

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 230709

Authorizing the Director of Public Works to execute a Cooperative Agreement with the Kansas City Airport Parking, LLC for the N.W. Cookingham/Interstate 29 Roundabout Project; appropriating \$700,000.00 for the project; authorizing the Director of Public Works to expend a maximum amount of \$700,000.00; and designating requisitioning authority.

WHEREAS, Kansas City Airport Parking, LLC (“Developer”) proposes a mixed office/commercial development project at the intersections of Prairie View and Cookingham & I-29 for the construction of several restaurants and hotels, along with retail and office space, (the “Project”), which includes a public improvements project consisting of the construction of two (2) roundabouts along Cookingham Drive, with the first to replace the intersections of Prairie View and Cookingham & I-29 Southbound offramps and Cookingham with a 5-leg roundabout, and with the second to replace the intersection of I-29 northbound offramps and Cookingham with a roundabout and include a 5th leg to provide access to the Ambassador Building development (the “Public Improvements”); and

WHEREAS, Developer further intends to construct other improvements near the roundabouts, and to apply for the creation of a tax increment financing district in the area; and

WHEREAS, City agrees with the Developer that the construction of the roundabouts would provide a public benefit; and

WHEREAS, the City Council adopted ordinance No. 230404 directing the City Manager to identify funding for these Public Improvements; and

WHEREAS, in order to allow the project to proceed on a timely schedule, it is necessary for the City to advance funding for the project; and

WHEREAS, the Director of the Public Works Department is authorized to exercise the Department’s authority to execute the Cooperative Agreement as delegated by the City Manager under the City Charter; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That sum of \$700,000.00 is hereby appropriated from the unappropriated fund balance of the Capital Improvements Sales Tax Fund to the following account:

24-3090-898011-B-89008906	N.W. Cookingham and N. Ambassador Drive	\$700,000.00
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Section 2. That the Director of Public Works is hereby authorized to negotiate and execute a Cooperative Agreement with Kansas City Airport Parking, LLC for certain costs related to the construction of the roundabouts on the east and west sides of the intersection of N.W. Cookingham Drive and Interstate 29. The Cooperative Agreement shall:

- A. Provide that the City shall reimburse Developer up to \$700,000.00 for costs incurred ensuring access to the right-of-way for the Public Improvements including

funding the break in access with the Missouri Department of Transportation, subject to receipt and written acceptance of progressive invoices from Developer.

- B. Require developer to submit an application for a TIF plan for the Project not later than October 1, 2023.
- C. Provide that the City's contribution will be reimbursed 1) immediately if either the Missouri Department of Transportation waives the break in access fee for the Project or denies the request for the access cut, 2) by December 31, 2024 if the TIF Plan is not approved, or 3) by June 30, 2037 if the TIF Plan is approved.
- D. Not make any representations or agreements regarding future appropriation, contributions, or approvals by the City Council with respect to the Project.


Section 3. That the Director of Public Works is hereby designated as requisitioning authority for Account No. 24-3090-898011.

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.



Tammy L. Queen
Director of Finance

Approved as to form:



Emalea Black
Associate City Attorney



Authenticated as Passed


Quinton Lucas, Mayor
Marilyn Sanders, City Clerk

AUG 24 2023
Date Passed