

ORDINANCE NO. 090100

Determining the advisability of the 22nd Street Neighborhood Improvement District; ordering the creation of the 22nd Street Neighborhood Improvement District for a project in Kansas City, Missouri; and directing the City Clerk to prepare an assessment roll, fix a date for a hearing, publish notice of the hearing and mail notice to all property owners regarding the 22nd Street Neighborhood Improvement District.

WHEREAS, pursuant to the authority of Sections 67.453 through 67.475, RSMo, titled the Neighborhood Improvement District Act (the "Act"), proceedings have been undertaken for certain improvements for a neighborhood improvement district in Kansas City, Missouri; and

WHEREAS, a petition signed by the owners of property within the proposed neighborhood improvement district (the "Petition") has been filed with the City Clerk requesting improvements consisting of the operation and maintenance of existing pedestrian lighting and sidewalks, specifically the operation and maintenance of decorative pedestrian lighting on the south side of 22nd Street from the southwest corner of Wyandotte Street to Broadway Street, the east side of Central Street from 22nd Street to Southwest Boulevard, and the south side of 21st Street from Central Street to Wyandotte Street; and the maintenance of a decorative brick sidewalk on the south side of 22nd Street beginning at the southwest corner of Wyandotte Street to a point approximately 200 linear feet west of the centerline of Broadway Street (such operation and maintenance being collectively referred to as the "Improvements"); and

WHEREAS, the Petition is proper on its face inasmuch as it sets forth the information required by Section 67.457.3, RSMo; and

WHEREAS, the Council herein determines that the Improvements are advisable and that the 22nd Street Neighborhood Improvement District should be established for the purpose of accomplishing the same; and

WHEREAS, because the Improvements consist entirely of the operation and maintenance of existing improvements and do not include the construction of new improvements, and because that maintenance will be performed by City subject to the availability of any funds generated by any assessments which may be imposed, no additional plans and specifications are needed beyond that information which has already been prepared by the petitioners and is contained within the Petition; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the City Council hereby finds and determines that the Petition requesting the Improvements is complete and proper in all respects, subject to certification of the Petition by the City Clerk.

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Section 2. That the City Council hereby finds and determines that the Improvements are advisable and orders a neighborhood improvement district to be established for the same purpose.

Section 3. That the City Council hereby makes the following findings with regard to the Improvements:

- A. The project name for the Improvements shall be the 22nd Street Neighborhood Improvement District.
- B. The Improvements consist of the operation and maintenance of existing pedestrian lighting and sidewalks, specifically the operation and maintenance of decorative pedestrian lighting on the south side of 22nd Street from the southwest corner of Wyandotte Street to Broadway Street, the east side of Central Street from 22nd Street to Southwest Boulevard, and the south side of 21st Street from Central Street to Wyandotte Street; and the maintenance of a decorative brick sidewalk on the south side of 22nd Street beginning at the southwest corner of Wyandotte Street to a point approximately 200 linear feet west of the centerline of Broadway Street.
- C. The estimated cost of the Improvements is \$11,808.00 per annum, all of which will be assessed against the properties within the 22nd Street Neighborhood Improvement District. The estimated annual costs are allocated as follows:  
  
\$11,308.00-operation and maintenance of decorative pedestrian lighting.  
\$500.00-maintenance of decorative brick sidewalk.
- D. The final costs of the Improvements assessed the property within the District shall not exceed the estimated total by more than 25%.
- E. Assessments shall be imposed based on linear feet of front footage using a two-tiered calculation. Each property within the District shall annually be assessed their proportionate share of the total costs allocated to operation and maintenance of decorative pedestrian lighting for the year (Lots A through S, inclusive, as reflected on Exhibit A, attached hereto). Only those properties within the District that abut a street containing decorative brick sidewalk shall annually be assessed a proportionate share of the total costs allocated to maintenance of decorative brick sidewalk for the year (Lots A through G, inclusive, as reflected on Exhibit A, attached hereto).
- F. Assessments against the properties within the District shall recur annually for a period of 15 years. The boundaries of the 22nd Street Neighborhood Improvement District for purpose of imposing assessments shall be as

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described on Exhibit B, attached hereto. The District is located entirely within the City of Kansas City, Missouri.

Section 4. That this ordinance shall be in full force and effect ten (10) days from and after its passage by the City Council or upon certification by the City Clerk of the sufficiency of the Petition, whichever occurs later.

Section 5. That the Petition for the 22nd Street Neighborhood Improvement District, which includes all plans and specifications relevant to the Project, will be kept on file in the office of the City Clerk and will be open for public inspection.

Section 6. That the costs of the Improvements will be assessed against every parcel of property within the District in the manner set forth herein as such method will result in each property being assessed in proportion to the benefit accruing thereto.

Section 7. That the City Clerk shall:

- A. Prepare an assessment roll based on the estimated cost of the improvements and applying the methodology as set forth herein; and
- B. Fix a date for a hearing to be held by the Council on the Improvements and the proposed assessments; and
- C. Publish notice of such hearing in compliance with the Act, not more than twenty (20) days and not less than ten (10) days before the hearing date; and
- D. Mail notice of such hearing to each owner of record of property within the District pursuant to the Act.

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Approved as to form and legality:

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Brian Rabineau  
Assistant City Attorney