



## Agenda

### Transportation, Infrastructure and Operations Committee

Quinton Lucas, Chair  
Teresa Loar, Vice Chair  
Eric Bunch, Vice Chair  
Katheryn Shields  
Melissa Robinson  
Kevin O'Neill

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Wednesday, September 28, 2022

9:00 AM

26th Floor, Council Chamber

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<https://us02web.zoom.us/j/84530222968>

#### PUBLIC OBSERVANCE OF MEETINGS

Members of the City Council may attend this meeting via videoconference.

Any closed session may be held via teleconference.

The public can observe this meeting at the links provided below.

Applicants and citizens wishing to participate have the option of attending each meeting or they may do so through the videoconference platform ZOOM, using this link:

<https://us02web.zoom.us/j/84530222968>

#### Water Services

**[220854](#)**

Sponsor: Director of Water Services

Authorizing a \$1,400,000.00 construction contract with SHEDIGS IT, L.L.C., for the Supplemental Workforce for Water Distribution System Repairs project; and authorizing two successive one-year renewal options for a maximum expenditure of \$3,400,000.00 with further City Council approval.

**Attachments:** [220854 Fact Sheet](#)  
[220854 Fiscal Note](#)  
[220854 Revised Fact Sheet](#)  
[Ordinance 220854-Docket Memo 9755](#)

**220855** Sponsor: Director of Water Services

Authorizing a \$3,000,000.00 construction contract with Leath & Sons, Inc., for the Sewer Line Repairs at Various Locations Fiscal Year 2023 (On-Call Contract) project; and authorizing two successive one-year renewal options for a maximum expenditure of \$9,000,000.00 with further City Council approval.

**Attachments:** [220855 Fact Sheet](#)  
[220855 Fiscal Note](#)  
[Ordinance 220855-Docket Memo 1648](#)

**220856** Sponsor: Director of Water Services

Authorizing a \$1,370,201.23 Design-Build Contract Change Order No. 2 with Leath & Sons, Inc., for the Water Main Replacement in the Area of State Line Road to Mill Street Parkway, W. 46th Street to W. 55th Street for a total contract amount of \$8,101,695.14.

**Attachments:** [220856 Fact Sheet](#)  
[220856 Fiscal Note](#)  
[Ordinance 220856-Docket Memo 9430-Revised](#)

Aviation

**220859** Sponsor: Director of Aviation Department

Estimating revenue in the amount of \$763,000.00 to the Federal Stimulus Grants account; and authorizing acceptance of the Infrastructure Investment and Jobs Act of 2021 referred to as the Bipartisan Infrastructure Law (BIL) Act Grant Offer from the United States of America, acting through the Federal Aviation Administration (FAA).

**Attachments:** [220859 Fact Sheet](#)  
[220859 Fiscal Note](#)

Mayor's Office

**Lucas**

**220860** Sponsor: Mayor Quinton Lucas

Accepting a \$25,000.00 Award from the U.S. Conference of Mayors Climate Challenge in recognition of the City's zero fair zero emissions transit initiative; and estimating that amount as revenue and appropriating that \$25,000.00.

**Attachments:** [220860 No Fact Sheet](#)  
[220860 Fiscal Note](#)  
[220860 Approp Admin](#)

General Services

**220864** Sponsor: Director of General Services

Declaring certain real property generally located at 1200 and 1210 Broadway, Kansas City, Missouri, surplus to the City's needs; authorizing the Director of General Services to offer the sale of the City's interest in this real property in accordance with City regulations, and execute related documents to complete the transfer of the real property while reserving easements, as necessary, for any existing City owned sewer, storm water, and water line infrastructure on the said property.

**Attachments:** [220864 Fact Sheet](#)  
[220864 Fiscal Note](#)

HELD IN COMMITTEE

General Services

**220776** Amending Chapter 2, Code of Ordinances, by enacting Section 2-886, dispensing with the requirement that certain improvements erected or to be erected upon land belonging to the City be approved by the Municipal Art Commission.

**Attachments:** [220776 Fact Sheet](#)  
[220776 Fiscal Note](#)

City Manager

**Robinson**

**220809**

Approving and authorizing the City Manager to enter into a master agreement with the Missouri Highways and Transportation Commission, The Lamar Company, L.L.C., and TLC Properties, Inc. for the grant of permanent easements on City properties located in the vicinity of I-70 and Highway 40 for the public purpose of facilitating the construction of the Buck O'Neil Bridge replacement project; and authorizing City Manager to execute easement documents.

**Attachments:** [220809 No Fact Sheet](#)  
[220809 Fiscal Note](#)

ADDITIONAL BUSINESS

1. There may be a general discussion regarding current Transportation, Infrastructure and Operations Committee issues.
2. Closed Session

The City provides several ways for residents to watch City Council meetings:

- Livestream on the city's website at [www.kcmo.gov](http://www.kcmo.gov)
- Livestream on the city's YouTube channel at <https://www.youtube.com/watch?v=3hOublg4fok>
- Watch Channel 2 on your cable system. The channel is available through Time Warner Cable (channel 2 or 98.2), AT&T U-verse (channel 99 then select Kansas City) and Google Fiber on Channel 142.
- To watch archived meetings, visit the City Clerk's website and look in the Video on Demand section: [http://kansascity.granicus.com/ViewPublisher.php?view\\_id=2](http://kansascity.granicus.com/ViewPublisher.php?view_id=2)

The City Clerk's Office now has equipment for the hearing impaired for use with every meeting. To check out the equipment please see the secretary for each committee. Be prepared to leave your Driver's License or State issued Identification Card with the secretary and she will give you the equipment. Upon returning the equipment your license will be returned.

Adjournment



**File #: 220854**

ORDINANCE NO. 220854

Sponsor: Director of Water Services

Authorizing a \$1,400,000.00 construction contract with SHEDIGS IT, L.L.C., for the Supplemental Workforce for Water Distribution System Repairs project; and authorizing two successive one-year renewal options for a maximum expenditure of \$3,400,000.00 with further City Council approval.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of Water Services Department is authorized to execute Contract No. 9755, in the amount of \$1,400,000.00 with SHEDIGS IT, L.L.C., for the Supplemental Workforce for Water Distribution System Repairs project, Project No. 60800059. A copy of this contract is on file in the office of Water Services Department.

Section 2. That the Director of Water Services Department is authorized to expend up to \$1,400,000.00 from Account No. 23-8010-802010-619060, Division of Distribution – Pipeline, to satisfy the cost of this contract.

Section 3. That the Director of Water Services is hereby authorized to execute two successive one-year renewal options for this contract with additional Council approval with such funds as appropriated by the Council in future annual budgets.

Section 4. That the Director of Water Services is authorized to expend up to \$2,000,000.00 (\$1,000,000.00 per renewal) to satisfy the costs of the two renewals with such funds as appropriated by further City Council approval for a maximum expenditure of \$3,400,000.00 for Contract No. 9755 and the two renewals.

..end

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.

Tammy L. Queen  
Director of Finance

Approved as to form and legality:

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Mark P. Jones  
Senior Associate City Attorney

# CONTRACT

220854

## Ordinance Fact Sheet

## Construction/Misc. Form

Brief Title	Approval Deadline	Reason
Authorizing a construction contract for the Supplemental Workforce for Water Distribution System Repairs.		To authorize execution of a construction work order contract and expenditures; and authorizing two one-year renewal options with additional City Council approval.

**Details**

**Reason for Contract**  
 This work will be performed throughout Kansas City to support the efforts of Kansas City Water Services' Pipeline Division in the emergency repair of Kansas City's aging water distribution system. This ordinance also authorizes two one-year renewal options with additional City Council approval.

**Discussion**

**Project Justification**  
 This work will be performed to supplement the efforts of Kansas City Water Services' Pipeline Division in the emergency repair of Kansas City's aging water distribution system. The work will be performed throughout Kansas City to provide customers with reliable water services.

**Project Description**  
 This project includes the repair and replacement of water mains in the distribution system, in support of the Pipeline Division, as needed, throughout Kansas City, Missouri. The project may also include repairs to water valves, hydrants, service lines, and other appurtenances.  
  
 Unit prices for the work to be completed under this contract were set based on the bids received. Therefore, Water Services proposes a not to exceed \$1,400,000.00 contract to complete work orders. This contract will be for a term of one year with two one-year renewal options.

Proposed Contract:	\$1,400,000.00
Proposed Renewal No.1:	\$1,000,000.00
Proposed Renewal No. 2:	\$1,000,000.00
Total:	\$3,400,000.00

**Roles and Responsibilities**

Sponsor	Water Services Department
Department or Programs Affected	Water Services Department
Recommended Awardee	SHEDIGS IT, L.L.C.
Contract Compliance Certification Obtained?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
Opponents	Groups or Individuals  None known  Reason for Opposition
Responsibilities	Design Engineering:  N/A Inspections:  City staff Construction or Project Management:  City staff Service Monitoring:  City staff

**Policy/Program Impact**

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

(Continued on reverse side)

**Details**

**Solicitation**

This Project was advertised in accordance with the City's requirements. Public bids were opened on August 16, 2022 with 6 bidders responding.

