



Legislation Details (With Text)

**File #:** 230891      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Passed  
**File created:** 9/28/2023      **In control:** Council  
**On agenda:** 10/26/2023      **Final action:** 10/26/2023  
**Title:** Sponsor: Director of Water Services Department

Authorizing a Design-Build-Finance-Operate-Maintain (DBFOM) Agreement with Spire Missouri Inc. (Spire), for the Biogas Use Applications Project; estimating annual revenue in the Water Services Department Sewer Fund; and authorizing a contract term of twenty (20) years.

**Sponsors:** Director of Water Services

**Indexes:**

**Code sections:**

**Attachments:** 1. 1663 Docket Memo, 2. 1663 Approp & Admin Ordinance Forms, 3. 1663 CREO Approved Goals, 4. 1663 CREO Approved Goals (1), 5. 230891 TIO Presentation - PDF, 6. Public Testimony - Don Wallace 10.24.2023, 7. Public Testimony - Ilyssa Block 10.23.2023, 8. Public Testimony - Karen Uhlenhuth 10.24.2023, 9. Public Testimony - Katie Hasty 10.24.2023, 10. Public Testimony - Mary Kay McGinty 10.24.2023, 11. Public Testimony - Nikki Goodson 10.23.2023, 12. Public Testimony - Robin Ganahl 10.24.2023, 13. Authenticated Ordinance 230891, 14. Public Testimony 230891

Date	Ver.	Action By	Action	Result
10/26/2023	1	Council	Passed	Pass
10/25/2023	1	Transportation, Infrastructure and Operations Committee	Adv and Do Pass	Pass
10/11/2023	1	Transportation, Infrastructure and Operations Committee	Hold on Agenda	Pass
10/5/2023	1	Council	referred	

ORDINANCE NO. 230891

Sponsor: Director of Water Services Department

Authorizing a Design-Build-Finance-Operate-Maintain (DBFOM) Agreement with Spire Missouri Inc. (Spire), for the Biogas Use Applications Project; estimating annual revenue in the Water Services Department Sewer Fund; and authorizing a contract term of twenty (20) years.

WHEREAS, the Water Services Department has been directed to seek out alternative funding sources; and

WHEREAS, the City has approved a climate mitigation plan; and

WHEREAS, typical DBFOM contracts have terms of 20 years to allow developers to recoup their invested capital; and

WHEREAS, Spire has guaranteed the payment of 23% of their gross revenues over the term of the Agreement; NOW, THEREFORE

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of the Water Services Department is authorized to execute Contract No. 1663 with Spire Missouri Inc., for the Biogas Use Applications Project for a term of twenty (20) years under Project No. 81000992. A copy of the contract is on file in the office of Water Services.

Section 2. That the revenue in the following account of Sewer Fund is hereby estimated in the following amount:

24-8110-8000000-467400	Water Services Department - Sewer Fund	\$930,000.00
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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:

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Mark P. Jones  
Senior Associate City Attorney