

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 240642

Authorizing the City Manager to execute a Contribution Agreement with DTC Community Development, Inc. in connection with the South Loop Link Project (“Project”); estimating revenue in the amount of \$1 million and appropriating the same to the Project account; authorizing the City Manager to execute Contract Amendment No. 3 with HNTB in an amount not to exceed \$11,203,000.00 for Design Professional Services in Connection with the Project; authorizing the City Manager to expend the sum of \$11,203,000.00 in connection with the Contract Amendment No. 3, referenced herein; and recognizing an accelerated effective date.

WHEREAS, on June 8, 2023, the City Council approved Committee Substitute for Ordinance No. 230477 appropriating the amount of \$10 million from the Convention and Sports Complex Fund for the purpose of funding the City’s contribution to the Project; and

WHEREAS, on May 23, 2024, the City Council approved Committee Substitute for Ordinance No. 240450 authorizing the City Manager to execute a funding agreement with the Missouri Department of Economic Development, which agreement provided funding in the amount of \$28.6 million to the Project; and

WHEREAS, DTC Community Development Inc. has secured private contributions to the Project and the City and DTC CD, Inc. agree that it is best to allocate a portion of contributions received to the Project; and

WHEREAS, on March 2, 2024, the City Council adopted Ordinance No. 240225 authorizing the City Manager to execute an Assignment and Assumption Agreement in connection with a contract between the Port Authority of Kansas City (PortKC) and HNTB which agreement provided for the completion of 30% design and National Environmental Policy Act (“NEPA”) documentation for the Project; and

WHEREAS, the City and HNTB now wish to amend a certain Design Professional Services Agreement to advance the project to 60% design; NOW, THEREFORE;

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY

Section 1. That the City Manager is authorized to negotiate and execute a Contribution Agreement with DTC Community Development Inc. for the purpose of accepting private contributions for the Project.

Section 2. That the revenues in the following account of the Capital Improvements Fund are hereby estimated in the following amount:

25-3090-898044-477777-89022041	South Loop over I-670	\$1,000,000.00
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Section 3. That the sum of \$1,000,000 is here by appropriated from the Unappropriated Fund Balance of the Capital Improvements Fund into the following account:

25-3090-898044-B-89022041 South Loop Project Account \$1,000,000.00

Section 4. That the City Manager is hereby authorized to execute Contract Amendment No. 3 with HNTB in the amount of \$11,203,000.00 for completion of 60% design of the South Loop Project.

Section 5. That the City Manager is hereby authorized to expend the sum of \$11,203,000.00 for this contract as follows from funds herein appropriated and funds previously appropriated to the following accounts:

25-3091-895114-B-89022041	South Loop Project	\$ 4,000,000.00
25-3090-898044-B-89022041	South Loop Project	1,000,000.00
25-5370-638027-B-63SLOOPLINK24	Special Projects – South Loop Link	<u>6,203,000.00</u>
	TOTAL:	\$11,203,000.00

Section 6. That this ordinance, relating to the design, repair, maintenance, or construction of a public improvement, is recognized as an ordinance with an accelerated effective date as provided by Section 503(a)(3)(D) of the City Charter and shall take effect in accordance with Section 503, City Charter.

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.



Authenticated as Passed

[Signature]

Quinton Lucas, Mayor

[Signature]
Marilyn Sanders, City Clerk

AUG 01 2024

Date Passed

Tammy L. Queen
Director of Finance

Approved as to form:

[Signature]

Dustin Johnson
Associate City Attorney