**Grant/Loan Funding**

N/A

**Civil Rights & Equal Opportunity Department (CREO KC)**

**Approval**

Project goals are 10.5% MBE and 10.5% WBE. Subcontracting information was submitted to CREO KC for review on September 14, 2022, and is pending approval.

**Fairness in Construction Board**

There is no appeal on this contract pending before the Fairness in Construction Board.

**Youth Employment Program**

N/A

**1% for Art**

N/A

**How will this contribute to a sustainable Kansas City?**

This project will provide for the repair and maintenance of the City's water distribution system to provide potable water to the citizens of Kansas City, Missouri.

**Bid Opening Date:** 8/16/2022

**Notice of Intent to Contract:** TBA

**Is it good for the children?** Yes.

**Finances**

City's Estimate of Cost		\$	925,000.00
Bid or Proposal Data	Lowest and Best Contract		
	Cost Submitted	\$	555,350.00 *
	Recommended Awardee: SHEDIGS IT, L.L.C.		
Bid Date:	8/16/2022	No. of Bids Submitted:	6
	Reason for rejecting lowest contract cost submitted:		
	N/A		
	* Bids received were to establish Unit Prices for the construction work orders to be completed under this contract.		
	Other Bidders or Contractors Considered		Contract Costs Submitted
	Leath & Sons	\$	846,640.00
	Haines & Associates	\$	883,000.00
	Legacy Underground Cor	\$	914,350.00
	Beemer Construction	\$	925,115.00
	Hettinger Excavating	\$	1,030,425.00
		\$	
Fund Sources and Appropriation Account Codes For This Contract	23-8010-802010-619060 = \$1,400,000.00 Division of Distribution-Pipeline Project No. 60800059		
Source of Future Operating Funds			
Maximum Amount of Proposed Contract		\$	1,400,000.00
Amount of Contingency		\$	
Engineering & Administration		\$	
<b>TOTAL</b>		<b>\$</b>	<b>1,400,000.00</b>

**Estimated Duration of Contract:**

one year + two one-year renewal options

**Fact Sheet Prepared by:**

Leona Walton  
Contracts Manager

**Date:**

9/13/2022

**Reviewed by:**

Jeff Martin  
Chief Engineering Officer

**Date:**

9/14/2022

**Council Committee Actions**

Do Pass	<input type="checkbox"/>	<input type="checkbox"/>	Hold
Do Pass (as amended)	<input type="checkbox"/>	<input type="checkbox"/>	W/o Recommendation
Committee Sub.	<input type="checkbox"/>	<input type="checkbox"/>	Do Not Pass

**Reference Numbers:** Contract No. 9755

Project No. 60800059



# CONTRACT

## Ordinance Fact Sheet

## Construction/Misc. Form

**220854**

Revised 09-23-2022

Brief Title	Approval Deadline	Reason
Authorizing a construction contract for the Supplemental Workforce for Water Distribution System Repairs.		To authorize execution of a construction work order contract and expenditures; and authorizing two one-year renewal options with additional City Council approval.

**Details**

**Reason for Contract**  
 This work will be performed throughout Kansas City to support the efforts of Kansas City Water Services' Pipeline Division in the emergency repair of Kansas City's aging water distribution system. This ordinance also authorizes two one-year renewal options with additional City Council approval.

**Discussion**

**Project Justification**

This work will be performed to supplement the efforts of Kansas City Water Services' Pipeline Division in the emergency repair of Kansas City's aging water distribution system. The work will be performed throughout Kansas City to provide customers with reliable water services.

**Project Description**

This project includes the repair and replacement of water mains in the distribution system, in support of the Pipeline Division, as needed, throughout Kansas City, Missouri. The project may also include repairs to water valves, hydrants, service lines, and other appurtenances.

Unit prices for the work to be completed under this contract were set based on the bids received. Therefore, Water Services proposes a not to exceed \$1,400,000.00 contract to complete work orders. This contract will be for a term of one year with two one-year renewal options.

Proposed Contract:	\$1,400,000.00
Proposed Renewal No.1:	\$1,000,000.00
Proposed Renewal No. 2:	\$1,000,000.00
<b>Total:</b>	<b>\$3,400,000.00</b>

**Roles and Responsibilities**

Sponsor	Water Services Department
Department or Programs Affected	Water Services Department
Recommended Awardee	SHEDIGS IT, L.L.C.
Contract Compliance Certification Obtained?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
Opponents	Groups or Individuals  None known  Reason for Opposition
Responsibilities	Design Engineering:  N/A Inspections:  City staff Construction or Project Management:  City staff Service Monitoring:  City staff

**Policy/Program Impact**

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

(Continued on reverse side)

**Details**

**Solicitation**

This Project was advertised in accordance with the City's requirements. Public bids were opened on August 16, 2022 with 6 bidders responding.

**Grant/Loan Funding**

N/A

**Civil Rights & Equal Opportunity Department (CREO KC)**

**Approval**

Project goals are 10.5% MBE and 10.5% WBE. Subcontracting information was submitted to CREO KC for review on September 14, 2022, and was approved on September 23, 2022 with 10.35% MBE and 13.5% WBE participation. See the attached docket memo.

**Fairness in Construction Board**

There is no appeal on this contract pending before the Fairness in Construction Board.

**Youth Employment Program**

N/A

**1% for Art**

N/A

**How will this contribute to a sustainable Kansas City?**

This project will provide for the repair and maintenance of the City's water distribution system to provide potable water to the citizens of Kansas City, Missouri.

**Bid Opening Date:** 8/16/2022

**Notice of Intent to Contract:** TBA

**Is it good for the children?** Yes.

**Finances**

City's Estimate of Cost	\$	925,000.00
Bid or Proposal Data	Lowest and Best Contract	
	Cost Submitted	\$ 555,350.00 *
	Recommended Awardee:	SHEDIGS IT, L.L.C.
Bid Date:	8/16/2022	No. of Bids Submitted: 6
	Reason for rejecting lowest contract cost submitted:	N/A
	* Bids received were to establish Unit Prices for the construction work orders to be completed under this contract.	
	Other Bidders or Contractors Considered	Contract Costs Submitted
	Leath & Sons	\$ 846,640.00
	Haines & Associates	\$ 883,000.00
	Legacy Underground Cor	\$ 914,350.00
	Beemer Construction	\$ 925,115.00
	Hettinger Excavating	\$ 1,030,425.00
		\$
Fund Sources and Appropriation Account Codes For This Contract	23-8010-802010-619060 = \$1,400,000.00 Division of Distribution-Pipeline Project No. 60800059	
Source of Future Operating Funds		
Maximum Amount of Proposed Contract	\$	1,400,000.00
Amount of Contingency	\$	
Engineering & Administration	\$	
<b>TOTAL</b>	<b>\$</b>	<b>1,400,000.00</b>

**Estimated Duration of Contract:**

one year + two one-year renewal options

**Fact Sheet Prepared by:**

Leona Walton  
Contracts Manager

**Date:**

9/13/2022

**Reviewed by:**

Jeff Martin  
Chief Engineering Officer

**Date:**

9/14/2022

**Reference Numbers:** Contract No. 9755

Project No. 60800059

**Council Committee Actions**

Do Pass	<input type="checkbox"/>	<input type="checkbox"/>	Hold
Do Pass (as amended)	<input type="checkbox"/>	<input type="checkbox"/>	W/o Recommendation
Committee Sub.	<input type="checkbox"/>	<input type="checkbox"/>	Do Not Pass

**Inter-Departmental Communication**

Date: September 23, 2022

To: Mayor Quinton Lucas; Chair: Transportation, Infrastructure & Operations Committee

From: Andrea Dorch; Director; Civil Rights & Equal Opportunity Department

Subject :Docket Memo # 220854

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**CONTRACTOR:** She Digs It, LLC  
Address: 600 SE Central Dr.  
Blue Springs, MO 64014  
Contract # 9755 / 60800059 - Supplemental Workforce for Water Distribution System Repair  
Amount: \$1,400,000.00  
MBE Goal 10.5%  
WBE Goal: 10.5%  
Total MBE Achieved: 10.7%  
Total WBE Achieved: 11.4%

**MBE SUBCONTRACTORS:**

Name: Diggs Construction, LLC  
Address: 2033 Vine St.  
Kansas City, MO 64108  
Scope of Work: Water Main Repairs  
Dollar Amount: \$74,000  
Ownership: Diggs, Dale Jr.  
Structure: African-American Male Code 15

**MBE SUBCONTRACTORS:**

Name: Blue Nile Contractors, Inc.  
Address: 400 E Red Bridge Rd., Suite 215  
Kansas City, MO 64131  
Scope of Work: Water Main Repairs  
Dollar Amount: \$76,000  
Ownership: Tekeste, Henok  
Structure: African-American Male Code 15

**WBE SUBCONTRACTORS:**

Name:	She Digs It, LLC	
Address:	600 Se Central Dr. Blue Springs, MO 64014	
Scope of Work:	Water Main Repair	
Dollar Amount:	\$160,000	
Ownership:	Gerstner, Cheryl	
Structure:	Caucasian Female	Code 27

