



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 250143

Submitted Department/Preparer: Water

Revised 6/10/24

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Authorizing the Director of Water Services Department to accept a special warranty deed from Hunt Midwest Properties, L.L.C. for the future Todd Creek Facility Land Acquisition; appropriating \$188,448.00 for the transfer; authorizing the Director of the Water Services Department to enter into a lease with Martin Marietta Materials Real Estate Investments, Inc., granting access to mineral rights for the existing Todd Creek Facility upon completion of the New Todd Creek Facility; and recognizing this ordinance as having an accelerated effective date.

Discussion

The City needs to acquire real property for the future Todd Creek Facility under Project No. 81000985.

The Water Services Department has identified two parcels owned by Hunt Midwest Properties, L.L.C. ("Hunt Midwest") that are suitable for the Todd Creek Facility located within Kansas City, Platte County, Missouri.

Committee Substitute for Ordinance No. 230975 authorized the Director of the Water Services Department to enter into a purchase option agreement with Hunt Midwest Properties, L.L.C. for \$799,058.00, which shall be applied to the purchase price, granting the City an option to purchase one of two sites identified therein.

After completing due diligence on potential sites, the Water Services Department has identified the below-described tracts as the best site for the Todd Creek Facility.

The mineral rights of the below-described tracts are currently leased to Martin Marietta Materials Real Estate Investments, Inc. ("Martin Marietta").

Martin Marietta and Hunt Midwest intend to terminate the existing lease for tract 1, in consideration for Martin Marietta being granted access pursuant to a lease for a similar site.

The City and Martin Marietta have identified the current Todd Creek Facility located at 7600 NW 144th St., Platte City, MO 64079, as an acceptable replacement site for the mining lease.

Having terminated the lease with Martin Marietta, Hunt Midwest will transfer the entire below-described property to the City in fee simple, inclusive of subsurface rights.

The Water Services Department now seeks to exercise its option to purchase said property for \$967,506.00, plus closing costs estimated at approximately \$20,000.00, \$799,058.00 of which has already been paid to the seller pursuant to the purchase option agreement.

Legal Descriptions are as follows:

TRACT 1: A tract of land in the East Half of the Northwest Quarter and the East Half of the Southwest Quarter of Section 1, Township 52 North, Range 34 West of the 5th Principal Meridian in Kansas City, Platte County, Missouri being bounded and described by or under the direct supervision of Jason S Roudebush, P.L.S. 2002014092, as follows: Commencing at the Northeast corner of the Northwest Quarter of said Section 1; thence South 00°27'39" West, on the East line of said Northwest Quarter, 1,569.06 feet to the Point of Beginning of the tract of land to be herein described; thence continuing South 00°27'39" West along the East line of said Northwest Quarter, 1,008.41 feet to the Southeast corner of the Northwest Quarter of said Section 1, said point also being the Northeast corner of the Southwest Quarter of said Section 1; thence continuing South 00°27'39" West along the East line of the Southwest Quarter of said Section 1, 327.63 feet to the Southeast corner of the North 10 acres of the East Half of the Southwest Quarter of said Section 1 as referenced in the General Warranty Deed recorded November 13, 2013 to Hunt Midwest Properties, LLC and recorded as Document No. 2013017415, in Book 1221, at Page 87, (Allmon Tract); thence North 89°19'56" West, on the South line of the North 10 acres of the East Half of the Southwest Quarter of said Section 1, 1,022.84 feet; thence North 00°27'39" East, 849.18 feet; thence North 61°55'00" East, 1,011.16 feet; thence South 89°32'21" East, 134.58 feet to the Point of Beginning. Containing 1,150,070 square feet or 26.402 acres, more or less.

TRACT 2: A tract of land in the East Half of the Northwest Quarter and the East Half of the Southwest Quarter all in Section 1, Township 52 North, Range 34 West of the 5th Principal Meridian in Kansas City, Platte County, Missouri being bounded and described by or under the direct supervision of Jason S Roudebush, P.L.S. 2002014092, as follows: Commencing at the Northeast corner of said Northwest Quarter of Section 1; thence South 00°27'39" West, on the East line of said Northwest Quarter, 172.64 feet to the Point of Beginning of the tract of land to be herein described; said point being on the centerline of NW

