

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.



Tammy L. Queen  
Director of Finance

Approved as to form:



Dustin E. Johnson  
Associate City Attorney



Authenticated as Passed



Quinton Lucas, Mayor

  
Marilyn Sanders, City Clerk

APR 24 2025

Date Passed



## Legislation Text

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**File #: 250272**

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### ORDINANCE NO. 250272

Establishing Fund No. 3456, 2026A Taxable Special Obligation Bond Fund; estimating \$30,000,000.00 and appropriating the same for the purpose of providing funds for the reconstruction of the Barney Allis Plaza/Auditorium Plaza Garage complex; authorizing a fourth amendment in the amount of \$27,092,347.00 to an agreement with McCown Gordon Construction, LLC, for Guaranteed Maximum Price No. 4 (GMP-4) with a total contract price of \$118,487,608.00 for plaza level improvements, perimeter construction, and one story retail of Barney Allis Plaza; authorizing the Director of Finance to close project accounts upon project completion; and establishing May 1, 2025 as the effective date of this ordinance.

WHEREAS, the City Council passed Ordinance No. 240313 approving a plan of finance for the demolition and reconstruction of Barney Allis Plaza/Auditorium Plaza Garage complex which plan contemplated the financing of the project by the issuance of bonds in the amount of \$90,000,000.00 in FY2025 and \$30,000,000.00 in FY2026; and

WHEREAS, Ordinance No. 240313 estimated and appropriated the sum of \$90,000,000.00 million in FY2025 for the demolition and reconstruction of Barney Allis Plaza in accordance with the approved plan of finance; and

WHEREAS, the City and McCown Gordon Construction, LLC, entered into a design build contract and related amendments in the amount of \$91,395,261.00 consisting of design and public engagement services in the amount of \$4,264,000.00; GMP-2 approved by Ordinance 240473 in the amount of \$21,688,467.00 for demolition, shoring, excavation, and utility work; and GMP-3 approved by Ordinance No. 241028 in the amount of \$65,442,456.00; and

WHEREAS, the City has received the GMP-4 which includes cost of plaza level improvements, perimeter construction, and construction of a one-story retail in the amount of \$27,092,347.00; and

WHEREAS, it is necessary to estimate and appropriate the sum of \$30,000,000.00 in bond proceeds from special obligation bonds to be issued in FY2026 in order for the City to proceed with GMP-4; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. Establishing Fund No. 3456, 2026A Taxable Special Obligation Bond Fund, on the books and records of the City.

Section 2. Estimating revenue in the amount of \$30,000,000.00 in Fund No. 3456, 2026A Taxable Special Obligation Bond Fund in the following account:

AL-3456-120000-590000	Bond Proceeds	\$30,000,000.00
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Section 3. That the sum of \$30,000,000.00 is hereby appropriated in Fund No. 3456, 2026A Taxable Special Obligation Bond Fund, in the following account:

AL-3456-075100-B-07PG2365	Barney Allis Plaza Garage Project	\$30,000,000.00
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Section 4. That the Director of General Services is hereby designated as requisitioning authority for Account No. AL-3456-075100-B.

Section 5. That the Director of Finance is hereby authorized to close accounts, open encumbrances and retainage related to the accounts in Section 3 and return the unspent portion to the Fund Balance from which it came upon the earliest of: (i) the provisions of this ordinance; (ii) final maturity of financing or (iii) five years after issuance.

Section 6. That the City Council hereby declares its official intent to reimburse itself for certain expenditures made within sixty (60) days prior to or on and after the date of this Ordinance with respect to appropriations in Section 3, (the "Appropriation") with the proceeds of bonds expected to be issued by the City. The maximum principal amount of bonds expected to be issued for the Appropriations is not to exceed \$30,000,000.00. This constitutes a declaration of official intent under Treasury Regulation 1.150-2.

Section 7. That the Director of General Services is hereby authorized to execute an amendment in the amount of \$27,092,347.00 to an agreement with McCown Gordon Construction, LLC, for a Guaranteed Maximum Price No. 4 (GMP-4) for Garage Construction Including Plaza Level, perimeter construction, and one-story retail of Barney Allis Plaza from funds appropriated herein with a total contract price of \$118,487,608.00. A copy of the amendment is on file in the General Services Department.

Section 8. That this ordinance shall become effective on May 1, 2025.

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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