

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 080314

Authorizing a cooperative agreement for public improvements with HD Lee Building, LLC, in the amount of \$500,000.00.

WHEREAS, HD Lee Building, LLC ("Redeveloper") is the fee owner of the property located at 117 West 20th Street, Kansas City, Jackson County, Missouri, commonly known as the "H.D. Lee Building," and the parking garage located immediately south of and adjacent thereto ("Freighthouse East Parking Garage") (collectively referred to as the "HD Lee Properties"); and

WHEREAS, on December 14, 2006, the City Council passed Ordinance Nos. 001582 and 001583, approving and designating these properties as Project Areas within the 22nd and Main Tax Increment Financing Redevelopment Plan and adopting tax increment financing thereon; and

WHEREAS, the City further desired to assist in the development of the Freighthouse East Parking Garage and, in Ordinance No. 030425, accepted the recommendations of the Public Improvements Advisory Committee regarding the allocation of the proceeds of the general obligation bonds approved by voters in November 2002, said Ordinance providing for, among others, an allocation in the amount of \$500,000 for the development of the Freighthouse East Parking Garage; and

WHEREAS, Developer desires to construct street improvements adjacent to the HD Lee Properties, including, but not limited to, utility work, sidewalks, streetscaping, public art, landscaping and lighting; and

WHEREAS, the Developer desires to obtain the City's consent to use the allocation for the Freighthouse East Parking Garage in Ordinance No. 030425 to assist in the construction of the Street Improvements; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of Public Works is hereby authorized to execute a cooperative agreement for public improvements with HD Lee Building, LLC, in the amount of \$500,000.00, from funds previously appropriated to Account No. 08-3090-897228-B, Downtown Signal Coordination. The cooperative agreement is approved in substantial form as that on file in the office of the Director of Public Works and will provide for a temporary construction easement to the redeveloper.

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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.

Wanda Gunter
Acting Director of Finance

Approved as to form and legality:

Heather A. Brown
Assistant City Attorney