

ORDINANCE NO. 090290

Authorizing a multi-party cooperative agreement for the undergrounding of overhead utility lines and the construction of curbs, sidewalks, gutters and decorative streetscape within the public right-of-way on West 17th Street.

WHEREAS, streetscape improvements in the public right-of-way are desirable and enhance the safety and appearance of the neighborhoods in which they are installed, thereby benefiting the public; and

WHEREAS, the developer, Sobel Properties, LLC, has obligated itself to make streetscape improvements in this area in conjunction with the West 17th Street Tax Increment Financing Plan, which has previously been approved and adopted by the City; and

WHEREAS, the City, upon recommendation of the Public Improvements Advisory Committee, has committed to provide \$300,000.00 in capital sales tax funds for use in constructing additional curbs, sidewalks, gutters and decorative streetscape; and

WHEREAS, the improvements being constructed will also include the undergrounding of overhead utility lines and related equipment by KCP&L as has been required by City; and

WHEREAS, it is desirable that the improvements be designed, coordinated and constructed in conjunction with each other in order to maximize the funds invested in the project and reduce the inconvenience to the public and abutting property owners; and

WHEREAS, the additional streetscape being funded by City is a small piece of the overall improvements being constructed and is to be completed in conjunction with a project currently being administered by the TIF Commission; and

WHEREAS, the City desires that the TIF Commission administer the reimbursement to the developer of the streetscape improvements being funded by the City hereunder and will transfer the \$300,000.00 to the TIF Commission for that purpose; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of Public Works is hereby authorized to execute a multi-party cooperative agreement for the installation of the West 17th Street public improvements and to expend \$300,000.00 from funds previously appropriated to Account No. 10-3090-898407-B, 17th and Wyandotte, to satisfy the City's obligations under this agreement. The cooperative agreement is approved in substantial form as that on file in the office of the Director of Public Works.

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Section 2. That this ordinance shall take effect at the later of ten days after passage or May 1, 2009.

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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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Brian Rabineau  
Assistant City Attorney