**Comments:**



# MBE/WBE/DBE Contract Goals Request

Date: June 2, 2022  
 To: Andrea Dorch; Director, Civil Rights & Equal Opportunity Department  
 From: Rob Thiemann, KC Water

<b>Project Number</b> 60800059	<b>Project Name</b> Supplemental Workforce for Water Distribution System Repairs
<b>Contract ID Number</b> 9755	<b>Solicitation Date:</b> Jun-22
<b>Estimated Project Duration:</b> One year with two renewals	<b>Presenting to Council Date:<sup>1</sup></b> TBD

Note: Click the box to select

<b>Prevailing Wage</b>	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
<b>Contract Category:</b>	<input checked="" type="checkbox"/> Construction	<input type="checkbox"/> Design-Build	<input type="checkbox"/> Non-Municipal Agency
	<input type="checkbox"/> Design Professional	<input type="checkbox"/> Other Goods & Services	<input type="checkbox"/> Lease
	<input type="checkbox"/> Professional Services	<input checked="" type="checkbox"/> Facilities Maintenance/Repair	<input type="checkbox"/> Tenant (MBE/WBE)
	<input type="checkbox"/> Other (Enter Type):		<input type="checkbox"/> Concession
<b>Type:</b>	<input checked="" type="checkbox"/> Original	<input type="checkbox"/> Amendment No.	
<b>Funding:</b>	<input checked="" type="checkbox"/> City(MBE/WBE)	<input type="checkbox"/> Federal (DBE)	<input checked="" type="checkbox"/> State (DBE)
	<input type="checkbox"/> Other:	<input type="checkbox"/> Grant#	
Construction Workforce Goals: Are the estimated construction labor hours greater than 800 and the estimated cost greater than \$300,000? If yes, complete "Required Crafts" Worksheet and include total number of hours in Description of Work.			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/> Estimated Cost Breakdown attached - Page 2			<input type="checkbox"/> List of Required Crafts attached - Page 3

**Description of work (Provide details):**

Repair of water main breaks and other water distribution system repairs. \$1.4 million dollar contract the first year with two \$1 million renewals (total of \$3.4 million over three years).

**Project Manager:** Rob Thiemann P.E.

<b>FOR CIVIL RIGHTS &amp; EQUAL OPPORTUNITY DEPARTMENT USE ONLY:</b>	
<input type="checkbox"/> No Goals are set for this Project; OR	
<input checked="" type="checkbox"/> The following Goals are approved for this Project	10.5 % MBE 10.5 % WBE OR _____ % DBE
Civil Rights & Equal Opportunity Department	DocuSigned by:  Date: 6/13/2022
<small>33C4DAA9120C4F0...</small>	

<sup>1</sup> Contractor Utilization Plan (CUP) MUST be submitted to CREO KC prior to being posted on docket for review & approval from Council



**File #: 220855**

ORDINANCE NO. 220855

Sponsor: Director of Water Services

Authorizing a \$3,000,000.00 construction contract with Leath & Sons, Inc., for the Sewer Line Repairs at Various Locations Fiscal Year 2023 (On-Call Contract) project; and authorizing two successive one-year renewal options for a maximum expenditure of \$9,000,000.00 with further City Council approval.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of Water Services Department is authorized to execute Contract No. 1648 in the amount of \$3,000,000.00 with Leath & Sons, Inc., for the Sewer Line Repairs at Various Locations Fiscal Year 2023 (On-Call Contract) project; Project No. 60810104. A copy of this contract is on file in the office of Water Services Department.

Section 2. That the Director of Water Services Department is authorized to expend up to \$3,000,000.00 from Account No. 23-8110-802040-619060, Maintenance Division – Sewer Repair, to satisfy the cost of this contract.

Section 3. That the Director of Water Services is hereby authorized to execute two successive one-year renewal options for this contract with additional Council approval with such funds as appropriated by the Council in future annual budgets.

Section 4. That the Director of Water Services is authorized to expend up to \$6,000,000.00 to satisfy the costs of the two renewals with such funds as appropriated by further City Council approval for a maximum expenditure of \$9,000,000.00 for Contract No. 1648 and the two renewals.

..end

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.

Tammy L. Queen  
Director of Finance

Approved as to form and legality:

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Mark P. Jones  
Senior Associate City Attorney

# CONTRACT

220855

## Ordinance Fact Sheet

## Construction/Misc. Form

**Brief Title**  
 Authorizing a construction contract for the  
 Sewer Line Repairs at Various Locations  
 Fiscal Year 2023 (On-Call Contract) project.

**Approval Deadline**

**Reason for Contract**  
 This work will be performed throughout Kansas City to support the efforts of the Kansas City Water Services Department's Sewer Line Maintenance Division in the repairs of public sewer mains and private residential sewer laterals. This ordinance also authorizes two one-year renewal options with additional City Council

**Discussion**

**Project Justification**  
 This work will be performed to supplement the efforts of the Kansas City Water Services Department's Sewer Line Maintenance Division in the repairs of public sewer mains and private residential sewer laterals located within the public right-of-way or easements throughout Kansas City, Missouri.

The repairs will restore the structural integrity and operability to deteriorated sanitary sewers, will provide customers with reliable wastewater services, and will improve customer satisfaction by providing timely response to 311 service requests.

**Project Description**

This is an on-call construction project to repair private sewer lines within the Easements or Right-of-Way (ROW) and public sewer mains at various locations with all other appurtenant items throughout the Kansas City, Missouri area. Work will be performed in Cass, Clay, Jackson, and Platte Counties.

Multiple or no work orders may be issued each month. The actual quantities to be assigned are dependent on needed urgent sewer repairs from 311 calls or other investigative findings.

Unit prices for the work to be completed under this contract were set based on the bids received. Therefore, Water Services proposes a not to exceed \$3,000,000.00 on-call contract to complete work orders. This contract will be for a term of one year with two one-year renewal options.

City Council authorization will be requested for each proposed renewal option.

Proposed Contract: \$3,000,000.00  
 Proposed Renewal No. 1: \$3,000,000.00  
 Proposed Renewal No. 2: \$3,000,000.00  
 Total: \$9,000,000.00

**Reason**  
 To authorize execution of a construction work order on-call contract and expenditures; and authorizing two one-year renewal options with additional City Council approval.

**Roles and Responsibilities**

Sponsor	Water Services Department
Department or Programs Affected	Water Services Department
Recommended Awardee	Leath & Sons, Inc.
Contract Compliance Certification Obtained?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
Opponents	Groups or Individuals  None known  Reason for Opposition
Responsibilities	Design Engineering:  N/A Inspections:  City staff Construction or Project Management:  City staff Service Monitoring:  City staff

**Policy/Program Impact**

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

(Continued on reverse side)

**Details**

**Solicitation**

This Project was advertised in accordance with the City's requirements. Public bids were opened on July 26, 2022 with 2 bidders responding.

**Grant/Loan Funding**

N/A

**Civil Rights & Equal Opportunity Department Approval**

Project goals are 8% MBE and 7% WBE. Subcontracting information was submitted to the Civil Rights & Equal Opportunity Department for review on August 19, 2022, and was approved on September 1, 2022 with 8% MBE and 7% WBE participation. See the attached docket memo.

**Fairness in Construction Board**

There is no appeal on this contract pending before the Fairness in Construction Board.

**Youth Employment Program**

N/A

**1% for Art**

N/A

**How will this contribute to a sustainable Kansas City?**

This project will provide for the repair and maintenance of the City's sanitary sewer system to help reduce the backlog of work orders for the citizens of Kansas City, Missouri.

**Bid Opening Date:** 7/26/2022

**Notice of Intent to Contract:** TBA

**Is it good for the children?** Yes.

**Finances**

City's Estimate of Cost	\$ 3,000,000.00
Bid or Proposal Data	Lowest and Best Contract Cost Submitted \$ 2,946,135.00 * Recommended Awardee: Leath & Sons, Inc.
Bid Date:	7/26/2022
	No. of Bids Submitted: 2
	Reason for rejecting lowest contract cost submitted: N/A * Bids received were to establish Unit Prices for the construction work orders to be completed under this contract.
Other Bidders or Contractors Considered	Contract Costs Submitted
SHEDIGS IT LLC	\$ 4,391,520.00
	\$
	\$
	\$
	\$
	\$
	\$
Fund Sources and Appropriation Account Codes For This Contract	23-8110-802040-619060 = \$3,000,000.00 Maintenance Division - Sewer Repair Project No. 60810104
Source of Future Operating Funds	
Maximum Amount of Proposed Contract	\$ 3,000,000.00
Amount of Contingency	\$
Engineering & Administration	\$
<b>TOTAL</b>	<b>\$ 3,000,000.00</b>

**Estimated Duration of Contract:**

one year + two one-year renewal options

**Fact Sheet Prepared by:**

Leona Walton  
Contracts Manager

**Date:**

9/6/2022

**Reviewed by:**

Brian Hess  
Smart Sewer Division  
Division Head

**Date:**

9/16/2022

**Reference Numbers:** Contract No. 1648  
Project No. 60810104

**Council Committee Actions**

Do Pass	<input type="checkbox"/>	<input type="checkbox"/> Hold
Do Pass (as amended)	<input type="checkbox"/>	<input type="checkbox"/> W/o Recommendation
Committee Sub.	<input type="checkbox"/>	<input type="checkbox"/> Do Not Pass



