



Legislation Text

File #: 211015, **Version:** 1

ORDINANCE NO. 211015

Authorizing the Director of General Services to execute a Further Restated and Amended Cooperative Agreement between the City and the Kansas City Missouri Homesteading Authority for the transfer of City owned property for public purposes and execute any related documents to direct the transfer of properties to such Authority.

WHEREAS, the Kansas City Missouri Homesteading Authority (“KCMHA”) is an affiliate of the City, and is to be governed by a Board composed of seven members, with five City employees appointed by the City Manager, and two are to be City Councilmembers appointed by the Mayor; and

WHEREAS, on August 20, 2020, the City Council passed Committee Substitute for Resolution No. 200679 which directed the City Auditor to evaluate whether City owned property could be leased or sold, resulting in the Performance Audit dated December 2020, which included Recommendation No. 6 that the Director of the General Services Department should confirm and track why the City owns each parcel of property and the department that is responsible for that parcel; and

WHEREAS, through that effort, the staff of the General Services Department has collaboratively worked with other departments including the Housing and Community Development Department created pursuant to the Second Committee Substitute for Ordinance No, 210235, as Amended, passed May 6, 2021 (“Housing Department”) to determine if any of the City owned property may be useful in serving the public purposes of the Housing Department; and

WHEREAS, the Housing Department is authorized to develop and administer programs to increase new housing construction and opportunities and expanding and improving the rehabilitation of existing housing, and to plan and prepare grants in support of housing opportunities, and identify and seek other sources of funding for those efforts, and to provide leadership and staffing of the KCMHA; and

WHEREAS, the City and the KCMHA both hold, maintain and aggregate real property for redevelopment or other public purposes, including, but not limited to affordable housing and conservation areas or open space, in the City of Kansas City, Missouri; and

WHEREAS, conservation and open space areas may increase the quality of life for surrounding residential neighborhoods, and serve a public purpose if under the stewardship of entities whose goal is to preserve such conservation and open areas and such stewardship entity has the resources for that ongoing effort; and

WHEREAS, it is desirable that the City and the KCMHA cooperate with each other in the assembling, bundling or offering real property to more productively use it for public purposes; and

WHEREAS, the City and the KCMHA entered into a Cooperative Agreement dated June 14, 2021, and

a subsequent Restated and Amended Cooperative Agreement dated August 18, 2021, but in each of those agreements the parties limited themselves to transferring City owned properties that had an aggregate market value of less than \$400,000.00 in accordance with Section 3-41 of the Municipal Code; and

WHEREAS, the City and the KCMHA have identified further City owned properties that would cause the existing \$400,000.00 limitation of Section 3-41 to be exceeded unless City Council approval is obtained and other City owned properties may be identified in the future that would serve the public purposes of this Agreement; and

WHEREAS, the City, through its Department of General Services and the Housing Department would both benefit from cooperation with the KCMHA; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of General Services is hereby authorized to enter into the Further Restated and Amended Cooperative Agreement with the KCMHA substantially in the form of Exhibit A attached hereto ("Agreement"), with the final signed form to be maintained on file with the Director of General Services, and such signed form will be controlling, and with the express authorization given to such Director to modify, amend, and extend the terms and conditions of such Agreement as deemed appropriate by the Director due to circumstances determined to exist, provided that the aggregate market value of the City owned property transferred to the KCMHA for public purposes does not exceed \$1,000,000.00, as such market value is determined by the Assessment Department of Jackson County, Missouri, calculated from the effective date of this Ordinance.

Section 2. That the Director of General Services is hereby authorized to cause the preparation and completion of all transfer and other closing documentation contemplated by and to implement such Agreement for the benefit of the KCMHA.

Approved as to form and legality:

Amelia McIntyre
Assistant City Attorney