



## Agenda

### Transportation, Infrastructure and Operations Committee

Quinton Lucas, Chair  
Teresa Loar, Vice Chair  
Eric Bunch, Vice Chair  
Katheryn Shields  
Melissa Robinson  
Kevin O'Neill

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**Wednesday, July 14, 2021**

**9:00 AM**

**26th Floor, Council Chamber**

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#### PUBLIC OBSERVANCE OF MEETINGS

Members of the City Council may attend this meeting via videoconference.

Any closed session may be held via teleconference.

The public can observe this meeting at the links provided below.

Applicants and citizens wishing to participate have the option of attending each meeting or they may do so through the videoconference platform ZOOM, using this link:

<https://us02web.zoom.us/j/84530222968>

The public can observe this meeting at the links provided below. Applicants and citizens wishing to participate have the option of attending each meeting or they may do so through the videoconference platform ZOOM, using this link:

<https://us02web.zoom.us/j/84530222968>

#### FIRST READINGS

##### [210573](#)

Estimating revenue in the amount of \$496,142.00 and appropriating the same; authorizing a \$1,103,169.00 construction completion contract with Hettinger Excavating, LLC, for the Water Main Replacement in the Area of Burning Tree Drive to W. 139th Street, St. Andrew Drive to Wornall Road Project; authorizing a maximum expenditure of \$1,213,486.00; and recognizing this ordinance as having an accelerated effective date.

##### [210579](#)

Estimating revenue in the amount of \$42,982,194 in the Federal Stimulus Grants account; and authorizing Airport Rescue Grant Offers from the United States of America, acting through the Federal Aviation Administration (FAA).

- [210581](#) Directing the City Manager to review Kansas City's current policies related to inspection of building structures owned or leased by the City, engaging with stakeholders who can provide recommendations on appropriate safety protocols to ensure the structures are safe for occupancy on a regular basis and report back to the City Council within 90 days.

HELD IN COMMITTEE

SEMI-ANNUAL DOCKET

The listing of Semi-Annual Docket items are provided this week for informational purposes only. Please see City Clerk's Office for full listing.

ADDITIONAL BUSINESS

1. There may be a general discussion regarding current Transportation, Infrastructure and Operations Committee issues.
2. Closed Session; Any closed session may be held via teleconference.
  - Pursuant to Section 610.021 subsection 1 of the Revised Statutes of Missouri to discuss legal matters, litigation, or privileged communications with attorneys;
  - Pursuant to Section 610.021 subsection 2 of the Revised Statutes of Missouri to discuss real estate;
  - Pursuant to Section 610.021 subsections 3 and 13 of the Revised Statutes of Missouri to discuss personnel matters;
  - Pursuant to Section 610.021 subsection 9 of the Revised Statutes of Missouri to discuss employee labor negotiations;
  - Pursuant to Section 610.021 subsection 11 of the Revised Statutes of Missouri to discuss specifications for competitive bidding;
  - Pursuant to Section 610.021 subsection 12 of the Revised Statutes of Missouri to discuss sealed bids or proposals; or
  - Pursuant to Section 610.021 subsection 17 of the Revised Statutes of Missouri to discuss confidential or privileged communications with auditors.

Those who wish to comment on proposed ordinances can email written testimony to [public.testimony@kcmo.org](mailto:public.testimony@kcmo.org).

Comments received will be distributed to the committee and added to the public record by the clerk.

The city provides several ways for residents to watch City Council meetings:

- Livestream on the city's website at [www.kcmo.gov](http://www.kcmo.gov)
- Livestream on the city's YouTube channel at <https://www.youtube.com/watch?v=3hOuBlg4fok>
- Watch Channel 2 on your cable system. The channel is available through Time Warner Cable (channel 2 or 98.2), AT&T U-verse (channel 99 then select Kansas City) and Google Fiber on Channel 142.
- To watch archived meetings, visit the City Clerk's website and look in the Video on Demand section: [http://kansascity.granicus.com/ViewPublisher.php?view\\_id=2](http://kansascity.granicus.com/ViewPublisher.php?view_id=2)

The City Clerk's Office now has equipment for the hearing impaired for use with every meeting. To check out the equipment please see the secretary for each committee. Be prepared to leave your Driver's License or State issued Identification Card with the secretary and she will give you the equipment. Upon returning the equipment your license will be returned.

Adjournment



Legislation Text

**File #: 210573, Version: 1**

ORDINANCE NO. 210573

Estimating revenue in the amount of \$496,142.00 and appropriating the same; authorizing a \$1,103,169.00 construction completion contract with Hettinger Excavating, LLC, for the Water Main Replacement in the Area of Burning Tree Drive to W. 139th Street, St. Andrew Drive to Wornall Road Project; authorizing a maximum expenditure of \$1,213,486.00; and recognizing this ordinance as having an accelerated effective date.

