

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 090985

Authorizing the Director of Public Works to enter into a cost share agreement and a municipal agreement with the Missouri Highways and Transportation Commission for the improvement of intersection of Botts Road and Highway 150; and authorizing the Director of Public Works to expend funds for ROW acquisition not to exceed \$1,018,000.00.

WHEREAS, the City Council (the "Council") of the City, on October 16, 2008, passed Ordinance No. 080913 (the "Ordinance"), which declared approximately 186 acres generally located at the northwest corner of Missouri Hwy 150 and Botts Road ("Project Area") to be a blighted and unsanitary area, pursuant to the 150 Highway & Botts Road PIEA General Development Plan dated July 1, 2008, revised September 2, 2008, as further revised from time to time ("General Development Plan") approved by the Planned Industrial Expansion Authority of Kansas City, Missouri, ("PIEA") pursuant to the its Resolution 1338 adopted July 11, 2008; and

WHEREAS, the U.S. General Services Administration, an agency of the United States of America ("GSA") has obtained approval of the Congress of the United States of America for development of the Project Area (the "Project") as a campus for the National Nuclear Security Agency; and

WHEREAS, the development of the Project will require the planning, design and construction of certain public infrastructure described herein within and in the vicinity of the Project Area (the "Infrastructure Improvements"); and

WHEREAS, the City is partnering with the Missouri Department of Transportation ("MODOT") to facilitate the construction of certain of the Infrastructure Improvements. In a commitment letter dated July 23, 2009, MODOT has approved a Cost Share Application for up to \$10,000,000.00 (the "MODOT Contribution"). The City intends to make in kind and cash contributions of \$10,000,000.00 to fulfill its local match obligation and maximize the MODOT Contribution; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY, MISSOURI:

Section 1. The Director of Public Works is hereby authorized to execute, on behalf of the City, a cost share agreement and a municipal agreement with the Missouri Highways and Transportation Commission for the intersection improvement of Highway 150 in the 150 Highway and Botts Road PIEA Area, MoDOT Project No. 4P2251 and KCMO Project No. 89008137. The agreements are substantially in the forms attached and on file with the Director of Public Works.

Section 2. That the Director of Public Works is authorized to expend \$1,018,000.00 from funds previously appropriated to the following accounts:

10-3090-898016-B	Botts Road	\$ 418,000.00
10-3090-898601-B	Botts Road	<u>600,000.00</u>
	TOTAL	\$1,018,000.00

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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.

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Jeffrey A. Yates  
Director of Finance

Approved as to form and legality:

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Heather A. Brown  
Assistant City Attorney