021431

### COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 021431

Declaring the City's intent to reimburse itself in the 309 Fund for capital improvement expenditures up to a maximum of \$12,000,000.00 with bond proceeds; reducing an appropriation in the amount of \$600,000.00 in the Capital Improvement Fund; appropriating it to the N. Congress/Barry Road to M-152 account of the Capital Improvement Fund; authorizing the Director of Public Works to expend \$600,000.00 for the project; and recognizing an emergency.

Sponsor: Prepared by: Jeff Hess, Assistant City	/ Attorney
COMMITTEE REPORT NO. 1  Date 12-4-02  Trans + Quilt Committee	COMMITTEE REPORT NO. 2  DateCommittee
Recommends Attached Ordinance/Res.:	
Do Pass Do Not Pass	Do Pass Do Not Pass
Be Adopted W/O Recommendation Other action:	Be Adopted W/O Recommendation
Chairman Wice Chairman Member	Chairman  Vice Chairman
Member Away Brook	Member
Committee Secy.  Heresent Hayes Abstain  Absent Nays	Committee SecyPresentAyesAbstain
First Reading(Name)	AbsentNays(Name) Third Reading
Committee	
Second Reading	PassedDEC 05 2002
	Effective

#### ORDINANCE NO. 021431

Declaring the City's intent to reimburse itself in the 309 Fund for capital improvement expenditures up to a maximum of \$12,000,000.00 with bond proceeds; reducing an appropriation in the amount of \$600,000.00 in the Capital Improvement Fund; appropriating it to the N. Congress/Barry Road to M-152 account of the Capital Improvement Fund; authorizing the Director of Public Works to expend \$600,000.00 for the project; and recognizing an emergency.

Sponsor: Director of Aublic Works Prepared by: Jeff Hess, Assistant City	y Attorney
COMMITTEE REPORT NO.	COMM TTEE REPORT NO. 2
Date	Date
Finance + and Committee	Committee
Recommends Attached Ordinance/Res.:	ecommends Attached Ordinance/Res.:
Do Pass Do Not Pass	Do Pass Do Not Pass
Be Adopted W/O Recommendation	Be Adopted W/O Recommendation
Other action:	
Chairman	Chairman_
Vice Chairman	Vice hairman
Member	Member
Member	Member
Tat Tany Committee Secy.	Committee Secy.
PresentAyesAbstain	PresentAyesAbstain
AbsentNays /(Name)	AbsentNays
1 / 1	(Name)
First Reading 11 DIA	Third Reading
Committee	
Second Reading	Passed
	Effective

# COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 021431 0 2 1 4 3 1

Declaring the City's intent to reimburse itself in the 309 Fund for capital improvement expenditures up to a maximum of \$12,000,000.00 with bond proceeds; reducing an appropriation in the amount of \$600,000.00 in the Capital Improvement Fund; appropriating it to the N. Congress/Barry Road to M-152 account of the Capital Improvement Fund; authorizing the Director of Public Works to expend \$600,000.00 for the project; and recognizing an emergency.

WHEREAS, the City of Kansas City, Missouri (the "City") is a political subdivision organized and existing under the Constitution and the laws of the State of Missouri; and

WHEREAS, the City may have incurred obligations for certain expenditures within the last 60 days and expects to incur certain expenditures on and after the date hereof (the "Expenditures") which have been or will be paid from the 309 Fund, an account maintained by the City for the purpose of funding capital improvement projects, which expenditures will be used to for design engineering and administration costs for N. Congress, for Barry Road to M-152 Highway (the "Project"); and

WHEREAS, the City has determined that the funds to pay for these Expenditures with respect to the Project is or will be available for a temporary period and it is necessary to reimburse the City for these Expenditures from the proceeds of certain general obligation bonds expected to be issued by the City in fiscal year 2004 (the "Bonds"); and

