

ORDINANCE NO. 180836

Authorizing the Director of Finance to accept a proposal of Banc of America Public Capital Corp (“BAPCC”) to finance the acquisition a of Kansas City Police Department Robot (“Project”); authorizing the execution of any and all documents and agreements necessary for the financing; estimating revenue in the amount of \$411,650.00 and appropriating the same; estimating revenue in the amount of \$406,650.00 and appropriating the same to the Kansas City, Missouri Police Department (“KCPD”); designating requisitioning authority; declaring the city’s intent to reimburse itself for certain expenditures; approving Lease Counsel in connection with the transaction; authorizing the Director of Finance to close project accounts; and recognizing this ordinance as having an accelerated effective date.

WHEREAS, the KCPD bomb and arson unit responds to abandoned packages of unknown nature and a remote controlled robotic vehicle allows for manipulation of packages to determine contents without placing responders in harm’s way; and

WHEREAS, the KCPD bomb and arson unit responds to incidents where remote surveillance over varying terrain is needed; and

WHEREAS, KCPD tactical units respond to Operation 100 incidents and rely upon bomb and arson to provide remote surveillance while providing for the utmost safety of all responders; and

WHEREAS, the cost of acquisition and implementation of the Project is expected to be financed under the Master Lease Purchase Agreement (“Lease”) with BAPCC by one (1) draw upon the Lease; and

WHEREAS, the payment of scheduled debt service payments on the draw made under the Lease will be funded by the Public Safety Sales Tax over a successive five (5) year period; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of Finance is authorized to accept the proposal of BAPCC for the financing of the Project through one (1) draw upon the Lease in an approximate principal amount not to exceed \$412,000.00.

Section 2. That the Director of Finance is authorized to execute, deliver and file in the name of the City, the Lease and any and all documents and agreements necessary to complete such financing.

Section 3. That the revenue in the following account of Fund No. 3230, the Equipment Lease Capital Acquisition Fund, is hereby estimated in the following amount:

AL-3230-120000-583000	Lease Proceeds	\$411,650.00
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Section 4. That the sum of \$411,650.00 is hereby appropriated from Fund No. 3230, the Unappropriated Fund Balance of the Equipment Lease Capital Acquisition Fund to the following account:

KCMBU-AL-3230-129996-X	Transfer to KCPDU	\$406,650.00
KCMBU-AL-3230-129620-B	Cost of Issuance	<u>5,000.00</u>
	TOTAL	\$411,650.00

Section 5. That the revenue in the following account of Fund No. 3230, the Equipment Lease Capital Acquisition Fund, is hereby estimated in the following additional amount:

KCPDU-AL-3230-210000-599900	Transfer from KCMBU	\$406,650.00
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Section 6. That the sum of \$406,650.00 is hereby appropriated from Fund No. 3230, the Unappropriated Fund Balance of the Equipment Lease Capital Acquisition Fund to the following account:

KCPDU-AL-3230-217700-E	Police Equipment	\$406,650.00
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Section 7. That the Board of Police Commissioners is hereby designated as requisitioning authority for Account No. KCPDU-AL-3230-217700, and that the Director of Finance is hereby designated as requisitioning authority for Account No. KCMBU-AL-3230-129996 and KCMBU-AL-3230-129620.

Section 8. That the City hereby declares its official intent to reimburse itself for certain expenditures made within sixty (60) days prior to or on and after the date of this ordinance with respect to the Project with the proceeds of the lease expected to be drawn from the Lease. The maximum principal of amount of lease proceeds for the Project expected to be financed under the Lease is \$412,000.00. This constitutes a declaration of official intent under Treasury Regulation Section 1.150-2.

Section 9. That the City approves Kutak Rock LLP to serve as Lease Counsel for the City in connection with the financing of the Project.

Section 10. That the Director of Finance is hereby authorized to close project accounts, open encumbrances and retainage related to the accounts in Section 4 and Section 6, and return the unspent portion to the Fund balance from which it came upon the earliest of: (i) Project's completion; (ii) final maturity of financing or (iii) five years after issuance.

Section 11. That this ordinance is recognized as an ordinance with an accelerated effective date as provided by Section 503(a)(3)(C) of the City Charter in that it appropriates money, and shall take effect in accordance with that section.

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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.

Randall J. Landes
Director of Finance

Approved as to form and legality:

Katherine Chandler
Assistant City Attorney