

GENERAL

Ordinance Fact Sheet

R-2020-00611

Ordinance Number

Brief Title
Settlement of exceptions in a condemnation lawsuit. Street Improvement Proj. No. 89008516, Wornall Rd Improvements 74th St to 79th St

Approval Deadline

Reason
Approving and authorizing settlement of exceptions in a condemnation lawsuit styled City of Kansas City, MO v. Gary Calvert, et al., Case No. 2116-CV02627.

Details

Reason for Legislation
The City brought the above condemnation action to acquire certain property interests via eminent domain for the Street Improvement Project No. 89008516, "Wornall Road Improvements 74th Street to 79th Street" in Kansas City, Jackson County, Missouri.

Section 2-302 of the Code of Ordinances authorizes the City Attorney to settle claims in excess of \$50,000.00 "subject to approval by the city council upon the recommendation of the risk management committee".

The Risk Management Committee recommends the City Attorney be given such authority to settle the above styled cases.

That the payment of the sum of \$100,000.00 in settlement of the exceptions filed by San Angelo Realty and the City of Kansas City, Missouri in the lawsuit styled, *City of Kansas City, MO v. Gary Calvert, et al.*, Case No. 2116-CV02627, as recommended by the City Attorney and the Risk Management Committee, is hereby approved.

That the City Attorney is hereby authorized to pay the sum of \$100,000.00 in settlement of said claims in this lawsuit from funds previously appropriated Account No. 3520-898061-B-89008516 and Account No. 3090-898601-B-89008516.

Positions/Recommendations

Sponsor	City Manager
Programs, Departments, or Groups Affected	Public Works
Applicants / Proponents	Applicant City Department Public Works Other
Opponents	Groups or Individuals Basis of opposition
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
Board or Commission Recommendation	By <input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No action taken <input type="checkbox"/> For, with revisions or conditions (see details column for conditions)
Council Committee Actions	<input type="checkbox"/> Do pass <input type="checkbox"/> Do pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass

Discussion (continued)

Details

Policy/Program Impact

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

Finances

Cost & Revenue Projections -- Including Indirect Costs	\$100,000.00
Financial Impact	\$100,000.00
Fund Source (s) and Appropriation Account Codes	3520-898061-B-89008516 3090-898601-B-89008516

Applicable Dates:

Fact Sheet Prepared by:

Homer Janssens,
Right of Way Reviewer
Department of Public Works

Reviewed by:

Mark Montgomery
Acting City Engineer
Department of Public Works

Reference Numbers