WHEREAS, as of the date hereof, there are no funds from sources other than the proceeds of the Bonds that are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the City pursuant to its budget or financial policy with respect to these Expenditures; and

WHEREAS, the Council authorized the Director of Public Works to enter into an Intergovernmental Agreement with the I-29/Barry Road/M-152 Highway/North Congress Transportation Development District with Ordinance No. 020803, passed July 2, 2002, relating to the design and construction of N.W. Prairie View Road, the design and construction of N. 86th Street, and the design of N. Congress Avenue and the half diamond interchange at Missouri 152 and N. Congress Avenue; NOW, THEREFORE,

### BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the City declares the intent to reimburse itself for certain 309 Fund Expenditures made within 60 days prior to or on and after the date hereof with respect to the Project with proceeds from the Bonds to be issued for the Project up to a maximum of \$12,000,000.00.

Section 2. That this Ordinance shall constitute a declaration of official intent under Treasury Regulation Section 1.150-2.

### COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 021431

Section 3. That the Expenditures for which the City will reimburse itself in the 309 Fund pursuant to this Ordinance are "original expenditures" as defined in Treasury Regulation Section 1.150-2(c), which qualify under Treasury Regulation Section 1.150-02(d)(3).

Section 4. That the passage of this Ordinance is consistent with the budgetary and financial circumstances of the City.

Section 5. That the appropriation in the following account of the Capital Improvement Fund is hereby reduced in the following amount:

03-309-089-7221-T

North Gower/64th to 68th

\$600,000.00

Section 6. That the sum of \$600,000.00 is appropriated from the Unappropriated Fund Balance of the Capital Improvement Fund to the following account in the Capital Improvement Fund:

03-309-089-7254-T

N. Congress/Barry Road to M-152

\$600,000.00

Section 7. That the Director of Public Works s is hereby authorized to expend the sum of \$600,000.00 from funds heretofore appropriated to Account No. 03-309-089-7254-T as and for consideration in the aforesaid agreement.

Section 8. That this ordinance is recognized as an emergency measure within the provisions of Article II, Section 15 of the Charter of Kansas City and shall take effect in accordance with said 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.

Authenticated as Passed

Director of Finance

Approved as to form and legality:

KAY BARNES, Mayor

Catherine T. Rocha, City Clerk

ssistant City Attorney

DATE PASSED DEC 05 2002

### **GENERAL**

021431

02143	

**Ordinance Fact Sheet** 

Ordi	nance	Numbo	

B.1.1		Ordinance Number
Brief Title Approval Deadline	Reason	
N Congress, Barry		Director of Public Works to provide funding for the
Road to M-152	continuing desi	gn of N Congress Avenue and the half-diamond
Highway	interchange of l	M-152 Highway with N Congress in cooperation
	with the Zona R	Rosa Transportation Development District.
Details		Transportation Development District.
	Positions/Recom	mendations
Reason for Legislation	Sponsor	Public Works
This Ordinance will move funds from Project Number 01236, NW	.	1
104th - both Street (Gower) Connector to Project Number 00010 N	Programs,	Public Works
Congress Avenue, Barry Road to M-152 Highway, Those for the	Departments, or	I-29/Barry Road/M-152 Highway/North
will allow the 1-29/Barry Road/M-152 Highway/North Congress	Groups Affected	Congress Transportation Development District
Transportation Development District (Zona Rosa) to continue		by a station bevelopment District
design of N Congress. Funds will be reimbursed to Project No. 01236 through the sale of the second series of Zona Rosa Bonds.	Applicants /	Applicant
series of Zona Rosa Bonds.	Proponents	Applicant
·		City Department
Discussion		Other
Discussion	Opponents	Groups or Individuals
Resolution No. 981066 directed the City Manager to study and		
make recommendations concerning the financing and construction		
of contain public improvements in the general area of NIVI D.		Basis of opposition
Road, west of interstate 29, including improvements for the ball		
diamond interchange of N Congress with Missouri Highway 152.	Staff	
	Recommendation	X For
Resolution No. 990233 approved a plan of financing of public		
initiastructure in vicinity of the northwest corner of the interchange		Against
of I-29 with Barry Road.		Reason Against
Resolution No. 001434 stoted the Great State		ricuson Against
Resolution No. 001434 stated the Council's intent with regard to financing for the Zona Rosa project; and stated the intent of the	Board or Commission	
Council to reimburse itself for certain expenditures incurred prior	Recommendation	By
the issuance of any bonds for public improvements for the Zona		For Against No action taken
Rosa project.		
		For, with revisions or conditions (see details
Resolution No. 001556 stated the Council's intent with regard to	Council Committee	column for conditions)
mancing certain public intrastructure generally located in the area	Actions	Do pass
of NW Barry road, west of Interstate 29 and stated the intent of the		So pass
City to reimburse itself for certain expenses incurred prior to the ssuance of any bonds.		Do pass (as amended)
		Committee Sub.
		Without Recommendation
	<b>a</b> a <b>a</b>	Hold
	ļ	Do not pass

