

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 250473

Estimating revenue from program income generated by the Kansas City Brownfields Revolving Loan Fund (RLF) program in the amount of \$1,560,942.85; appropriating funds in the same amount; designating requisitioning authority; and recognizing this ordinance as having an accelerated effective date.

WHEREAS, a Brownfields Revolving Loan Fund (RLF) program has been established by the City of Kansas City, Missouri (the "City"), with funds awarded in various Brownfield RLF grants by the U.S. Environmental Protection Agency (EPA); and

WHEREAS, certain program income generated by the RLF in the form of loan repayments, credits, refunds, and accrued interest has been received and collected in cash-restricted, interest bearing accounts, in accordance with federal grant management regulations (Program Income); and

WHEREAS, such Program Income is intended to support the Brownfields program and redevelopment projects that seek brownfield assistance to the extent permitted by the applicable federal regulations and the terms and conditions of the relevant EPA federal cooperative agreements; and

WHEREAS, on December 19, 2024, the City Council adopted Ordinance No. 241051 approving a loan to Historic Northeast Lofts LLC (HNEL) for the cleanup of Buildings No. 1 & 2 in the amount of \$7,575,000.00; and

WHEREAS, on January 30, 2025, the Brownfields Commission adopted Resolution 001-2025 recommending to the City Council approval of the application of FC Parade Park LLC for an RLF Loan for the cleanup of the Parade Park Homes redevelopment site in the amount of \$2,260,150.00; and

WHEREAS, on February 28, 2025, the Brownfields Commission adopted Resolution 002-2025 recommending to the City Council approval of the application of Urban Catalyst, Inc. for an RLF subgrant in the amount of \$500,000.00; and

WHEREAS, Program Income funds are required for the above-mentioned RLF projects and related activities; and

WHEREAS, on September 22, 2022, the City and EPA entered into closeout agreement No. BF97700901 (the "COA") which determines the eligible uses, conditions and requirements by which the City may use its Program Income; and

WHEREAS, the COA provides that EPA shall assess by September 30, 2025, and annual thereafter, whether the City has effectively carried out the COA if unspent Program Income exceeds \$500,000.00, and further provides that EPA may revoke the COA and require repayment of all unspent Program Income if it finds that the City has not deployed Program Income in a timely manner; and

WHEREAS, this ordinance will enable the obligation, expenditure and disbursement of funds sufficient to reduce the amount of unspent Program Income below \$500,000.00 by September 30, 2025; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That revenue in the following accounts of the Brownfields Revolving Loan Fund is estimated in the following amounts:

26-2550-640001-458120-G64BRLFPI	Brownfield Rev Loan-Prog Inc	\$1,560,942.85
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Section 2. That the sum of \$1,560,942.85 is hereby appropriated from the Unappropriated Fund Balance of the Brownfields Revolving Loan Fund into the following accounts:

26-2550-645021-A-G64BRLFPI	Brownfield Rev Loan-Prog Inc	\$ 67,982.78
26-2550-645021-B-G64BRLFPI	Brownfield Rev Loan-Prog Inc	<u>1,492,960.07</u>
	TOTAL	\$1,560,942.85

Section 3. That the Director of City Planning and Development is designated as requisitioning authority for Account No. 26-2550-645021.

Section 4. That this Ordinance is recognized as an ordinance with an accelerated effective date as provided by Section 503(a)(3)(C) of the City Charter in that it appropriates money and shall take effect in accordance with that section.

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.



Authenticated as Passed

Quinton Lucas, Mayor

Marilyn Sanders, City Clerk

JUN 12 2025

Date Passed

A handwritten signature in blue ink, appearing to read 'Tammy L. Queen'.

Tammy L. Queen
Director of Finance

Approved as to form:

A handwritten signature in blue ink, appearing to read 'Abigail Judah'.

Abigail Judah
Assistant City Attorney