasonably necessary for the storm water mitigation Project plan.
4. Utilities, lawn irrigation systems, low voltage wiring and high voltage wiring and other similar equipment, materials or related devices unrelated to the storm water mitigation Project plan.

The City may periodically amend these guidelines in the best interests of the City and its property owners as allowed by Missouri law.