WHEREAS, on August 27, 2020, Ordinance No. 200620 was passed to authorize a \$1,554,381.03 Construction Contract (“Contract”) with Blue Nile Contractors, Inc., for the Water Main Replacement in the Area of Burning Tree Drive to W. 139th Street, St. Andrew Drive to Wornall Road Project; and to authorize a maximum expenditure of \$1,710,000.00; and

WHEREAS, on February 9, 2021, Blue Nile Contractors Inc. signed a Voluntary Letter of Default issued to North American Specialty Insurance Company (“Surety”), in which Blue Nile Contractors, Inc., indicated that it was unable to perform the Contract, and thus it was in default of the Contract; and

WHEREAS, the City and Surety entered into a tender agreement whereby the City agreed to release Blue Nile Contractors, Inc., of its obligations; and

WHEREAS, Surety has tendered to City a completion contractor, Hettinger Excavating, LLC, (“Completing Contractor”); and

WHEREAS, the Completing Contractor will perform the work described in the Contractor Agreement for a sum of \$1,103,169.00; and

WHEREAS, the Surety will pay to City the sum of \$496,142.00, representing the additional cost of performing the work with the Completing Contractor and reimbursement for \$17,256.00 of emergency repair work paid by the City; NOW THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the revenue in the following account of Fund No. 8077, the Water Revenue Bond Series 2020A Fund, is hereby estimated in the following amount:

AL-8077-800000-581160-80002033                      Contr. in Aid of Construction                      \$496,142.00

Section 2. That the sum of \$496,142.00 is hereby appropriated from the Unappropriated Fund Balance of Fund No. 8077, the Water Revenue Bond Series 2020A Fund, in the following account:

AL-8077-807705-611060-80002033                      WMR Program                      \$496,142.00

Section 3. That the Director of the Water Services Department is authorized to execute Completion Contract No. 9274R in the amount of \$1,103,169.00 with Hettinger Excavating, LLC, for Water Main Replacement in the Area of Burning Tree Drive to W. 139th Street, St. Andrew Drive to Wornall Road Project, Project No. 80002033. A copy of the contract is on file in the office of Water Services.

Section 4. That the Director of the Water Services Department is authorized a maximum expenditure of \$1,213,486.00, from funds previously appropriated in Account No. AL-8077-807705-611060, Water Main Replacement Program, to satisfy the cost of this contract.

Section 5. That this ordinance, relating to the design, repair, maintenance, or construction of a public improvement, is recognized as an ordinance with an accelerated effective date as provided by Section 503(a)(3) (D) of the City Charter and shall take effect in accordance with Section 503, City Chapter.

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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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Tammy L. Queen  
Director of Finance

Approved as to form and legality:

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Mark P. Jones  
Assistant City Attorney

# CONTRACT

210573

## Ordinance Fact Sheet

## Construction/Misc. Form

Brief Title	Approval Deadline
Authorizing a \$1,103,169.00 Construction Contract for the Water Main Replacement in the Area of Burning Tree Drive to W. 139th Street, St. Andrew Drive to Wornall Road Project with Hettinger Excavating, LLC;	
authorizing maximum expenditure of \$1,213,486 and recognizing this ordinance as having an accelerated effective date.	

Reason
To authorize execution of a construction contract and expenditures.

**Details**

**Reason for Contract**  
 To estimate revenues coming from North American Specialty Insurance Company ("Surety") for Surety Payment related to the Water Main Replacement in the Area of Burning Tree Drive to W. 139th Street, St Andrew Drive to Wornall Road Project.

Roles and Responsibilities	
Sponsor	Water Services Department
Department or Programs Affected	WMR Program
Recommended Awardee	Hettinger Excavating, LLC
Contract Compliance Certification Obtained?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
Opponents	Groups or Individuals  None known  Reason for Opposition
Responsibilities	Design Engineering: N/A  Inspections: Water Services  Construction or Project Management: Water Services  Service Monitoring: City Staff

**Discussion**

**Project Justification**  
 Design for water main replacements and other water distribution system improvements to replace break prone and aging infrastructure to reduce maintenance costs and increase fire flow and reliability.

**Design Professional Services Contract Summary**  
 Design Professional firm: Taliaferro & Browne, Inc.

Total Project Cost: \$191,133.79  
 Project Schedule: NTP February 11, 2019; Final Design Completed July 21, 2019.

Policy/Program Impact	
Policy or Program Emphasis Change	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

*(Continued on reverse side)*



<b>LEGISLATIVE FISCAL NOTE</b>	LEGISLATION NUMBER:	210573
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**LEGISLATION IN BRIEF:**

Estimating revenue in the amount of \$496,142.00 and appropriating the same; authorizing a \$1,103,169.00 Construction Completion Contract with Hettinger Excavating, LLC, for the Water Main Replacement in the Area of Burning Tree Drive to W. 139th Street, St. Andrew Drive to Wornall Road Project; authorizing a maximum expenditure of \$1,213,486.00; and recognizing this ordinance as having an accelerated effective date.