(Continued on reverse side)

#### ORDINANCE NO. 021431

Declaring the City's intent to reimburse itself in the 309 Fund for capital improvement expenditures up to a maximum of \$12,000,000.00 with bond proceeds; reducing an appropriation in the amount of \$600,000.00 in the Capital Improvement Fund; appropriating it to the N. Congress/Barry Road to M-152 account of the Capital Improvement Fund; authorizing the Director of Public Works to expend \$600,000.00 for the project; and recognizing an emerge v.

WHEREAS, the City of Kansas City, Missouri (the "City") is a political subdivision organized and existing under the Constitution and the lay of the State of Missouri; and

WHEREAS, the City may have recurred obligations for certain expenditures within the last 60 days and expects to incur certain expenditures of and after the date hereof (the "Expenditures") which have been or will be paid from the 109 and, an account maintained by the City for the purpose of funding capital improvement propers, which expenditures will be used to for design engineering and administration costs for N. Longress, for Barry Road to M-152 Highway (the "Project"); and

WHEREAS, the City has determined that the funds to pay for these Expenditures with respect to the Project is or will be available for a temp rary period and it is necessary to reimburse the City for these Expenditures from the proceeds of certain general obligation bonds expected to be issued by the City in fiscal year 2004 (the "Bonds"); and

WHEREAS, as of the late hereof, there are no funds from sources other than the proceeds of the Bonds that are, or are casonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the City pursuant to its budget or financial policy with respect to these Expenditures; and

WHEREAS, the Council authorized the Director of Purlic Works to enter into an Intergovernmental Agreement with the I-29/Barry Road/M-152 Highway/North Congress Transportation Development District with Ordinance No. 020803, passed July 2, 2002, relating to the design and construction of N.W. Prairie View Road, the design and construction of N. 86th Street, and the design of N. Congress Avenue and the half diamond interchange at Missouri 152 and N. Congress Avenue; NOW, THEREFORE,

## BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the City declares the intent to reimburse itself in the 309 Fund for certain Expenditures made within 60 days prior to or on and after the date hereof with respect to the Project with proceeds from the Bonds to be issued for the Project up to a maximum of \$12,000,000.00.

Section 2. That this Ordinance shall constitute a declaration of official intent under Treasury Regulation Section 1.150-2.

#### 021431

Section 3. That the Expenditures for which the City will reimburse itself in the 309 Fund pursuant to this Ordinance are "original expenditures" as defined in Treasury Regulation Section 1.150-2(c), which qualify under Treasury Regulation Section 1.150-02(d)(3).

Section 4. That the passage of this Ordinance is consistent with the budgetary and financial circumstances of the City.

