

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 130392

Authorizing the Director of Parks and Recreation Department to execute a \$13,440,000.00 cooperative agreement with Soccer Village Properties for the construction, maintenance and operation of the Soccer Village in Swope Park; establishing the Series 2013 Special Obligation Bond Fund; estimating revenues in the amount of \$8,817,134.72 in the Series 2013 Special Obligation Bond Fund; appropriating that amount to the Lewis Road Athletic Fields account; designating requisitioning authority; authorizing the Director of Finance to close project accounts upon completion; authorizing Soccer Village Properties to enter into professional services and design and construction contracts to complete the project; declaring the City's official intent to get reimbursed from bonds proceeds; and recognizing an emergency.

WHEREAS, the Board of Parks and Recreation Commissioners has under its control various parklands and boulevards belonging to the City, including the Lewis Road soccer fields located at 63rd Street and Lewis Road; and

WHEREAS, the City Council through Committee Substitute for Ordinance No. 130155 appropriated \$4,622,865.28 for the construction of a youth soccer complex and related improvements in Swope Park; and

WHEREAS, the City Council through Committee Substitute for Ordinance No. 130155 acknowledged receipt of a Cooperative Agreement dated April 1, 2013, that commits \$117,000.00 annually for eleven years to the project from Jackson County, Missouri ("County Agreement"); and

WHEREAS, pursuant to the County Agreement, the City has expressed the desire to contribute monies that absent the collapse of the Winchester TIF Plan prior to December 31, 2024, were committed to pay for other public improvements, and which would now be redirected for public improvements in conjunction with the project; and

WHEREAS, the City will utilize these combined funds to pay for debt service on any bonds issued to construct the project, provide additional funding for any operating shortfalls, and to fund an on-going capital maintenance reserve fund for the project; and

WHEREAS, the Board approved through Resolution No. 30025, adopted on May 7, 2013, a cooperative agreement with Soccer Village Properties for the design, construction and operation of the Soccer Village in Swope Park with a total lease term of 20 years; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of Parks and Recreation Department is hereby authorized to execute a \$13,440,000.00 cooperative agreement between the Kansas City, Missouri Board of Parks and Recreation Commissioners and Soccer Village Properties, LLC, for the construction, maintenance and operation of the Soccer Village in Swope

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Park (“Project”). A copy of the agreement in substantial form is on file in the Parks and Recreation Department.

Section 2. That Fund No. 3332, the Series 2013 Special Obligation Bond Fund, is hereby established in the records of the City of Kansas City, Missouri.

Section 3. That the revenue in the following account of Fund 3332, the Series 2013 Special Obligation Bond Fund, is hereby estimated in the following amount:

AL-3332-120000-590000	Proceeds from the Sale of Bonds	\$8,817,134.72
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Section 4. That the sum of 8,817,134.72 is hereby appropriated from the Unappropriated Fund Balance of Fund No. 3332, the Series 2013 Special Obligation Bond Fund, to the following account:

AL-3332-708709-B-70134917	Lewis Road Athletic Fields	\$8,817,134.72
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Section 5. That the Director of the Parks and Recreation Department is hereby designated as requisitioning authority for Account No. AL-3332-708709.

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

Section 7. That it is in the City’s best interest to authorize Soccer Village Properties, LLC, to sole source contracts for: (i) professional legal services, (ii) design services, and (iii) construction work for the Project in accordance with all the terms and provisions of the cooperative agreement.

Section 8. That the City hereby declares its official intent to reimburse itself for certain expenditures made within 60 days prior to or on and after the date of this ordinance with respect to the Project with the proceeds of 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 \$9,500,000.00. This constitutes a declaration of official intent under Treasury Regulation Section 1.150-2.

Section 9. That this ordinance, relating to the appropriation of money, is therefore recognized as an emergency ordinance pursuant to Section 503(a)(3)(C) of the Charter and takes 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:

Nelson V. Muñoz
Assistant City Attorney