**Inter-Departmental Communication**

Date: August 31, 2022

To: Mayor Quinton Lucas; Chair: Transportation, Infrastructure & Operations Committee

From: Andrea Dorch; Director; Civil Rights & Equal Opportunity Department

Subject: Docket Memo # 220855

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**CONTRACTOR:** Leath & Sons, Inc.  
Address: 9301 E.63rd St.  
Raytown, MO 64133  
Contract # 1648 / 60810104 - Sewer Lines Repairs at Various Locations Fiscal Year 2023 (On-call Contracts)  
Amount: \$3,000,000.00  
MBE Goal 8%  
WBE Goal: 7%  
Total MBE Achieved: 8%  
Total WBE Achieved: 7%

**MBE SUBCONTRACTORS:**  
Name: Diggs Construction, LLC  
Address: 2033 Vine St.  
Kansas City, MO 64108  
Scope of Work: Sewer Line Repairs  
Dollar Amount: \$228,218.80  
Ownership: Diggs, Dale Jr.  
Structure: African-American Male Code :15

**WBE SUBCONTRACTORS:**  
Name: Richardson Hauling, Inc  
Address: 14800 Kentucky Rd.  
Independence, MO 64050  
Scope of Work: Hauling  
Dollar Amount: \$125,000  
Ownership: Richardson, Dianna  
Structure: Caucasian Female Code:27

**WBE SUBCONTRACTORS:**

Name:	Streetwise, Inc.	
Address:	13501 Arrington Rd. Grandview, MO 64030	
Scope of Work:	Traffic Control	
Dollar Amount:	\$75,000	
Ownership:	Hettinger, Shawna	
Structure:	Caucasian Female	Code:13

**Comments:**



# MBE/WBE/DBE Contract Goals Request

Date: July 28, 2021  
 To: Andrea Dorch, Human Relations Department  
 From: Khoa Nguyen, Water Services Department

<b>Project Number</b>	<b>Project Name</b>	
60810104	Sewer Line Repairs at Various Locations Fiscal Year <del>2022</del> 2023	
<b>Contract ID Number</b>	<b>Estimated Cost: (cost breakdown attached)</b>	<b>Solicitation Date:</b>
1648	\$ 3,000,000.00	9/30/2021
<b>Estimated Project Duration:</b>		

Note: Click the box to select

<input checked="" type="checkbox"/> <b>FICB</b> <b>PREVAILING WAGE:</b> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
<b>Contract Category:</b>	<input checked="" type="checkbox"/> Construction	<input type="checkbox"/> Design-Build	<input type="checkbox"/> Non-Municipal Agency
	<input type="checkbox"/> Design Professional	<input type="checkbox"/> Other Goods & Services	<input type="checkbox"/> Lease
	<input type="checkbox"/> Professional Services	<input type="checkbox"/> Facilities Maintenance/Repair	<input type="checkbox"/> Tenant (MBE/WBE)
	<input type="checkbox"/> Other (Enter Type):		<input type="checkbox"/> Concession
<b>Type:</b>	<input checked="" type="checkbox"/> Original	<input type="checkbox"/> Amendment No.	
<b>Funding:</b>	<input checked="" type="checkbox"/> City(MBE/WBE)	<input type="checkbox"/> Federal (DBE)	<input type="checkbox"/> State (DBE)
	<input type="checkbox"/> Other:	<input type="checkbox"/> Grant#	
Construction Workforce Goals: Are the estimated construction labor hours greater than 800 and the estimated cost greater than \$300,000? If yes, complete "Required Crafts" Worksheet and include total number of hours in Description of Work.			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/> Estimated Cost Breakdown attached - Page 2		<input checked="" type="checkbox"/> List of Required Crafts attached - Page 3	

**Description of work:**

This project consists of repairing existing public sewers and private sewer lines inside the public right of way and inside the public sewer easements, and rehabilitation/construction of manholes . Work generally consists of repairing, replacement of existing 8-inch, 10-inch, 12-inch, and 15-inch diameter public sewer mains with all other appurtenant items throughout Kansas City, Missouri area.

cc:

**FOR HUMAN RELATIONS DEPARTMENT USE ONLY:**

No Goals are set for this Project; OR  
 The following Goals are approved for this Project    8 \_\_\_\_\_ % MBE 7 \_\_\_\_\_ % WBE OR \_\_\_\_\_ % DBE

Human Relations Department    *[Signature]*    Date: 8/4/2021

**FOR FAIRNESS IN CONSTRUCTION BOARD USE ONLY<sup>1</sup>**

*[Signature]*     Approved     Disapproved     N/A  
 Date: 8-12-2021

**FOR GRANT AGENCY USE ONLY<sup>2</sup>**

\_\_\_\_\_     Approved     Disapproved     N/A  
 Date: \_\_\_\_\_

<sup>1</sup> DBE Programs apply to specific federal or state grant requirements.  
<sup>2</sup> For Projects subject to prevailing wage requirements only.  
<sup>3</sup> Federal and state grant agreements may require granting agency approval of contract goals.



**File #: 220856**

ORDINANCE NO. 220856

Sponsor: Director of Water Services

Authorizing a \$1,370,201.23 Design-Build Contract Change Order No. 2 with Leath & Sons, Inc., for the Water Main Replacement in the Area of State Line Road to Mill Street Parkway, W. 46th Street to W. 55th Street for a total contract amount of \$8,101,695.14.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of the Water Services Department is authorized to execute a Design-Build Contract Change Order No. 2 to Contract No. 9430 in the amount of \$1,370,201.23, for a total contract amount of \$8,101,695.14, with Leath & Sons, Inc., for the Water Main Replacement in the Area of State Line Road to Mill Street Parkway, W. 46th Street to W. 55th Street, Project No. 80002224. A copy of the amendment is on file in the office of Water Services.

Section 2. That the Director of the Water Services Department is authorized a maximum expenditure of \$1,370,201.23 from Account No. AL-8077-807705-B-80002224, Water Main Replacement Program, to satisfy the cost of this change order.

..end

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.

\_\_\_\_\_  
Tammy L. Queen  
Director of Finance

Approved as to form and legality:

\_\_\_\_\_  
Mark P. Jones

Senior Associate City Attorney

# CONTRACT

220856

## Ordinance Fact Sheet

## Amendment Form

Brief Title	Approval Deadline	Reason
Authorizing Change Order No. 2 to a Design-Build		To authorize execution and expenditures of a Design-Build Change
Contract for the Water Main Replacement in the		Order.
Area of State Line Road to Mill Street Parkway,		
W. 46th Street to W. 55th Street.		

**Details**

**Reason for Contract**

This design-build project will be performed to replace aging, break-prone cast iron pipe (CIP) water mains with ductile iron pipe (DIP).

This proposed ordinance is for authorization to execute a Change Order No. 2, which exceeds prior City Council authorization approved under Ordinance no. 200831, and is for additional work to be performed on the project.

**Discussion**

**Project Justification**

The Water Services Department is undertaking this construction project to improve distribution system reliability, increase hydraulic conveyance capacity, and support fire protection.

**Contract Summary/Project Description/Reason for Legislation**

City Council passed Ordinance No. 200831 on October 23, 2020 authorizing a \$6,174,988.00 design-build contract with Leath & Sons, Inc. for the Water Main Replacement in the Area of State Line Road to Mill Street Parkway, W. 46th Street to W. 55th Street.

This project entails the design and replacement of approximately 17,830 linear feet (LF) of 2-inch, 6-inch, 8-inch, 12-inch, and 16-inch water mains in the area of State Line Road to Mill Street Parkway, W. 46th Street to W. 55th Street in Kansas City, Jackson County, Missouri.

The City executed a \$556,505.91 Change Order No. 1 on October 22, 2021. This proposed \$1,370,201.23 Change Order No. 2 requires City Council approval as it exceeds the prior Council authorization under Ordinance No. 200831.

**Roles and Responsibilities**

Sponsor	Water Services Department
Department or Programs Affected	Water Services Department
Recommended Awardee	Leath & Sons, Inc.
Contract Compliance Certification Obtained?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
Opponents	Groups or Individuals  None known  Reason for Opposition
Responsibilities	Design Engineering:  Black & Veatch Corporation Inspections:  City staff Construction or Project Management:  City staff Service Monitoring:  City staff

**Policy/Program Impact**

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

**Details**

The change orders will cover the following work:

- Replace approximately 400 LF of 8-inch CIP water main with 8-inch water main along E. 67th street, under I-435 (Corrington Avenue to the W. Scenic Drive to the east).
- Reconnect an existing service line for Pembroke Hill School near the intersection of W. 51st Street and State Line Road.
- Repair a small main break and broken valve along State Line Road.
- Add a total of 575 LF additional of 8-inch water main installation along Mill Creek Parkway, from Mill Creek Parkway to Main Street and along Pennsylvania Avenue from W. 46th Terrace to W. 46th Street.
- Installation of additional services, valves and brick pavers, additional gate (6, 8, and 12-inch) and butterfly valves (16-inch), and water service lines with associated brick paver restoration (as required by the Country Club Plaza for construction), as needed, to complete the construction of the new water mains due to multiple unknown service lines and fire protection lines found during active construction. These unforeseen conditions caused additional costs during the project.
- Install 500 LF of a temporary 2-inch water line along State Line Road.
- Repair broken valves, water main appurtenances and associated costs, as needed, throughout the life of the project.