Section 5. That the appropriation in the following account of the Capital Improvement Fund is hereby reduced in the following amount:

03-309-089-7221-T

North Gower/64th to 68th

\$600,000.00

Section 6. That the sum of \$600,000.00 is appropriated from the Unappropriated Fund Balance of the Capital Improvement Fund to the following account in the Capital Improvement Fund:

03-309-089-7254-T

N. Congress/Barry Road to M-152

\$600,000.00

Section 7. That the Director of Public Works s is hereby authorized to expend the sum of \$600,000.00 from funds heretofore appropriated to Account No. 03-309-089-7254-T for constriction of the aforesaid agreement.

Section 8. That this ordinance is recognized as an emergency measure within the provisions of Article II, Section 15 of the Charter of Kansas City and shall take effect in accordance with said 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.

Director of Finance

Approved as to form and legality:

Assistant City Attorney

### GENERAL

### Ordinance Fact Sheet

021431

M711121
30.5

Brief Title Approved B		Ordinance Number
Approval Deadline	Reason	
N Congress, Barry		Director of D.11:
Road to M-152	Continuing des	Director of Public Works to provide funding for th
Highway	interchange of	ign of N Congress Avenue and the half-diamond
	with the Zona I	M-152 Highway with N Congress in cooperation
Details		Rosa Transportation Development District.
	Positions/Recom	mendations
Reason for Legislation	Sponsor	Public Works
This Ordinance will move funds from Project Number 01236, NW 64th - 68th Street (Corner) G	,	- LONG WOLKS
To the Country Connector to Droject Ministry	Programs,	
1 on 51 ons Avenue, Dairy Road to M-152 High-reas m	Departments, or	Public Works
Thin allow tile 1-29/ Darry Road/M-152 trightyro-At 11 G	Groups Affected	I-29/Barry Road/M-152 Highway/North
Transportation Development District (Zong De-1)		Congress Transportation Development District
Table of the College's Fillings will be reimbraned to be		
01236 through the sale of the second series of Zona Rosa Bonds.	Applicants /	Applicant
	Proponents	
		-
		City Department
		Other
Discussion		oute,
	Opponents	Groups or Individuals
Resolution No. 981066 directed the Given		, and and a
Resolution No. 981066 directed the City Manager to study and make recommendations concerning the financing and construction of certain public improvements.	1	
of certain public improvements in the general area of N.W. Barry		Basis of opposition
Road, west of Interstate 29, including improvements for the half-		
diamond interchange of N Congress with Missouri Highway 152.	Staff	
of the Congress with Missouri Highway 152.	Recommendation	X For
Resolution No. 990233 approved a plan of financing of public		X For
infrastructure in vicinity of the northwest corner of the interchange		Against
of I-29 with Barry Road.		
i		Reason Against
Resolution No. 001434 stated the Council's intent with regard to	Board or	
and ctated the colla ROSa Droject, and ctated the collaboration	Commission	
of the formula of the first for certain expenditures in any in the first formula of the first	Recommendation	By
and issuance of any bonds for public improvements for the Zen-		For Against No action taken
Rosa project.	1	For Against No action taken
		For, with revisions or conditions (see details
Resolution No. 001556 stated the Council's intent with regard to		column for conditions)
mancing certain public infrastructure generally located in the analysis	Council Committee Actions	
I I W Dairy road, west of Interstate 29 and stated the interstate 1	Actions	Do pass
only to remourse itself for certain expenses incurred prior to the		□ <b>P</b>
suance of any bonds.		Do pass (as amended)
-		Committee Sub.
		Without Recommendation
	<b>.</b>	Hold
		Do not pass
	i	La politic pass

(Continued on reverse side)

#### Details

Ordinance Number 020803 authorized the Director of Public Works to enter into an agreement for Implementation of an Intergovernmental Cooperative Agreement between the City and I-29/Barry Road/M-152 Highway/North Congress Transportation Development District in connection with the design and construction of N.W. Prairie View Road; the design and construction of N. 86th Street; and the design of N. Congress Avenue and the half diamond interchange at Missouri 152 and N. Congress Avenue.

