

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 150549

Authorizing the Director of Public Works to execute a \$1,250,000.00 Funding Agreement with the Tax Increment Financing Commission for improvements to Shoal Creek Parkway from N. Holly Avenue to Platte Purchase Drive; authorizing for improvements to Shoal Creek Parkway the expenditure of the remaining \$594,457.21 previously appropriated and allocated by Ordinance 140292; authorizing the Director of Public Works to enter into a Reimbursement Prioritization Agreement with the Tax Increment Financing Commission and Hunt Midwest Real Estate Development, Inc. for the prioritization of Tax Increment Financing funds for the Old Tiffany Springs Road Bridge over I-29; waiving the requirement of Section 68-446(d)(2) of the City's Code of Ordinances for the public improvements advisory committee to make a recommendation to the City Council; and recognizing this ordinance as having an accelerated effective date.

WHEREAS, improvements to Shoal Creek Parkway are one of the top roadway priorities identified by the Twin Creeks Task Force; and

WHEREAS, funds have been allocated toward improving Shoal Creek Parkway from Platte County, Missouri, the Tax Increment Financing Commission of Kansas City, Missouri, Impact Fee District A, and Hunt Midwest Real Estate Development, Inc.; and

WHEREAS, Ordinance No. 150278 allocated \$150,000.00 of Impact Fee District A funds for the improvement of Shoal Creek Parkway; and

WHEREAS, Council District 2 allocated \$1,100,000.00 in PIAC funds in FY 2015-2016 for the construction of Shoal Creek Parkway; and

WHEREAS, Ordinance No. 140292 authorized the expenditure of \$1,800,000.00 of Council District 2 Public Improvement Advisory Committee (PIAC) funds for the Platte Purchase Park branch sewer improvements which were completed under budget; and

WHEREAS, \$594,457.21 remains in the Tax Increment Financing Commission project account for the Platte Purchase Park branch sewer improvements and is available for re-allocation and use towards constructing the improvements to Shoal Creek Parkway; and

WHEREAS, it is the desire of the City Council to reallocate these remaining project funds to the construction of Shoal Creek Parkway; and

WHEREAS, Section 68-446(d)(2) of the City's Code of Ordinances requires the PIAC to make a recommendation to the City Council for final approval of any transfer of sales tax receipts greater than \$500,000 even if all of the funds are in-district neighborhood conservation funds; and

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WHEREAS, all funding for the Platte Purchase Park branch sewer project and the Shoal Creek Parkway project originated from Council District 2 neighborhood conservation funds and no citywide sales tax funds have been allocated to either project account; and

WHEREAS, the City Council finds Section 68-446(d)(2) of the City's Code of Ordinances can be waived in this matter because all funding for the project is Council District 2 neighborhood conservation funds and passage of this ordinance will allow the Tax Increment Financing Commission to complete Shoal Creek Parkway construction this year rather than impacting and inconveniencing residents over the winter and next summer; and

WHEREAS, The Tax Increment Financing Commission of Kansas City, Missouri KCI Corridor Tax Increment Financing Plan has budgeted \$5,500,000.00 towards the Old Tiffany Springs Road Bridge over I-29 which will be appropriated prior to appropriating funds for Shoal Creek Parkway; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of Public Works is hereby authorized to execute a \$1,250,000.00 Funding Agreement with the Tax Increment Financing Commission of Kansas City, Missouri for improvements to Shoal Creek Parkway from N. Holly Avenue to Platte Purchase Drive located in the Twin Creeks KC area. A copy of the agreement is located in the office of the Director of Public Works.

Section 2. That the Director of Public Works is hereby authorized to expend \$1,250,000.00 from funds hereby and previously appropriated to the following accounts to satisfy obligations in the Funding Agreement with the Tax Increment Financing Commission:

16-2430-897241-B-89008237	Shoal Creek Parkway – Platte Purchase to N Holly	\$ 150,000.00
16-3090-898207-B-89008237	Shoal Creek Parkway – Platte Purchase to N Holly	<u>1,100,000.00</u>
	TOTAL	\$1,250,000.00

Section 3. That the remaining \$594,457.21 previously appropriated and allocated by Ordinance 140292 is authorized for use on improvements to Shoal Creek Parkway from N. Holly Avenue to Platte Purchase Drive located in the Twin Creeks KC area.

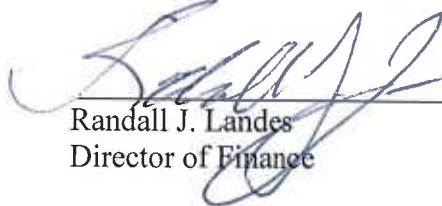
Section 4. That the Director of Public Works is hereby authorized to execute a Reimbursement Prioritization Agreement with the Tax Increment Financing Commission of Kansas City, Missouri and Hunt Midwest Real Estate Development, Inc. for the prioritization of Tax Increment Financing funds for the Old Tiffany Springs Road Bridge over I-29. A copy of the agreement is located in the office of the Director of Public Works.

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Section 5. That the requirement of Section 68-446(d)(2) of the City's Code of Ordinances for the public improvements advisory committee to make a recommendation to the City Council is hereby waived for the transfer of capital improvement sales tax funds within this ordinance.


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.



Randall J. Landes
Director of Finance

Approved as to form and legality:



Katherine Chandler
Assistant City Attorney



Authenticated as Passed



Sly James, Mayor

Marilyn Sanders, City Clerk

JUL 16 2015

Date Passed