



Legislation Details (With Text)

File #: 231020 **Version:** 1 **Name:**
Type: Ordinance **Status:** Passed
File created: 11/30/2023 **In control:** Council
On agenda: 12/14/2023 **Final action:** 12/14/2023
Title: Sponsor: Councilmember Lindsay French

Waiving certain procedures of the City’s Arterial Street Impact Fee Code; appropriating \$1,898,959.00 from the Unappropriated Fund Balance of the Arterial Street Impact Fee Fund to an account in the Arterial Street Impact Fee Fund; appropriating \$1,289,645.00 from Clay County Road & Bridge Tax funds held in the Parvin Road project account; estimating and appropriating \$1,297,526.00 in Series 2023A General Obligation Bonds from the Arlington Road project account; authorizing the execution of a funding agreement for the amount of \$5,000,000.00 with the Tax Increment Financing Commission and Hunt Midwest for the widening of N.E. 48th Street from I-435 East to the dead end and recognizing this ordinance as having an accelerated effective date.

Sponsors: Lindsay French

Indexes:

Code sections:

Attachments: 1. Docket Memo 231020, 2. Funding Agreement 231020, 3. PW TIO ordinance slides 231020, 4. Authenticated Ordinance 231020

Date	Ver.	Action By	Action	Result
12/14/2023	1	Council	Passed	Pass
12/13/2023	1	Transportation, Infrastructure and Operations Committee	Adv and Do Pass, Debate	Pass
12/6/2023	1	Transportation, Infrastructure and Operations Committee		
11/30/2023	1	Council	referred	

ORDINANCE NO. 231020

Sponsor: Councilmember Lindsay French

Waiving certain procedures of the City’s Arterial Street Impact Fee Code; appropriating \$1,898,959.00 from the Unappropriated Fund Balance of the Arterial Street Impact Fee Fund to an account in the Arterial Street Impact Fee Fund; appropriating \$1,289,645.00 from Clay County Road & Bridge Tax funds held in the Parvin Road project account; estimating and appropriating \$1,297,526.00 in Series 2023A General Obligation Bonds from the Arlington Road project account; authorizing the execution of a funding agreement for the amount of \$5,000,000.00 with the Tax Increment Financing Commission and Hunt Midwest for the widening of N.E. 48th Street from I-435 East to the dead end and recognizing this ordinance as having an accelerated effective date.

WHEREAS, Committee Substitute for Ordinance 190532 appropriated collected impact fee funds for the end of Fiscal Year 2018/19 and was the last impact fee allocation ordinance providing for a true accounting and balance of the Arterial Street Impact Fee Fund program; and

WHEREAS, Ordinance 230146 recognizes the collected revenue in FY 2020/21 and FY 2021/22 for Arterial Street Impact Fee District D currently in the Parvin Road Project 89008266; and

WHEREAS, no Advisory Committee has been established for Arterial Street Impact Fee District D and there exists a fund balance that is requested to be allocated into the project account; and

WHEREAS, Ordinances 200172, 210178 and 220486 authorized the expenditure of \$9,000,000.00 in General Obligation Bonds to the Tax Increment Financing Commission for Hunt Midwest to construct Arlington Road: and

WHEREAS, a balance of \$1,297,526.00 remains in excess of the Arlington Road project expenses with the TIF Commissions: and

WHEREAS, Hunt Midwest is currently constructing the extension of N.E. 48th Street East which will connect to the previously constructed Arlington Road: and NOW THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That no recommendations, pursuant to Section 39-6(i), were proposed by the Arterial Street District Advisory Committee as to how appropriations should be spent from the trust accounts for each benefit district at the time the 2023-2024 annual budget was proposed, thus, this recommendation process is hereby waived.

Section 2. That the sum of \$1,898,959.00 is hereby appropriated from the Unappropriated Fund Balance of the Arterial Street Impact Fee District D fund to the following account:

24-2430-897124-B-89008895	N.E. 48th Street	\$1,898,959.00
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Section 3. That the revenue in the following account of the Capital Improvements Fund is hereby estimated in the following amount:

24-3090-895911-480190-89008266q	Parvin Road	\$1,289,645.00
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Section 4. That funds are hereby appropriated from the Unappropriated Fund Balance of the Capital Improvements Fund to the following account:

24-3090-895911-B-89008895	N.E. 48th Street	\$1,289,645.00
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Section 5. The revenue in the Series 2023A General Obligation Bond Fund is estimated in the following amount:

AL-3523-120000-590000	N. Arlington Road	\$1,297,526.00
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Section 6. That funds are hereby appropriated from the Unappropriated Fund Balance in the Series 2023A General Obligation Bond Fund:

AL-3523-898011-B-89008895	N.E. 48th Street	\$1,297,526.00
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Section 7. Authorizing the Director of Public Works to execute a funding agreement with the Tax Increment Financing Commission and Hunt Midwest for the construction of the N.E. 48th Street project and to expend the sum of \$5,000,000.00 from the following funds hereby and previously appropriated to the following accounts. A copy of the agreement is on file in the Public Works Department:

24-2430-897124-B-89008895	N.E. 48th Street	\$1,898,959.00
24-3090-895911-B-89008895	N.E. 48th Street	1,289,645.00
24-3523-898011-B-89008895	N.E. 48th Street	1,297,526.00
24-3090-898011-B-89008895	N.E. 48th Street	<u>513,870.00</u>
	TOTAL:	\$5,000,000.00

Section 8. The Director of Public Works is hereby designated as requisitioning authority for Account No. 24-2430-897124.

Section 9. That to assure fair representation by socially and economically disadvantaged groups, the Civil Rights and Equal Opportunity Department, approved for this project, a fourteen (14) percent representation by Minority Owned Businesses and fourteen (14) percent representation by Women Owned Businesses.

Section 10. That this ordinance, relating to the design, repair, maintenance or construction of a public improvement, is recognized as an ordinance with an accelerated effective date as provided by Section 503(a)(3) (D) of the City Charter and shall take effect in accordance with Section 503, City Charter.

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:

Dustin E. Johnson
Assistant City Attorney