This Ordinance will transfer \$600,000 from Project No. 01236, NW 64th - 68th Street (Gower) Connector to Project No. 08019, N Congress, Barry Road to M-152 Highway. These funds will fund previous expenditures and future expenditures for the design of N Congress Avenue and the half-diamond interchange of N Congress with Missouri Highway 152.

Public Works anticipates that there will not be negative impacts to funding or schedule to Project No. 01236 provided that project funds are reimbursed within 12 months.

The City declares its 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 KCMAC Leasehold Revenue Bonds expected to be issued by the City. The maximum principal amount of bonds expected to be issued for the Project is not to exceed \$12,000,000. This constitutes a declaration of official intent under Treasury Regulation 1-150-2.

	Policy/Program in	
	Policy or Program	
	Change	X No Yes
[-	,	
	Operational Impac Assessment	
	Assessment	
l	1	
l		
	Finances	
	Cost & Revenue	
	Projections -	
	Including Indirect Costs	
	Financial Impact	None
h	und Source(s) and	309-080-7221-VVV 01004
1	Appropriation	309-089-7221-YXX-01236
ľ	Account Codes	
ĺ		1
	}	
		I I

Applicable Dates:

Reviewed by: Jerry D. Cook, P.E. Reference Numbers



#### Request for Ordinance/Resolution

City of Kansas City, Missouri

Request for □ Ordinance

u2143

☐ Resolution

(Special Instructions Below)

To be entered by the City Cle	erk	P <sub>i</sub>
Legislative Control No.	Date	· · · · · · · · · · · · · · · · · · ·
Docketing Date		
Committee Assignment		<del>- 1</del>

Before using this form see Administrative Regulation 4-1, Procedures for Handling Ordinance Requests

Date	Requestr Made By of Publi	e Works  Depart Public Works/Engineering
Desired Docketing Date		If Emergency, Give Reason (See Sec. 15 of Charter)
Emergency  □ Yes	Measure Required?	

Justification for Proposed Legislation

WHEREAS, the City of Kansas City, Missouri (the "City") is a political subdivision organized and existing under the Constitution and the laws of the State of Missouri; and

WHEREAS, the City may have incurred certain expenditures within the last 60 days and expects to incur certain expenditures on and after the date hereof (the "Expenditures") which have been or will be paid from the 309 Fund, and account maintained by the City for the purpose of funding Capital Improvement projects, which Expenditures will be used to pay for design engineering and administration costs for North Congress for Barry Road to M-152 Highway (the "Project"); and

WHEREAS, the City has determined that the funds to be used to pay these Expenditures with respect to the Projects are or will be available for a temporary period and it is necessary to reimburse the City for these Expenditures from the proceeds of certain general obligation bonds expected to be issued by the City in fiscal year 2004 (the "Bonds"); and

WHEREAS, as of the date hereof, there are no funds from sources other than the proceeds of the Bonds that are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the City pursuant to its budget or financial policy with respect to these Expenditures;

Goldenrod

Department

### Request for Ordinance/Resolution

City of Kansas City, Missouri

021431

Request for 

Ordinance

To be entered by the City Cl	erk e
Legislative Control No.	Date
Docketing Date	
Committee Assignment	