The new contract amount after this proposed Change Order No. 2 is approved by City Council and executed by the City will be \$8,101,695.14.

**Contract Cost Summary**

Original Contract:	\$6,174,988.00
Change Order No. 1:	\$556,505.91
<u>Proposed Change Order No. 2:</u>	<u>\$1,370,201.23</u>
Total:	\$8,101,695.14

**Civil Rights & Equal Opportunity Department (CREO KC)**

**Approval**

Project goals are 11% MBE and 6% WBE. Design-Build project goals will remain unchanged for this change order.

**Grant Funding**

N/A

**Is it good for the children?** Yes.





REVIEWED BY



DATE





**Inter-Departmental Communication**

Date: September 26, 2022

To: Mayor Quinton Lucas; Chair: Transportation, Infrastructure & Operations Committee

From: Andrea Dorch: Director; Civil Rights & Equal Opportunity Department

Subject: Revised Docket Memo for Change Order 2 #:220856

**CONTRACTOR:** Leath & Sons, Inc.  
 Address: 9301 E. 63<sup>rd</sup> St.  
 Raytown, MO 64133

Contract # 9430 / 80002224 – Water Main Replacement in the area of State Line Rd to JC Nichols Parkway, W 46th St to W 55th St

Contract Amount: \$8,101,695.14 (\$1,370,201.23 on Change Order 2)

MBE Goal 11%  
 WBE Goal: 6%  
 Total MBE Achieved: 11.5%  
 Total WBE Achieved: 6%

**MBE SUBCONTRACTORS:**

Name: RGS & Associates Development Co., LLC  
 Address: 9411 E. 63<sup>rd</sup> St.  
 Raytown, MO 64133

Scope of Work: Hauling  
 Dollar Amount: 3.8%  
 Ownership: Rodney Green  
 Structure: African-American Male Code 15

**MBE SUBCONTRACTORS:**

Name: Tech Services to Go, Inc. dba TSi Geotechnical  
 Address: 8248 NW 101<sup>st</sup> Terrace, #5  
 Kansas City, MO 64153

Scope of Work: Geotechnical  
 Dollar Amount: 0.3%  
 Ownership: Denise Hervey  
 Structure: African American Female Code 19

Page 2: WMR in the area of State Line Rd. to JC Nichols Parkway, W. 46<sup>th</sup> St. to W. 55<sup>th</sup> St.

**MBE SUBCONTRACTORS:**

Name: Diggs Construction, LLC  
Address: 2033 Vine St.  
Kansas City, MO 64108  
Scope of Work: Water Main Repair  
Dollar Amount: 5.4%  
Ownership: Dale Diggs, Jr.  
Structure: African American Male Code 15

**MBE SUBCONTRACTORS:**

Name: JA Lillig Grading, LLC  
Address: 1615 E. 173<sup>rd</sup> St.  
Belton, MO 64012  
Scope of Work: Hauling  
Dollar Amount: 2%  
Ownership: James Lillig  
Structure: Native American Male Code 17

**WBE SUBCONTRACTORS:**

Name: TREKK Design Group, LLC  
Address: 1411 E. 104th St  
Kansas City, MO 64131  
Scope of Work: Surveying  
Dollar Amount: 2.8%  
Ownership: Kimberly Robinett  
Structure: Caucasian Female Code 27

**WBE SUBCONTRACTORS:**

Name: VSM Engineering LLC  
Address: 80008 Chatham Ave.  
Kansas City MO 64151  
Scope of Work: Traffic Control Plan / SWPPP Plan  
Dollar Amount: 0.2%  
Ownership: Valerie McCaw  
Structure: Caucasian Female Code 27

**WBE SUBCONTRACTORS:**

Name: Richardson Hauling Inc  
Address: 14800 Kentucky Rd.  
Independence, MO 64050  
Scope of Work: Hauling  
Dollar Amount: 1.7%  
Ownership: Dianne Richardson  
Structure: Caucasian Female Code 27

**WBE SUBCONTRACTORS:**

Name: Shockey Consulting Services, LLC  
Address: 12351 W 96th Terrace, Suite 107  
Lenexa, KS 66215  
Scope of Work: Public Involvement  
Dollar Amount: 0.2%  
Ownership: Sheila Shockey  
Structure: Caucasian Female Code 27

**WBE SUBCONTRACTORS:**

Name: Little Joe's Asphalt, Inc.  
Address: 134 N. 130<sup>th</sup> St.  
Bonner Springs, KS 66012  
Scope of Work: Asphalt  
Dollar Amount: < 0.1%  
Ownership: Buehler, Theresa  
Structure: Caucasian Female Code 27

**WBE SUBCONTRACTORS:**

Name: Streetwise, Inc.  
Address: 4600 E. 142<sup>nd</sup> St.  
Grandview, MO 64030  
Scope of Work: Traffic Control  
Dollar Amount: 1%  
Ownership: Hettinger, Shawna  
Structure: Caucasian Female Code 13

Page 4: WMR in the area of State Line Rd. to JC Nichols Parkway, W. 46<sup>th</sup> St. to W. 55<sup>th</sup> St.

**WBE SUBCONTRACTORS:**

Name: EJ & Sons Construction, LLC  
Address: 3910 Norton Ave.  
Kansas City, MO 64130  
Scope of Work: Hauling  
Dollar Amount: < 0.1%  
Ownership: Jones, Elwanda  
Structure: African-AmericanFemale Code 23

**Comments:**

Original Contract Amount:	\$6,174,988.00
Change Order 1:	<u>\$ 556,505.91</u>
Current Contract Amount:	\$6,731,493.91
Proposed Change Order 2:	<u>\$1,370,201.23</u>
Proposed Contract Amount:	\$8,101,695.14

According to B2G, the prime contractor is currently achieving the following participation on the contract:

Dollars paid to prime contractor by City to date: \$6,394,919.21  
Dollars paid to MBEs by prime contractor to date: \$928,181.80 for 15% MBE.  
Dollars paid to WBEs by prime contractor to date: \$494,596.55 for 8% WBE.



**File #: 220859**

ORDINANCE NO. 220859

Sponsor: Director of Aviation Department

Estimating revenue in the amount of \$763,000.00 to the Federal Stimulus Grants account; and authorizing acceptance of the Infrastructure Investment and Jobs Act of 2021 referred to as the Bipartisan Infrastructure Law (BIL) Act Grant Offer from the United States of America, acting through the Federal Aviation Administration (FAA).

WHEREAS, the Aviation Department submitted to the FAA a Project Application dated August 13, 2022, for a grant of Federal funds for a project at or associated with the Charles B Wheeler Downtown Airport which is included as part of this Grant Agreement; and

WHEREAS, the grant must be accepted and executed by the City no later than November 10, 2022; and

WHEREAS, the FAA has approved a project for the Charles B Wheeler Downtown Airport (herein called the “Project”) consisting of Airport Master Plan study; and

WHEREAS, the BIL Grant is provided in accordance with the Infrastructure Investment and Jobs Act (IIJA) (H.R. 3684 Public Law 117-58); and

WHEREAS, the purpose of the BIL Grant is to provide funds to complete an airport master plan and update the Airport Layout Plan (ALP) to address key issues, objectives and goals pertinent to the airport’s future development; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That revenue in the following account of the Aviation Fund is hereby estimated in the following amount:

23-8300-620000-479979	Federal Stimulus Grants	\$763,000.00
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Section 2. That a BIL Grant Agreement between the City of Kansas City, Missouri, acting through its Director of the Aviation Department, and the Federal Aviation Administration for the period of 4 years from the date of acceptance in the amount of \$763,000.00 is hereby accepted and approved. A copy of the grant agreement is on file with the Director of the Aviation Department.

..end

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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 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.

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Tammy L. Queen  
Director of Finance

Approved as to form and legality:

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Charlotte Ferns  
Senior Associate City Attorney

# GENERAL

## Ordinance Fact Sheet

220859

Ordinance Number

**Brief Title**  
 FAA BIL Grant Offer  
 CBW Airport Planning Study

**Approval Deadline**

**Reason**  
 To authorize Director of Aviation to accept a BIL Act Grant from the FAA

**Details**

**Reason for Legislation**

Estimating revenue in the amount of \$763,000.00 to the Federal Stimulus Grants account; and authorizing the Infrastructure Investment and Jobs Act of 2021 referred to as the Bipartisan Infrastructure Law (BIL) Act Grant Offer from the United States of America, acting through the Federal Aviation Administration (FAA).