144th Street, as now established and exists as referenced in the General Warranty Deed recorded November 13, 2013 to Hunt Midwest Properties, LLC and recorded as Document No. 2013017415, in Book 1221, at Page 87, (Gann Tract and Allmon Tract); thence continuing South 00°27'39" West, along the said East line of said Northwest Quarter, 1,396.42 feet; thence North 89°32'21" West, 134.58 feet; thence South 61°55'00" West, 1,011.16 feet; thence South 00°27'39" West, 849.18 feet to a point on the South line of the North 10 acres of the East Half of the Southwest Quarter of said Section 1, as referenced in the General Warranty Deed recorded November 13, 2013 to Hunt Midwest Properties, LLC and recorded as Document No. 2013017415, in Book 1221, at Page 87, (Allmon Tract); thence North 89°19'56" West on said South line, 306.77 feet; to the Southwest corner of the North 10 acres of the East Half of the Southwest Quarter of said Section 1; thence North 00°32'37" East, on the West line of the East Half of the Southwest Quarter of said Section 1, 327.62 feet to the Northwest corner of East Half of the Southwest Corner, said point also being the Southwest corner of the East Half of said Northwest Quarter; thence North 00°17'57" East, on the West line of the East Half of said Northwest Quarter, 2,002.34 feet to a point on the centerline of aforesaid NW 144th Street, thence South 82°21'47" East, on said centerline, 537.75 feet; thence Easterly on said centerline, along a curve to the left being tangent to the last described course with a radius of 117.42 feet, a central angle of 37°45'05" and an arc distance of 77.37 feet; thence North 59°53'08" East, on said centerline, 185.06 feet; thence Northeasterly on said centerline, along a curve to the left being tangent to the last described course with a radius of 226.62 feet, a central angle of 19°21'51" and an arc distance of 76.59 feet; thence North 40°31'17" East, on said centerline, 282.48 feet; thence Northeasterly on said centerline, along a curve to the right being tangent to the last described course with a radius of 124.77 feet, a central angle of 39°22'41" and an arc distance of 85.75 feet; thence North 79°53'58" East, on said centerline, 259.32 feet to the Point of Beginning. Containing 2,091,936 square feet or 48.026 acres, more or less. Except that part in right of way for NW 144th Street situated along the Northerly property line.

All lying above the Winterset Ledge of Limestone Rock. In areas where the Winterset Ledge is absent, all lying above Bethany Falls Ledge of Limestone Rock. In areas where the Bethany Falls Ledge is absent, all lying above the Elevation 720 (NAVD 88).

Fiscal Impact

1. Is this legislation included in the adopted budget? ☒ Yes ☐ No
2. What is the funding source?
25-8110-807778-631980-81000985 = \$188,448.00
Sewer Treatment Facilities; Sewer Fund
3. How does the legislation affect the current fiscal year?
Costs for this project were included in this fiscal year's approved wastewater CIP.
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
No, these contracts do not commit the City to future expenditures.
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
No.

Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund. ☐ Yes ☒ No
2. This fund has a structural imbalance. ☐ Yes ☒ No
3. Account string has been verified/confirmed. ☒ Yes ☐ No

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

1. View the [Adopted 2025-2029 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?
Infrastructure and Accessibility (Press tab after selecting.)

3. Which objectives are impacted by this legislation (select all that apply):

- ☐ Engage in thoughtful planning and redesign of existing road networks to ensure safety, access, and mobility of users of all ages and abilities.
- ☐ Enhance the City's connectivity, resiliency, and equity through a better-connected multi-modal transportation system for all users.
- ☐ Build on existing strengths while developing a comprehensive transportation plan for the future.
- ☒ Develop environmentally sustainable infrastructure strategies that improve quality of life and foster economic growth.
- ☒ Ensure adequate resources are provided for continued maintenance of existing infrastructure.
- ☐ Focus on delivery of safe connections to schools.

Prior Legislation

City Council passed Ordinance No. 230975 on December 7, 2023 authorizing the Director of the Water Services Department to negotiate and execute an Option to Purchase Agreement between Hunt Midwest Properties, L.L.C. and the City of Kansas City, Missouri, through its Water Services Department, for the Todd Creek Facility Land Acquisition; authorizing the expenditure of \$799,058.00 by the Director of the Water Services Department to fulfill such contract; and recognizing this ordinance as having an accelerated effective date.

Service Level Impacts

These contracts allow a new treatment plant to be constructed within City Limits to meet future development in the watersheds.

Other Impacts

1. What will be the potential health impacts to any affected groups?
These contracts will allow KC Water to meet its level of service commitments and protect public health.
2. How have those groups been engaged and involved in the development of this ordinance?
KC Water has had two public meetings and a meeting with Platte County to discuss the location of this treatment plant, and the Site of this treatment plant was chosen based upon community input.

3. How does this legislation contribute to a sustainable Kansas City?
These contracts allow us to facilitate growth in the twin creeks area without building multiple plants which would be more expensive and generate additional carbon emissions.

4. Does this legislation create or preserve new housing units?
No (Press tab after selecting)

N/A

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting)

N/A

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

[Click or tap here to enter text.](#)

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?
No(Press tab after selecting)