**What is the purpose of this legislation?** CAPITAL

*Authorizing a design professional amendment for a project*

- Does this legislation spend money?**  YES Yes/No  
See Sections 01, 02 and 03 for sources of funding
- Does this legislation estimate new Revenues?**  YES Yes/No  
See Section 02 for new revenue estimates
- Does this Legislation Increase Appropriations?**  YES Yes/No  
See Section 03 for increases in appropriations
- Does this legislation expand the scope of city services, or expand the city's infrastructure?**  NO Yes/No  
Maintenance of existing assets is included in the budget. For details see Section 00: " Notes" Below

**Section 00: Notes:**

*Design amendment contract for design not construction*

Five years of operational and maintenance costs should be included in Section 04 below.

**FINANCIAL IMPACT OF LEGISLATION**

**Section 01: If applicable, where are funds appropriated in the current budget?**

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST
8077	807705	611060	80002033	717,344	-

**Section 02: If applicable, where will new revenues be estimated?**

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST
8077	800000	581160	80002033	496,142	

**Section 03: If applicable, where will appropriations be increased?**

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST
8077	807705	611060	80002033	496,142	

<b>NET IMPACT ON OPERATIONAL BUDGET</b>				-	-
				<i>RESERVE STATUS:</i>	<b>REVENUE SUPPORTED</b>

**SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)**

FUND	FUND NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears
8077	water revenue bond	496,142						
<b>TOTAL REV</b>		<b>496,142</b>	-	-	-	-	-	-

FUND	FUND NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears
8077	water revenue bond	1,213,486						
<b>TOTAL EXP</b>		<b>1,213,486</b>	-	-	-	-	-	-

<b>NET Per-YEAR IMPACT</b>		<b>(717,344)</b>	-	-	-	-	-	-
<b>NET IMPACT ( SIX YEARS)</b>		<b>(717,344.00)</b>						

REVIEWED BY Heather Bray DATE 6/17/2021









Legislation Text

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**File #: 210579, Version: 1**

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ORDINANCE NO. 210579

Estimating revenue in the amount of \$42,982,194 in the Federal Stimulus Grants account; and authorizing Airport Rescue Grant Offers from the United States of America, acting through the Federal Aviation Administration (FAA).

WHEREAS, the Aviation Department submitted to the FAA an Airport Rescue Grant Application for a grant of Federal funds at or associated with the Kansas City International Airport and the Charles B. Wheeler Downtown Airport; and

WHEREAS, the Airport Rescue Grant is provided in accordance with the American Rescue Plan Act of 2021 (ARPA) (H.R. 1319, Public Law 117-2) <<https://www.congress.gov/bill/117th-congress/house-bill/1319>>; and

WHEREAS, the purpose of the Airport Rescue Grant is to provide economic assistance to eligible U.S. airports to prevent, prepare for, and respond to the coronavirus disease 2019 (COVID-19) pandemic including relief from rent and minimum annual guarantees (MAG) for eligible airport concessions at primary commercial service airports; and

WHEREAS, the Airport Rescue Grant must be obligated by the City on or before September 30, 2024; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the sum of \$42,982,194 is hereby estimated to the following account:

22-8300-620000-479979	Federal Stimulus Grants	\$42,982,194
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Section 2. That an Airport Rescue Grant Agreement between the City of Kansas City, Missouri, acting through its Director of the Aviation Department, and the Federal Aviation Administration in the amount of \$42,982,194 is hereby accepted and approved. A copy of the Grant Agreement is on file with the Director of the Aviation Department.

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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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Tammy L. Queen

Director of Finance

Approved as to form and legality:

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Nelson V. Munoz  
Assistant City Attorney

# CONTRACT



## Ordinance Fact Sheet

Brief Title	Approval Deadline	Reason
Ordinance No. <b>TBD</b>	Routine	To authorize Director of Aviation to accept Airport Rescue Grants from the FAA.

### Details

**Reason for Contract**

Estimating revenue in the amount of \$42,982,194 to the Federal Stimulus Grants account; Authorizing Airport Rescue Grant Offers from the United States of America, acting through the Federal Aviation Administration (FAA).

**Discussion**

**Description**  
 The Aviation Department submitted Airport Rescue Grant Applications to the FAA for a grant of Federal funds at or associated with the Kansas City International Airport and the Charles B. Wheeler Downtown Airport.

The Airport Rescue Grants are provided in accordance with the American Rescue Plan Act of 2021 (ARPA) (H.R. 1319, Public Law 117-2).