**Discussion**

The Aviation Department submitted to the FAA a Project Application dated August 13, 2022, for a grant of Federal funds for a project at or associated with the Charles B Wheeler Downtown Airport which is included as part of this Grant Agreement and the FAA has approved a project for the Charles B Wheeler Downtown Airport (herein called the "Project") consisting of Airport Master Plan study. The BIL Grant is provided in accordance with the Infrastructure Investment and Jobs Act (IIJA) (H.R. 3684 Public Law 117-58) and the purpose of the BIL Grant is to provide funds to complete an airport master plan and update the Airport Layout Plan (ALP) to address key issues, objectives and goals pertinent to the airport's future development.

**Is it good for the children?**

This Ordinance recognizes the importance of maintaining and improving the airports infrastructure for our children and the future.

**How will this contribute to a sustainable Kansas City?** The BIL Act Grant will allow the Aviation Department to 1) keep the city's airports in reliable, safe operation to serve the aviation industry, the traveling public, and support the economy; 2) keep airport and aviation workers employed; and 3) maintain the stability of the Department's airport credit ratings.

**Positions/Recommendations**

<b>Sponsor</b>	Aviation Department
<b>Programs, Departments, or Groups Affected</b>	Aviation Department
<b>Applicants / Proponents</b>	Applicant Aviation Department City Department Aviation Department Other
<b>Opponents</b>	Groups or Individuals None Known Basis of opposition
<b>Staff Recommendation</b>	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
<b>Board or Commission Recommendation</b>	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)
<b>Council Committee Actions</b>	<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

(Continued on reverse side)

**Details**

Airport/Planning Area Charles B Wheeler Downtown Airport  
 Infrastructure  
 Grant Number 3-29-0041-033-2022 Unique Entity

**Policy/Program Impact**

**Policy or Program Change**

No  Yes

Grant Number 5-29-0041-033-2022 Unique Entity Identifier MBXBJ9CXEAN6

<b>Operational Impact Assessment</b>	

**Finances**

<b>Cost &amp; Revenue Projections -- Including Indirect Costs</b>	
<b>Financial Impact</b>	
<b>Fund Source (s) and Appropriation Account Codes</b>	23-8300-620000-479979

(Use this space for further discussion, if necessary)

**Applicable Dates:**

**Fact Sheet Prepared by:**  
Meera Mahalingam

8/24/2022

**Reviewed by:**

Name  
Title

Date

**Reference Numbers**

# LEGISLATIVE FISCAL NOTE

LEGISLATION  
NUMBER:

220859

**LEGISLATION IN BRIEF:**

Estimating revenue in the amount of \$763,000.00 to the Federal Stimulus Grants account; and authorizing the the Infrastructure Investment and Jobs Act of 2021 referred to as the Bipartisan Infrastructure Law (BIL) Act Grant

Offer from the FAA

**What is the purpose of this legislation?**

CAPITAL

*For the purpose of funding for the construction of fixed capitalizable assets*

**Does this legislation spend money?**

NO

Yes/No

*See Section 00: " Notes" Below*

**Does this legislation estimate new Revenues?**

YES

Yes/No

*See Section 02 for new revenue estimates*

**Does this Legislation Increase Appropriations?**

NO

Yes/No

0

**Does this legislation expand the scope of city services, or expand the city's infrastructure?**

NO

Yes/No

*Maintenance of existing assets is included in the budget. For details see Section 00: " Notes" Below*

**Section 00: Notes:**

Five years of operational and maintenance costs should be included in Section 04 below.

**FINANCIAL IMPACT OF LEGISLATION**

**Section 01: If applicable, where are funds appropriated in the current budget?**

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST

**Section 02: If applicable, where will new revenues be estimated?**

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST
8300	620000	479979		763,000.00	

**Section 03: If applicable, where will appropriations be increased?**

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST
<b>NET IMPACT ON OPERATIONAL BUDGET</b>				763,000.00	-

RESERVE STATUS:

**REVENUE SUPPORTED**

**SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)**

FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
8300	Aviation	763,000						
<b>TOTAL REV</b>		763,000	-	-	-	-	-	-

FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
<b>TOTAL EXP</b>		-	-	-	-	-	-	-

<b>NET Per-YEAR IMPACT</b>	763,000	-	-	-	-	-	-	-
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<b>NET IMPACT ( SIX YEARS)</b>								<b>763,000.00</b>
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REVIEWED BY

*Michael Ignacio Jr.*

DATE

9/26/2022



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**File #: 220860**

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ORDINANCE NO. 220860

Sponsor: Mayor Quinton Lucas

Accepting a \$25,000.00 Award from the U.S. Conference of Mayors Climate Challenge in recognition of the City's zero fair zero emissions transit initiative; and estimating that amount as revenue and appropriating that \$25,000.00.

WHEREAS, climate change, which is projected to rapidly increase the City's average temperatures over the next several decades is one of the most pressing issues facing Kansas City; and

WHEREAS, trees can cool the city by as much as ten degrees on a given day, thereby reducing air conditioning bills and possibly saving lives as well as absorbing rainfall and air pollution and contribute dozens of others benefits ranging from reduced crime to increased real estate values to measurable improvements in the happiness and pulmonary health of our citizens; and

WHEREAS, each year, through their Climate Protection Award Program, the United States Conference of Mayors (UCSM) recognizes and honors mayors for outstanding and innovative practices that increase energy efficiency, expand renewable energy, and/or reduce carbon emissions; and

WHEREAS, Mayor Lucas and the City of Kansas City were awarded the first-place prize of \$25,000.00 in the 2022 USCM Climate Protection Awards for implementing a Zero-Fare Public Transportation program; and

WHEREAS, the award funds will be used to combat the urban heat island effect by increasing and maintaining tree canopy coverage across Kansas City, with a focus on communities that have been disproportionately impacted by climate change and are underserved by current tree coverage; and

WHEREAS, investments in preserving and expanding our urban tree canopy are key strategies named in both the City's Urban Forestry Master Plan and the City's Climate Protection & Resiliency Plan; and

WHEREAS, urban trees are a critical asset to our community, improving quality of life and mitigating climate change by sequestering carbon, reducing energy usage, removing air pollutants, filtering stormwater and cooling hot city streets by providing shade; and

WHEREAS, tree canopy coverage, and the associated benefits, are not spread evenly in all communities; and

WHEREAS, increased tree planting, with a focus on areas underserved by current tree coverage, can combat the urban heat island effect and mitigate the effects of increased temperatures from climate change; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Mayor, on behalf of the City of Kansas City, hereby accepts the Award, in the amount of \$25,000.00, from the U.S. Conference of Mayors Climate Challenge.

Section 2. That the revenue in the following account of the Parks and Recreation Special Gifts Fund is hereby estimated in the following amount:

AL-6490-700000-482930	Contribution - Special Gifts Fund	\$25,000.00
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Section 3. That the sum of \$25,000.00 is hereby appropriated from the Unappropriated Fund Balance of the Parks and Recreation Special Gifts Fund to the following account:

AL-6490-707772-B-70400135	Tree Planting	\$25,000.00
---------------------------	---------------	-------------

Section 4. That the Director of the Department of Parks and Recreation shall specifically use the award funds to combat the urban heat island effect by increasing and maintaining tree canopy coverage across Kansas City, with a focus on communities that have been disproportionately impacted by climate change and are underserved by current tree coverage.

..end

---

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.

---

Tammy L. Queen  
Director of Finance

Approved as to form and legality:

---

Lana K. Torczon

Senior Associate City Attorney

**No Fact Sheet  
for  
Ord.  
220860**

# LEGISLATIVE FISCAL NOTE

LEGISLATION  
NUMBER:

220860

**LEGISLATION IN BRIEF:**

Accepting a \$25,000.00 Award from the U.S. Conference of Mayors Climate Challenge in recognition of the City's zero fair zero missions transit initiative; and estimating that amount as revenue and appropriating that \$25,000.00.

**What is the purpose of this legislation?**

OPERATIONAL GRANT

*For Accepting financial contributions from Federal State and/or third parties to fund municipal programs. Programs supported by grants may require matching contributions from the City, or for the City to pay for program activities beyond the lifespan of the grant.*

**Does this grant require a match?**

NO

Yes/No

See Section 00: "Notes" Below

**Does this legislation estimate Grant Revenues?**

YES

Yes/No

See Section 02 for the New Estimated Revenues by Year.

**Does this legislation estimate Grant Appropriations?**

YES

Yes/No

See Section 03 Below, Note all future Revenues in Section 04.

**Does this grant create an ongoing expense for the city?**

NO

Yes/No

See Section 00: "Notes" Below

**Section 00: Notes:**

\$25,000 award from the US Conference of Mayors Climate Challenge to support the planting of trees to mitigate the effects of increased temperatures from climate change. Revenue will be estimated in the Parks and Recreation Special Gift Fund and shall be used specifically for the purpose of planting and maintaining trees in communities disproportionately affected by climate change.

If this grant is renewable, we do not assume that it will renew. If it is not, the city assumes the full cost in out years.

