



## Legislation Details (With Text)

**File #:** 230281 **Version:** 1 **Name:**  
**Type:** Ordinance **Status:** Passed  
**File created:** 3/6/2023 **In control:** Council  
**On agenda:** 4/6/2023 **Final action:** 4/6/2023  
**Title:** Sponsor: Director of Public Works Department

Estimating revenue in the amount of \$1,611,992.27 in the Capital Improvements Fund; reducing previously appropriated funds of \$574,704.80 in the Capital Improvements Fund; appropriating \$2,186,697.07 from the Unappropriated Fund Balance in the Capital Improvements Fund to the Second Creek Segment 1 and Searcy Creek Trail Segment 2 project accounts; authorizing a contract with MEGA Industries, Inc. for \$3,151,011.10; designating requisitioning authority; and recognizing this ordinance as having an accelerated effective date.

**Sponsors:** Director of Public Works

**Indexes:**

**Code sections:**

**Attachments:** 1. 230281 Docket Memo, 2. Docket Memo 89020253-89020297-Second & Searcy rev1, 3. Appropriation 89020253\_89020297 Second & Searcy rev1, 4. Ordinance 230281-Second and Searcy Creek Trails Maps, 5. Ordinance 230281 TIF Chouteau Redevelopment agreement for Searcy Creek, 6. Authenticated Ordinance 230281, 7. Project Manual on File, 8. 230281 - Public Testimony, 9. 230281 - Redevelopment Agreement

Date	Ver.	Action By	Action	Result
4/6/2023	1	Council	Passed	Pass
4/5/2023	1	Transportation, Infrastructure and Operations Committee	Adv and Do Pass, Debate	Pass
3/23/2023	1	Council	referred	

### ORDINANCE NO. 230281

Sponsor: Director of Public Works Department

Estimating revenue in the amount of \$1,611,992.27 in the Capital Improvements Fund; reducing previously appropriated funds of \$574,704.80 in the Capital Improvements Fund; appropriating \$2,186,697.07 from the Unappropriated Fund Balance in the Capital Improvements Fund to the Second Creek Segment 1 and Searcy Creek Trail Segment 2 project accounts; authorizing a contract with MEGA Industries, Inc. for \$3,151,011.10; designating requisitioning authority; and recognizing this ordinance as having an accelerated effective date.

WHEREAS, with the passage of Ordinance Nos. 120360 and 160307 approved and amended a Memorandum of Understanding between the City of Kansas City, Missouri and Platte County, Missouri to partner on the implementation of portions of the Twin Creeks trail system whereby Platte County will contribute \$573,992.27 and with the passage of Ordinance No. 190990, Kansas City authorized a funding agreement with the Tax Increment Financing Commission for the in which the TIF Commission will contribute \$338,000 which provides for a total of \$911,992.27 towards construction of Segment 1 of the Second Creek Trail which begins at the end of the Line Creek Trail at Old Stagecoach Road and continues north to N.W. 97th

Street; and

WHEREAS, with the passage of Ordinance No. 220571, Kansas City approved the recommendations of the Tax Increment Financing Commission of Kansas City as to the Ninth Amendment to the Chouteau I-35 Tax Increment Financing Plan in which the TIF Commission will contribute \$700,000.00 towards construction of the first phase of the Searcy Creek Trail which will begin at Parvin Road and continues north to North Topping and N.E. 48th Street; and

WHEREAS, bids were opened on the combined projects in December of 2022 and work will begin in 2023 and be complete in early 2024; NOW THEREFORE

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the revenue in the following accounts of the Capital Improvements Fund is estimated in the following amounts:

23-3090-890001-485380-89020253	Contribution from TIF Commission	\$ 338,000.00
23-3090-890001-485380-89020297	Contribution from TIF Commission	700,000.00
23-3090-890001-481971-89020253	Contribution from Platte County	<u>573,992.27</u>
	TOTAL:	\$1,611,992.27

Section 2. That the sum of \$574,704.80 is hereby reduced in the following account of the Capital Improvements Fund:

23-3090-708109-B-70191304	Searcy Creek Trail	\$245,358.00
23-3090-898107-B-89020253	Searcy Creek Trail	<u>329,346.80</u>
	TOTAL:	\$574,704.80

Section 3. That the sum of \$2,186,697.07 is appropriated from the Unappropriated Fund Balance of the Capital Improvements Fund to the following account in the Capital Improvements Fund:

23-3090-895912-B-89020253	Second Creek Trail	\$ 911,992.27
23-3090-895911-B-89020297	Searcy Creek Trail	700,000.00
23-3090-898109-B-89020297	Searcy Creek Trail	<u>574,704.80</u>
	TOTAL:	\$2,186,697.07

Section 4. That the City Manager is hereby authorized to enter into and execute a Redevelopment Agreement with the Tax Increment Financing Commission for the construction of the Searcy Creek Trail as provided by the Chouteau Tax Increment Financing Plan. The agreement is approved in substantial form as that on file in the office of the City Manager, subject to the receipt of all required approvals.

Section 5. That the Director of Public Works is hereby authorized to execute, on behalf of the City a construction contract in the amount of \$3,151,011.10 with MEGA Industries, Inc. Project Nos. 89020253 Second Creek Trail and 89020297 Searcy Creek Trail, from funds hereby appropriated to the follow accounts:

AL-3433-898072-B-89020253	Second Creek Trail	\$ 98,024.77
23-3090-895912-B-89020253	Second Creek Trail	911,992.77
23-3090-898209-B-89020253	Second Creek Trail	711,959.76
AL-3433-898071-B-89020297	Searcy Creek Trail	98,024.78

23-3090-895911-B-89020297	Searcy Creek Trail	700,000.00
23-3090-898109-B-89020297	Searcy Creek Trail	<u>631,009.52</u>
	TOTAL:	\$3,151,011.10

A copy of the contract is on file in the office of the Director of Public Works.

Section 6. That the Director of Public Works is hereby designated as requisitioning authority on account numbers 23-3090-895911 and 23-3090-895912.

Section 7. 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.

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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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Dustin E. Johnson  
Assistant City Attorney