The purpose of the Airport Rescue Grants are to provide economic assistance to eligible U.S. airports to prevent, prepare for, and respond to the coronavirus disease 2019 (COVID-19) pandemic including relief from rent and minimum annual guarantees (MAG) for eligible airport concessions at primary commercial service airports.

The Airport Rescue Grant Agreement between the City of Kansas City, Missouri, acting through its Director of the Aviation Department, and the FAA must be obligated by the City on/before September 30, 2024.

**How will this contribute to a sustainable Kansas City?**  
 The Airport Rescue Grants will allow the Aviation Department to 1) keep the city's airports in reliable, safe operation to serve the aviation industry, the traveling public, and support the economy; 2) keep airport and aviation workers employed; and 3) maintain the stability of the Department's airport credit ratings.

**Solicitation**  
 Not applicable.

**Human Relations Approval**  
 Not applicable.

### Roles and Responsibilities

Sponsor	Aviation Department
Department or Programs Affected	Aviation Department
Recommended Awardee	N/A
Contract Compliance Certification Obtained?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Opponents	Groups or Individuals  None known  Reason for Opposition
Responsibilities	Design Engineering: N/A  Inspections: N/A  Construction or Project Management: N/A  Service Monitoring: Aviation Department

### Policy/Program Impact

Policy or Program Emphasis Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	N/A

(Continued on next page)



# OPERATING/PROGRAMMATIC

210579

## Legislative Fiscal Note

Ordinance Number

### Ordinance Title (in Brief)

Estimating revenue in the amount of \$42,982,194 to the Federal Stimulus Grants account; Authorizing Airport Rescue Grant Offers from the United States of America, acting through the Federal Aviation Administration (FAA).

### Does this Legislation Estimate New or Additional Revenues to the City?

No

Yes

Federal Stimulus Grants

If yes, please identify in which Fund these revenues will be deposited (e.g. General, Sales Tax) and provide the following revenue information:

#### Revenue Detail

FY22

General Fund

Special Revenue

Enterprise

\$ 42,982,194

Total:

\$ 42,982,194

### Description

The Aviation Department submitted Airport Rescue Grant Applications to the FAA for a grant of Federal funds at or associated with the Kansas City International Airport and the Charles B. Wheeler Downtown Airport. The Airport Rescue Grants are provided in accordance with the American Rescue Plan Act of 2021 (ARPA) (H.R. 1319, Public Law 117-2). The purpose of the Airport Rescue Grants are to provide economic assistance to eligible U.S. airports to prevent, prepare for, and respond to the coronavirus disease 2019 (COVID-19) pandemic including relief from rent and minimum annual guarantees (MAG) for eligible airport concessions at primary commercial service airports. The Airport Rescue Grant Agreement between the City of Kansas City, Missouri, acting through its Director of the Aviation Department, and the FAA must be obligated by the City on/before September 30, 2024.

### Does this Legislation increase appropriations in the current budget?

No

Yes

If Yes, please complete the following budget information:

#### Expense Detail

FY

General Fund

Special Revenue

Enterprise/Other

Total:

\$ 0

Please detail the extent to which these increased appropriations will be of a permanent nature (e.g. number of additional staff, facilities, long-term contracts)

### Does this Legislation expand the scope of current city services?

No

Yes

(Please detail estimate number of people to be served, who is delivering services currently to that population, service performance expectations, and if grant supported, provisions for support if grant support ends.

### Is this legislation the result of a federal or state legislative mandate?

No

Yes

(If yes, please detail the purpose and source for that mandate).

### Reviewed by:

Office of Management and Budget

OMB Approval Date



## Legislation Text

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**File #: 210581, Version: 1**

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### RESOLUTION NO. 210581

Directing the City Manager to review Kansas City's current policies related to inspection of building structures owned or leased by the City, engaging with stakeholders who can provide recommendations on appropriate safety protocols to ensure the structures are safe for occupancy on a regular basis and report back to the City Council within 90 days.

WHEREAS, the tragic collapse of a condominium and loss of life in Surfside, Florida on June 24, 2021, brought to the forefront the need for buildings owned or leased by Kansas City to be inspected for structural integrity; and

WHEREAS, third party structural integrity reports on City owned or leased structures above a certain height may be deemed appropriate and necessary as determined by the City Manager's review; and

WHEREAS, the Council of Kansas City desires the City Manager conduct a review of Kansas City's current polices related to buildings owned or leased by the City to ensure the safety of all individuals who occupy or visit those buildings at any hour of the day or night; NOW, THEREFORE,

**BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY:**

The City Manager is directed to review Kansas City's current policies related to inspection of building structures owned or leased by the City and to report back to City Council within 90 days with recommendations on appropriate safety protocols to ensure the structures are safe for occupancy on a regular basis, and to identify a funding mechanism to pay for any recommended action.

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