**FINANCIAL IMPACT OF LEGISLATION**

**Section 01: If applicable, where are funds appropriated in the current budget?**

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST
				\$ -	

**Section 02: If applicable, where will new revenues be estimated?**

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST
6490	700000	482930		\$ 25,000	\$ -

**Section 03: If applicable, where will appropriations be increased?**

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST
6490	707772	B	70400135	\$ 25,000	-

**NET IMPACT ON OPERATIONAL BUDGET**

	-	-
<b>REVENUE SUPPORTED</b>		

**RESERVE STATUS:**

**SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)**

FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
6490	Parks Special Gift Fund	25,000	-	-	-	-	-	-
<b>TOTAL REV</b>		<b>25,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
6490	Parks Special Gift Fund	25,000	-	-	-	-	-	-
<b>TOTAL EXP</b>		<b>25,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

<b>NET Per-YEAR IMPACT</b>	-	-	-	-	-	-	-	-
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<b>NET IMPACT ( SIX YEARS)</b>	-
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REVIEWED BY

Esther Swanson

DATE

9/27/2022



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**File #: 220864**

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ORDINANCE NO. 220864

Sponsor: Director of General Services

Declaring certain real property generally located at 1200 and 1210 Broadway, Kansas City, Missouri, surplus to the City's needs; authorizing the Director of General Services to offer the sale of the City's interest in this real property in accordance with City regulations, and execute related documents to complete the transfer of the real property while reserving easements, as necessary, for any existing City owned sewer, storm water, and water line infrastructure on the said property.

WHEREAS, all City departments have been notified and this property is not needed by the City and no interest has been expressed in retaining the land for future public use; and

WHEREAS, the City owns rights in certain real property generally located at 1200 and 1210 Broadway, Kansas City, Jackson County, Missouri; and

WHEREAS, all existing easements, right of way, and/or any other encumbrances affecting the real property, shall remain in effect as set forth in the Quitclaim Deed executed as a part of the subsequent transfer; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the parcels described below, are hereby declared surplus to the City's needs.

Section 2. That the Director of General Services Department is hereby authorized to currently offer for sale in accord with City regulations, and make available through an open and public competition, with such conditions determined appropriate by the Director of General Services, the City's rights in the property located at 1200 and 1210 Broadway, Kansas City, Jackson County, Missouri, legally described as follows:

TRACT 1: Lots 1, 2, 3, 4, and 5, Block 1, Broadway Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 2: All that part of Block 1, Lykins Place addition, a subdivision and part of 5 foot strip "left for alley" in Broadway Addition, a subdivision 'all in Kansas City, Jackson County, Missouri, described as follows: Beginning at a point in the south line of 12th Street, as now established, 155 feet west of the northeast corner

of Lot 1, Block 1, of said Broadway Addition; thence south 127 feet 10 inches; thence east 35 feet to the east line of said strip "left for alley"; thence north along said east line 127 feet 10 inches to the south line of said 12th Street; thence west along said south line to the point of beginning.

TRACT 3: Lot 6, and the north 13 feet 3 inches of Lot 7, Block 1, Broadway Addition, a subdivision in Kansas City, Jackson County, Missouri; also that part of Block 1, Lykins Place Addition to the City of Kansas, a subdivision in Kansas City, Jackson County, Missouri, and all that part of a 5 foot strip of land lying west of and adjacent to the west line of said Block I, Broadway Addition, all being more particularly described as follows: Beginning at a point 120 feet west of the northeast corner of said Lot 6, Block I, Broadway Addition, thence west 35 feet; thence south 36 feet 6 inches; thence east 35 feet; thence north to the point of beginning.

TRACT 4: The south 10.75 feet of Lot 7, Lot 8, and the north 7.75 feet of Lot 9, Block 1, Broadway Addition, a subdivision in Kansas City, Jackson County, Missouri; also that part of Lot 10, Aldine Place, a subdivision of land, that part of Block 1, Lykins Place addition to the City of Kansas, a subdivision in Kansas City, Jackson County, Missouri, and that part of a 5 foot strip of land lying west of and adjacent to the west line of said Block 1, Broadway Addition, all being more particularly described as follows: Beginning at a point that is 120 feet west of a point located 7.5 feet south of the southeast corner of Lot 8 of Block 1 of Broadway Addition, thence west 60 feet to the west line of said Lot 10, Aldine Place; thence north with the west line of said Lot 10, Aldine Place, to the north line of said Lot 10; thence east with the north line of said Lot 10, Aldine Place, to the west line of Block 1 of Lykins Place Addition; thence north with the west line of Block 1 of Lykins Place Addition, to a point located on the said west line of Block 1 of Lykins Place Addition, located 164 feet 4 inches south of the south line of 12th Street, as now established; thence east to a point on the west line of said Lot 7, Block 1, Broadway Addition which is 10.75 feet north of the southwest corner of said Lot 7, Block 1, Broadway Addition; thence south to the point of beginning.

TRACT 5: Lot 9, except the north 7.75 feet thereof, and all of Lots 10 through 13, inclusive, Block 1, Broadway Addition to Kansas City (hereinafter referred to and more commonly known as Broadway Addition), a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof; also, all that part of Lot 10, Aldine Place, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof, which lies south of the westerly projection of a line lying 7.5 feet south of and parallel to the north line of said Lot 9, Block 1, Broadway Addition; also, all that part of the 5 foot wide strip of land "left for alley" in said Broadway Addition, and all that part of Block 1, Lykins Place Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof, which lie north of the westerly projection of the south line of said Lot 11, Block 1 Broadway Addition, and east of the east

line of said Lot 10, Aldine Place, and south of the westerly projection of a line lying 7.75 feet south of, and parallel to, the north line of said Lot 9, Block 1, Broadway Addition, and west of the west line, projected north and south, of Lot 10, Block 1 of said Broadway Addition

Collectively, the Tracts 1-5, are referred to as "Property."

Subject to building lines, easements, reservation, restrictions, covenants and conditions of record.

Further subject to any and all other existing easements, right of way, and/or any other encumbrances, recorded or non-recorded, affecting the real property, and also subject to a reservation of easements, as necessary, for City owned sewer, storm water, and/or water line infrastructure located on the said property and existing on or before the execution of this Special Warranty Deed or Quitclaim Deed as necessary.

Section 3. That the Director of General Services is hereby authorized to execute any real estate or other documents needed to effectuate this transaction.

..end

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Approved as to form and legality:

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Matthew W. Cooper  
Associate City Attorney

LEGISLATIVE FACT SHEET		Legislation Number:	
		Approval Deadline:	
LEGISLATION IN BRIEF:			
What is the reason for this legislation?		<b>Fact Sheet Color Codes</b> User Entered Field User Select From Menu For OMB Use	
		Sponsor(s)	
		Programs, Departments, or Groups Affected	
		Sub-Program in Budget (page #)	
Discussion (including relationship to other Council actions)		Applicants/ Proponents	City Department
			Other
		Staff Recommendation	
		Board or Commission Recommendation	
		<b>Future Impacts</b>	
		Cost of Legislation current Fiscal Year	
		Costs in Future Fiscal Years?	
<b>Citywide Business Plan Goal</b>		Annual Revenue Increase/Decrease	
<b>Citywide Business Plan Objective</b>		<b>Applicable Dates:</b>	
		<b>Prepared by:</b>	
		<b>Date Prepared:</b>	
<b>Citywide Business Plan Strategy</b>		<b>Reviewed by:</b>	
		<b>Date Reviewed</b>	
		<b>Reference Numbers</b>	





**File #: 220776**

ORDINANCE NO. 220776

Amending Chapter 2, Code of Ordinances, by enacting Section 2-886, dispensing with the requirement that certain improvements erected or to be erected upon land belonging to the City be approved by the Municipal Art Commission.

WHEREAS, Section 1137 of the City Charter provides that the City Council may dispense of the requirement that arches, bridges, structures and approaches which are the property of any corporation or individual and which extend upon any street, avenue, highway, park or property belonging to the City be approved by the Municipal Art Commission; and

WHEREAS, the Municipal Art Commission is charged with additional powers and duties as the principal advisory arm of the city in matters of design and visual elements of major public buildings, structures, and art objects and in matters of promoting, fostering and encouraging cultural activities of all kinds, including the fine arts and performing arts; and

WHEREAS, the Municipal Art Commission wishes that the Council dispense with the Commission’s approval of certain structures encroaching upon City property so that the Commission may focus its attention on those powers and duties stated above; and

WHEREAS, the City Planning Department, pursuant to Section 18-25 of the City’s Code, is delegated with the authority to review and approve encroachments onto City property;

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 2, Code of Ordinances of the City of Kansas City, Missouri, is hereby amended by enacting Section 2-886, to read as follows:

**Sec. 2-886. Commercial Encroachments.**

Notwithstanding any other provision of this division, and pursuant to Section 1137(b) of the City Charter, projecting signs with a face area not exceeding twelve square feet, awnings, balconies, fire escapes, retaining walls, patios, accessibility ramps, and any doors which shall extend upon any street, avenue, highway, park or property belonging to the City shall not be subject to the approval of the Municipal Art Commission.

