

ORDINANCE NO. 160739

Authorizing the Director of Finance to accept a proposal of Banc of America Public Capital Corp (“BAPCC”) to finance the acquisition of Public Works Vehicles (“Project”); estimating revenue and appropriating \$5,193,575.00; authorizing the execution of any and all documents and agreements necessary for the financing; approving Lease Counsel in connection with the transaction; declaring the intent of the City to reimburse itself from the lease purchase proceeds for certain expenditures; and recognizing this ordinance as having an accelerated effective date.

WHEREAS, the City recognizes the need to invest in the City’s infrastructure through an effective fleet replacement program based on the economic principles of optimal vehicle replacement; and

WHEREAS, certain units operated by the Public Works Department have proven themselves prone to breakage due to age and are excessively costly to maintain; and

WHEREAS, as a result of this breakage these units incur excessive and unscheduled downtime, compromising services; 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 made by annual appropriation of monies from the City’s General Municipal Revenues over a successive eight (8) 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 \$5,193,575.00.

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 the Equipment Lease Capital Acquisition Fund, is hereby estimated in the following amount:

AL-3230-120000-583000	Lease Proceeds	\$5,193,575.00
-----------------------	----------------	----------------

ORDINANCE NO. 160739

Section 4. That the sum of \$5,193,575.00 is hereby appropriated from the Unappropriated Fund Balance of the Equipment Lease Capital Acquisition Fund to the following accounts:

AL-3230-077500-E-070F2017	Fleet Vehicles	\$5,187,575.00
AL-3230-129620-B	Cost of Issuance	<u>6,000.00</u>
	TOTAL	\$5,193,575.00

Section 5. That the Director of General Services is hereby designated as requisitioning authority for Account No. AL-3230-077500 and the Director of Finance is hereby designated as requisitioning authority for Account No. AL-3230-129620.

Section 6. That the Director of Finance is hereby authorized to close project accounts upon project completion and return the unspent portion of the appropriation to the Fund Balance from which it came.

Section 7. That the City approves Kutak Rock LLP to serve as Lease Counsel for the City in connection with the financing of the Project.

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 \$5,193,575.00. This constitutes a declaration of official intent under Treasury Regulation Section 1.150-2.

Section 9. 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.

---

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:

---

Sarah Baxter  
Assistant City Attorney