



Legislation Details (With Text)

File #: 211039 **Version:** 1 **Name:**
Type: Ordinance **Status:** Passed
File created: 11/8/2021 **In control:** Council
On agenda: 12/2/2021 **Final action:** 12/2/2021

Title: Appropriating \$3,069,012.30 from the Unappropriated Fund Balance of the Water Fund; estimating and appropriating \$3,069,012.30 from the Unappropriated Fund Balance of the City Legal Expense Fund; and approving and authorizing settlement of claims by Gary Lee and Penn Hill Properties LLC.

Sponsors:

Indexes:

Code sections:

Attachments: 1. fact sheet-penn hill, 2. fiscal note-penn hill, 3. Approp Admin - Lee and Penn Hill, 4. Authenticated Ordinance 211039

Date	Ver.	Action By	Action	Result
12/2/2021	1	Council	Passed	Pass
12/1/2021	1	Finance, Governance and Public Safety Committee	Adv and Do Pass, Consent	Pass
11/10/2021	1	Council		

ORDINANCE NO. 211039

Appropriating \$3,069,012.30 from the Unappropriated Fund Balance of the Water Fund; estimating and appropriating \$3,069,012.30 from the Unappropriated Fund Balance of the City Legal Expense Fund; and approving and authorizing settlement of claims by Gary Lee and Penn Hill Properties LLC.

WHEREAS, on October 6, 2020, a water main burst causing property damage to Gary Lee and Penn Hill Properties LLC's properties; and

WHEREAS, the City Council passed Ordinance No. 210838, which authorized partial settlement of a claim by Gary Lee and Penn Hill Properties LLC; and

WHEREAS, it has become necessary to pay an additional \$3,069.012.30 which would cause the total expenditures on this claim to be \$3,837,097.09, the City Council's approval is necessary to pay this amount; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. Estimating revenue in the sum of \$3,069,012.30 to the City Legal Expense Fund in the following account:

22-7010-131523-485740	Water General Liability Claims	\$3,069,012.30
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Section 2. Appropriating the sum of \$3,069,012.30 from the Unappropriated Fund Balance of the City Legal Expense fund in the following account:

22-7010-131523-618200 Water General Liability Claims \$3,069,012.30

Section 3. Appropriating the sum of \$3,069,012.30 from the Unappropriated Fund Balance of the Water Fund to the following account:

22-8010-801000-618450 Settlement of Claims \$3,069,012.30

Section 4. That the payment of the additional sum of \$3,069.012.30 in settlement of the claim of Gary Lee and Penn Hill Properties LLC, Claim Nos. T2021-0689 and T2021-0698 as recommended by the City Attorney and the Risk Management Committee, is hereby approved.

Section 2. That the City Attorney is hereby authorized to pay the additional sum of \$3,069.012.30 in settlement of this claim from funds previously appropriated in Account No. 22-7010-131523-B, Water-General Liability Claims.

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:

Alisa N. Chambers
Assistant City Attorney