..end

Approved as to form and legality:

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Matthew W. Cooper  
Assistant City Attorney

# GENERAL

## Ordinance Fact Sheet

220776

Ordinance Number

Brief Title	Approval Deadline	Reason
Revisions to above-ground encroachment permit application regulations	September 2022	

Details	Positions/Recommendations														
<p><b>Reason for Legislation</b>            The Municipal Art Commission, in consultation with the City Planning and Development Department, requests the City Council dispense with the Commission's approval of certain structures encroaching upon City property so that the Commission may focus its attention on its duties as the principal advisory arm of the city in matters of design and visual elements of major public buildings, structures, and art objects, and in matters of promoting, fostering and encouraging cultural activities of all kinds, including the fine arts and performing arts.</p> <p>The structures outlined in the Ordinance are: blade signs with a face area not exceeding 12 sq. ft., awnings, balconies, fire escapes, retaining walls, patios, accessibility ramps, and any doors which shall extend upon any street, avenue, highway, park or property belonging to the City. Such structures will still require review by the City Planning and Development Department.</p>	<table border="1"> <tr> <td><b>Sponsor</b></td> <td>Councilwoman Bough Councilwoman Shields</td> </tr> <tr> <td><b>Programs, Departments, or Groups Affected</b></td> <td>One Percent for Art program City Planning and Development City Architect</td> </tr> <tr> <td><b>Applicants / Proponents</b></td> <td><b>Applicant</b> James Martin, Public Art Administrator <b>City Department</b>      General Services  <b>Other</b></td> </tr> <tr> <td><b>Opponents</b></td> <td><b>Groups or Individuals</b>  <b>Basis of opposition</b></td> </tr> <tr> <td><b>Staff Recommend</b></td> <td><input checked="" type="checkbox"/> For <input type="checkbox"/> Against <b>Reason Against</b></td> </tr> <tr> <td><b>Board or Commission Recommend</b></td> <td>By Municipal Art Commission <input checked="" 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)</td> </tr> <tr> <td><b>Council Committee Actions</b></td> <td><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</td> </tr> </table>	<b>Sponsor</b>	Councilwoman Bough Councilwoman Shields	<b>Programs, Departments, or Groups Affected</b>	One Percent for Art program City Planning and Development City Architect	<b>Applicants / Proponents</b>	<b>Applicant</b> James Martin, Public Art Administrator <b>City Department</b> General Services  <b>Other</b>	<b>Opponents</b>	<b>Groups or Individuals</b>  <b>Basis of opposition</b>	<b>Staff Recommend</b>	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against <b>Reason Against</b>	<b>Board or Commission Recommend</b>	By Municipal Art Commission <input checked="" 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)	<b>Council Committee Actions</b>	<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
<b>Sponsor</b>	Councilwoman Bough Councilwoman Shields														
<b>Programs, Departments, or Groups Affected</b>	One Percent for Art program City Planning and Development City Architect														
<b>Applicants / Proponents</b>	<b>Applicant</b> James Martin, Public Art Administrator <b>City Department</b> General Services  <b>Other</b>														
<b>Opponents</b>	<b>Groups or Individuals</b>  <b>Basis of opposition</b>														
<b>Staff Recommend</b>	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against <b>Reason Against</b>														
<b>Board or Commission Recommend</b>	By Municipal Art Commission <input checked="" 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)														
<b>Council Committee Actions</b>	<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														
<b>Discussion</b>															

(Continued on reverse side)

**Details**

**Is It Good For The Children?**

This modification of the Municipal Art Commission's responsibilities will enable the Commission to focus its attention on art and design, potentially bringing new arts opportunities to the city.

**How will this contribute to a sustainable Kansas City?**

The City Planning and Development Department will retain approval authority for projects that do not include significant aesthetic considerations, such as blade signs with a face area not exceeding 12 sq. ft., awnings, balconies, fire escapes, retaining walls, patios, accessibility ramps, and any doors which shall extend upon any street, avenue, highway, park or property belonging to the City. Such structures will still require review by the City Planning and Development Department.

**Policy/Program Impact**

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

<b>Cost &amp; Revenue Projections -- Including Indirect Costs</b>	
<b>Financial Impact</b>	
<b>Fund Source (s) &amp; Appropriation Account Codes</b>	

**Fact Sheet Prepared by:**  
James Martin, MA, Public Art Administrator

**Date:**

**Reviewed by:**

**Date:**





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**File #: 220809**

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ORDINANCE NO. 220809

Approving and authorizing the City Manager to enter into a master agreement with the Missouri Highways and Transportation Commission, The Lamar Company, L.L.C., and TLC Properties, Inc. for the grant of permanent easements on City properties located in the vicinity of I-70 and Highway 40 for the public purpose of facilitating the construction of the Buck O’Neil Bridge replacement project; and authorizing City Manager to execute easement documents.

WHEREAS, the City of Kansas City, Missouri (“City”) and Missouri Highways and Transportation Commission (“MHTC”) entered into a Cost Apportionment Agreement, as authorized by Committee Substitute for Ordinance No. 200222, effective May 1, 2020; and

WHEREAS, City and MHTC were each responsible for fifty-percent of the cost of right-of-way acquisition for the Buck O’Neil Bridge replacement project (“Project”), including any cost overruns or underruns; and

WHEREAS, MHTC filed a condemnation action on 2 August, 2021, *State of Missouri ex rel. MHTC v TLC Properties, Inc., et al.*, Case No. 2116-CV16421, against TLC Properties Inc. and The Lamar Company, L.L.C., to acquire property interests necessary for the Project which included an easement and double-sided outdoor advertising sign with a tri-vision sign on one side; and

WHEREAS, the Condemnation Commissioners’ Award for TLC Properties, Inc. and The Lamar Company, L.L.C. was \$850,000, and MHTC, TLC Properties, Inc., and The Lamar Company, L.L.C. all filed exceptions to the Commissioners’ Award and requested a jury trial to determine the value of the property interests;

WHEREAS, the City owns a parcel of property located at 6411 E US 40 Hwy (“Access Property”) and an adjacent parcel to the south (“Sign Property”) on which The Lamar Company, L.L.C. currently operates an outdoor advertising sign (“Sign”);

WHEREAS, under the terms of the Master Agreement, TLC Properties, Inc. and The Lamar Company, L.L.C. shall forego and/or return the Commissioners’ Award, less attorney’s fees and costs not to exceed \$75,000, which shall be deposited back into the Project fund accounts;

WHEREAS, the Council finds that granting a permanent easement for the location of the Sign and a permanent access easement under the terms of the Master Agreement is for the public purpose of reallocation of the Commissioners’ Award for other Project improvements,

distribution of fifty percent of any excess Project funds to the City, eliminating costs and risks of litigation and reducing City's exposure to cost overruns, and facilitating the expedient completion of the Project; and

WHEREAS, The Lamar Company, L.L.C. has met the requirements of Municipal Code § 88-445-14.5(j), and may convert the Sign to back-to-back digital signs and said back-to-back digital signs may exceed the digital sign cap under § 88-445-14.5(m).

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the City Manager is authorized to enter into a Master Agreement with the Missouri Highways and Transportation Commission, The Lamar Company, L.L.C., and TLC Properties, Inc. for the conveyance of permanent easements on City property located in the vicinity of I-70 and Highway 40 for the public purpose of facilitating the construction of the Buck O'Neil Bridge replacement project.

Section 2. That the City Manager is authorized to execute permanent easement documents set forth in the Master Agreement.

..end

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Approved as to form and legality:

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Matthew Cooper  
Assistant City Attorney

**No Fact Sheet  
for  
Ord.  
220809**

# LEGISLATIVE FISCAL NOTE

LEGISLATION  
NUMBER:

220809

**LEGISLATION IN BRIEF:**

Approving and authorizing the City Manager to enter into a master agreement with the Missouri Highways and Transportation Commission, The Lamar Company, L.L.C., and TLC Properties, Inc. for the grant of permanent easements on City properties located in the vicinity of I-70 and Highway 40 for the public purpose of facilitating the construction of the Buck O'Neil Bridge replacement project; and authorizing City Manager to execute easement documents.

**What is the purpose of this legislation?**

LEGISLATIVE

*for the purpose of editing, repealing, or creating a provision in the city's code of ordinances; or for stating non-monetary support. This Fiscal note should be blank*

**Sections 01-04 should be blank. See section 00 for more information**

Yes/No

Yes/No

Yes/No

Yes/No

**Section 00: Notes:**

*Authorizes City Manager to enter into and execute agreement with MO Highway Commission, The Lamar Company and TLC Properties to grant easements on City properties for the construction of the Buck O'Neill bridge. This has no foreseeable fiscal impact.*

**FINANCIAL IMPACT OF LEGISLATION**

**Section 01: If applicable, where are funds appropriated in the current budget?**

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST

**Section 02: If applicable, where will new revenues be estimated?**

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST
				\$ -	

**Section 03: If applicable, where will appropriations be increased?**

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST
				\$ -	

**NET IMPACT ON OPERATIONAL BUDGET**

\$ -	
-	

RESERVE STATUS:

**SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)**

FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
		-						

**TOTAL REV**

- - - - -

FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears

**TOTAL EXP**

- - - - -

**NET Per-YEAR IMPACT**

- - - - -

**NET IMPACT ( SIX YEARS)**

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REVIEWED BY

Kevin Buell

DATE

9.27.2022