

ORDINANCE NO. 190948

Ratifying the actions taken by the City Council in Committee Substitute for Ordinance No. 190856 approving an Amended and Restated Industrial Development Plan for Country Club Lodging, LLC and CCL Parking, LLC's hotel project to be located on West 46th Street between Broadway and Wornall Road.

WHEREAS, on October 17, 2019, the City Council passed Committee Substitute for Ordinance No. 190856 (hereinafter "Ordinance") by which the City Council: (1) approved an Amended and Restated Development Plan for the Chapter 100 project proposed by Country Club Lodging, LLC and CCL Parking, LLC for the purpose of acquiring and constructing a project for industrial development consisting of a service facility which provides interstate commerce to consist of two hotels and related parking facilities, to be located on the south side of West 46th Street between Broadway and Wornall Road in Kansas City, Missouri, (2) authorized and approved various agreements for the purpose of setting forth covenants, agreements and obligations of the City and Country Club Lodging, LLC and CCL Parking, LLC, or an affiliate or designee or either of them, (3) authorized the issuance of taxable industrial revenue bonds in a maximum aggregate principal amount not to exceed \$80,000,000.00, (4) authorized and approved certain other documents as specified in the Ordinance and (5) authorized certain other actions in connection with the issuance of said bonds; and

WHEREAS, Section 100.059.1, RSMo, provides that notice stating the date on which the Council will first consider approval of the plan must be given to the taxing jurisdictions affected by a proposed Chapter 100 project that will afford them a twenty-day comment period prior to the passage of an ordinance approving an industrial development plan; and

WHEREAS, the notice provided affected taxing jurisdictions prior to the City Council's October 17, 2019, passage of the Ordinance was dated, and sent to them on, October 4, 2019; and

WHEREAS, that notice stated that the Ordinance would be heard by the Neighborhoods, Planning and Development Committee on October 16, 2019, starting at 1:30 p.m. with the Council's consideration of the Ordinance for approval to occur on October 24, 2019; and

WHEREAS, the Ordinance was actually heard by the Finance, Governance and Public Safety Committee at its meeting scheduled to start at 10:30 a.m. on October 16, 2019, and the Finance, Governance and Public Safety Committee passed the Ordinance out of committee with a recommendation to the full Council that the Ordinance be passed and advanced to its third reading the next day, October 17, 2019; and

WHEREAS, the Council passed the Ordinance on October 17, 2019, which was a date seven days prior to the expiration of the required twenty-day comment period; and

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WHEREAS, no additional comments were submitted to the Council subsequent to the passage of the Ordinance; and, therefore, no taxing jurisdiction entitled to notice pursuant to Section 100.059.1, RSMo, has been denied the opportunity to have its comments considered; and

WHEREAS, a new notice was provided to the affected taxing jurisdictions on November 1, 2019 which advised them that this ordinance would be heard by the Finance, Governance and Public Safety Committee at its meeting on November 13, 2019; and

WHEREAS, the Council deems it advisable that it ratify its prior approval by its passage of the Ordinance since the required twenty-day period had not fully elapsed prior to its passage of the Ordinance; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY;

Section 1. That each and every of the actions taken by the City Council on October 17, 2019, with its passage of Committee Substitute for Ordinance No. 190856 are hereby ratified.

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Approved as to form and legality:

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Galen P. Beaufort  
Senior Associate City Attorney