

ORDINANCE NO. \_\_\_\_\_

Authorizing the City Manager to enter into a supplemental Cost Apportionment Agreement with the Missouri Highways and Transportation Commission (MHTC) for the U.S. 169 "Buck" O'Neil Bridge over the Missouri River Project; authorizing the City Manager to enter into a supplemental Real Estate Purchase Agreement with the MHTC related to the Oxford on the Blue development on 87<sup>th</sup> Street; and authorizing the City Manager to enter into a supplemental Cooperative Agreement with the MHTC for Bartle Hall over I-670.

WHEREAS, Ordinance No. 180068 authorized the City Manager to enter into a Cost Sharing Agreement with MHTC for the U.S. 169 "Buck" O'Neil Bridge over the Missouri River project to complete short term repairs on the existing bridge and to complete the environmental assessment necessary to construct a new bridge; and

WHEREAS, the parties desire to enter into a supplemental cooperative funding agreement recommitting the city's obligation to pay 50% of costs for the short term repairs and environmental assessment necessary to construct a new bridge totaling \$2,400,000 and \$941,673.42 respectively; and

WHEREAS, Ordinance No. 120102 authorized the City Manager to enter into a Real Estate Purchase Agreement with the MHTC related to the Oxford on the Blue development on 87<sup>th</sup> Street; and

WHEREAS, the MHTC conveyed property to the City necessary to enable the Oxford on the Blue development; and

WHEREAS, the Oxford on the Blue development was unable to create 36 jobs as a requirement for the property conveyance with a defined reimbursement to the MHTC of \$778,000 if the stated number of jobs were not created; and

WHEREAS, the parties desire to enter into a supplemental Real Estate Purchase Agreement authorizing the City's payment for the claw-backs related to jobs that were never produced by planned development; and

WHEREAS, Ordinance No. 050300 authorized the City Manager to enter into a Cooperative Agreement with the Missouri Highways and Transportation Commission for Bartle Hall over I-670 and defined MHTC's reimbursement to the City of \$7,500,000; and

WHEREAS, the parties desire to enter into a supplemental Cooperative Agreement reducing the MHTC's reimbursement to the City by an amount equal to the amount owed to the MHTC for the City's obligations for the Buck O'Neil bridge and Oxford on the Blue development totaling \$4,119,673.42 leaving an amount owed by the MHTC to the City of \$3,380,326.52; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY

Section 1. That the City Manager is hereby authorized to execute a supplemental Cost Apportionment Agreement with the Missouri Highways and Transportation Commission for the U.S. 169 "Buck" O'Neil Bridge over the Missouri River project.

Section 2. That the City Manager is hereby authorized to enter into a supplemental Real Estate Purchase Agreement with the MHTC related to the Oxford on the Blue development on 87<sup>th</sup> Street; authorized to enter into a supplemental Cooperative Agreement with the MHTC for Bartle Hall over I-670; and authorized to enter into a supplemental Cooperative Agreement with the MHTC for Bartle Hall over I-670.

Section 3. That the Director of Public Works receive reimbursement from MODOT in the amount of \$3,380,326.52 previously estimated in the account 3090-898014-485450-89007585.

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.

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Tammy L. Queen

Director of Finance

Approved as to form and legality:

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Nelson Munoz

Senior Associate City Attorney