nec	quest for $\square$ Or			• • •	Date
	□ Re	solution	(Special Instru	Ctions Bolows	Committee Assignment
Before using	this form see	Administra	tive Demotes	chons below)	or Handling Ordinance Requests
Date	Request N	lade By	ive regulation 4-1	, Procedures fo	or Handling Ordinance Requests
	Direct	or of Publ	ic Works	Depai	rtment
Desired Dock	eting Date				Public Works/Engineering
F			11	Emergency, G	Give Reason (See Sec. 15 of Charter)
Emergency Me	easure Requir ∣No	ed?			( 10 dos. 10 of charter)
Justification fo	or Proposed L	egislation			
			e of this ordinanc	e is consistent	with the budgetary and financial
Sec hereby redu	ction 5. That acced by the fo	the approp llowing an	oriation in the follonount:	owing account	t of the Capital Improvement Fund is
03-309-089-	·7221-T		Novel O		
			North Gowe		\$600,000.00
Sect	ion 6. That the	e sum of \$	6600.000 00 is her	oh	
Capital Impro	ovement Fund	to the foll	lowing account in	the Capital Im	\$600,000.00  ed from the Unappropriated Fund Balance of the provement Fund:
03-309-089-7	7254-T			Barry Road to	
So at:			1181 603/	Barry Road to	M-152 \$600,000.00
funds horsts f	on /. That th	e Director	of Public Works is	hereby author	rized to expend the sum of \$600,000.00 from and for consideration in the aforesaid agreement.
		Kansas Cit	e is recognized as y and takes effect	an emergency immediately up	measure within the provisions of Section 15, pon passage.
esolution Special I	nstructions:				1/22/2002
rchment Resolution es		this Ordina	eview and Approve ance prior to its on. Requestor Does Not □	Sponsor des	
			o be Used by the I	Yes 🗆	No Director's Signature
udget and Systems	Date			mance Depart	ment
Java Hurl Vision Head Signat	11/22/02	Accou Appro Check Super	Millian	pald 22/ A. Alask Signature	Fund Availability Date: Approved  Director of Finance Signature
Distribution:					
Vhite City	/ Clerk	EXHIDIT A	ATTA CLIED		Date:
	/ Clerk	LVIJIQII Y	ATTACHED:		-
anary City	Manager Counselor	EXHIBIT			
	ince Dept.	NOT ATTA	ACHED:		

City Manager's Signature

### **GENERAL**

#### **Ordinance Fact Sheet**

021431

Ordinance Number

Brief Title	Approval Deadline	Reason		
N Congress, Barry Road to M-152 Highway		continuing desigr interchange of M	the Director of Public Works to provide funding for the g design of N Congress Avenue and the half-diamond ge of M-152 Highway with N Congress in cooperation Zona Rosa Transportation Development District.	
Details		Positions/Recommendations		
64th - 68th Street ( Congress Avenue, I will allow the I-29/	In move funds from Project Number 01236, NW Gower) Connector to Project Number 08019, N Barry Road to M-152 Highway. These funds Barry Road/M-152 Highway/North Congress relopment District (Zona Rosa) to continue	Programs, Departments, or Groups Affected  Public Works  Public Works  I-29/Barry Road/M-152 Highway/North Congress Transportation Development Distr		
	ess. Funds will be reimbursed to Project No. sale of the second series of Zôna Rosa Bonds.	Applicants / Proponents	Applicant  City Department  Other	
make recommendat of certain public im	066 directed the City Manager to study and tions concerning the financing and construction approvements in the general area of N.W. Barry state 29, including improvements for the half-	Opponents	Groups or Individuals  Basis of opposition	
Resolution No. 990	ge of N Congress with Missouri Highway 152.  233 approved a plan of financing of public cinity of the northwest corner of the interchange Road.	Staff Recommendation	X For Against Reason Against	
financing for the Zo	434 stated the Council's intent with regard to ona Rosa project; and stated the intent of the se itself for certain expenditures incurred prior ny bonds for public improvements for the Zona	Board or Commission Recommendation	By  Grant Against No action taken  For, with revisions or conditions (see detail	
financing certain poof NW Barry road,	556 stated the Council's intent with regard to ublic infrastructure generally located in the area west of Interstate 29 and stated the intent of the self for certain expenses incurred prior to the ids.	Council Committee Actions	column for conditions)  Do pass  Do pass (as amended)  Committee Sub.  Without Recommendation	

(Continued on reverse side)

Do not pass