City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 241012
Submitted Department/Preparer: City Manager's Office
Revised 6/10/24

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in Administrative Regulation (AR) 4-1.

Executive Summary

Accepting and approving a $5,000,000.00 grant award from the Missouri Department of Natural Resources, passed through from the federal Treasury Department as part of the American Rescue Plan Act of 2021, to fund riparian restoration along the Blue River; estimating and appropriating $5,000,000.00 in the General Grants Fund (2580); and recognizing this ordinance as having an accelerated effective date.

Discussion

In 2021 Congress passed the American Rescue Plan Act (ARPA), a $1.9 trillion economic stimulus bill designed to speed up the American economic recovery after the impacts of the COVID-19 pandemic and the co-occurring recession. Within specific categories such as support for public health expenditures, addressing negative economic impacts caused by COVID-19, replacing lost public sector revenue, and investing in water, sewer, and broadband infrastructure, states and local governments have flexibility to decide how best to use their funding to meet the needs of their communities. As part of ARPA, Missouri received approximately $2.7 billion in State Fiscal Recovery Funds for a variety of approved grant programs.

In the spring of 2022, the Kansas City Parks & Recreation Department (KCPRD) was approached by four local nonprofit organizations with a grant proposal under the state's ARPA Stormwater Infrastructure Grant. This program is administered by the Missouri Department of Natural Resources (MDNR) using ARPA funds for projects requiring necessary stormwater infrastructure improvements. KCPRD worked closely with the nonprofit partners to fine-tune the proposal and submitted it in the summer of 2022. The final proposal seeks to restore 200-250 acres of riparian habitat along the Blue River, improve green infrastructure in three nodes along the Blue River corridor, and plant 2,000-2,500 trees along the corridor. This project will span across Council Districts 3, 5, and 6. In the fall of 2022, the City found out it was selected for an award of $5,000,000.00 for its project proposal.

Due to bandwidth issues within KCPRD, the project was transferred to the Office of Environmental Quality in the Spring of 2024 to administer as the overall project closely aligns with a number of strategies and actions in the City's 2022 Climate Protection &

Resiliency Plan (CPRP). Nearly all the strategies under the Natural Systems section of the CPRP apply: N-1 Expand the network of trees and natural areas; N-2 Promote regenerative, ecologically healthy soils and landscapes; N-3 Promote sustainable water supply and use; and N-4 Use natural systems to manage stormwater runoff. Therefore, OEQ has been working with MDNR to complete the necessary paperwork to obligate the funds and accept the grant award as required by the statutory deadline of December 31, 2024.

Fiscal Impact

1. Is this legislation included in the adopted budget? ☐ Yes ☒ No

2. What is the funding source?
   The funds are coming from the Department of the Treasury, passed through the Missouri Department of Natural Resources and into the General Grants Fund (2580).
   25-2580-105806-B- G10DNRARPA DNR ARPA Grant Program
   $5,000,000.00

3. How does the legislation affect the current fiscal year?
   This legislation estimates revenue and appropriates a grant award in the current fiscal year. This is additional grant funding for riparian restoration along the Blue River.

4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
   The award amount of $5,000,000.00 will be distributed once. However, because the grant cycle goes through December 31, 2026, the funds will carry over into the next two Fiscal Years, 25-26 and 26-27.

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
   Yes, these funds are being received from an outside grant award and they are leveraging outside funding. Additionally, conducting the riparian restoration along the Blue River should help to reduce flooding during storm events and increase the area's resilience to heat by reducing the urban heat island effect, both of which would provide a return on investment.

Office of Management and Budget Review
(OMB Staff will complete this section.)

1. This legislation is supported by the general fund. ☐ Yes ☒ No

2. This fund has a structural imbalance. ☐ Yes ☒ No

3. Account string has been verified/confirmed. ☒ Yes ☐ No

Additional Discussion (if needed)
This legislation estimates revenue sufficient to cover the additional appropriation.

Citywide Business Plan (CWBP) Impact

1. View the Adopted 2025-2029 Citywide Business Plan

2. Which CWBP goal is most impacted by this legislation?
   Infrastructure and Accessibility (Press tab after selecting.)

3. Which objectives are impacted by this legislation (select all that apply):

   ☐ Engage in thoughtful planning and redesign of existing road networks to ensure safety, access, and mobility of users of all ages and abilities.
   ☐ Enhance the City's connectivity, resiliency, and equity through a better-connected multi-modal transportation system for all users.
   ☐ Build on existing strengths while developing a comprehensive transportation plan for the future.
   ☒ Develop environmentally sustainable infrastructure strategies that improve quality of life and foster economic growth.
   ☒ Ensure adequate resources are provided for continued maintenance of existing infrastructure.
   ☐ Focus on delivery of safe connections to schools.

Prior Legislation

A number of other ordinances have addressed projects using ARPA funds, including 240092 and 240553, however none of have touch on this specific project or award.

Adding this here for additional context: prior to applying to the application solicitation, KCPRD sought approval from the Board of Parks and Recreation Commissioners to apply for this award. That was provided through the Parks Board Resolution #31984 on July 6, 2022. Additionally, as part of the paperwork necessary to accept the award, OEQ sought approval from the Parks Board to enter into a Memorandum of Understanding with the Jackson County Parks and Recreation Department, as some of the work will be done on County property. That was approved through Resolution #32663 on October 8, 2024.

Service Level Impacts

The project will restore 200 – 250 acres of riparian zone along the Blue River. The green infrastructure enhancements and riparian restoration will improve channel stability, reduce peak velocities during storm events, and provide water quality benefits for nonpoint source pollution – all of which will benefits surrounding communities by reducing the impacts of flooding during storm events. In addition, the enhancements will add to green infrastructure previously implemented by the Smart Sewer Program in the Blue River basin under Kansas City's Consent Decree,
addressing critical combined sewer water quality issues for residents. Importantly, riparian restoration will also help reduce flood flows and pollutant loads from upstream areas in Kansas that are beyond the scope of the City's Smart Sewer and Consent Decree activities.

Additionally, the project is adjacent to HUD Qualified Census Tracts (QCTs), particularly the northern section, which is entirely encompassed by QCTs. In fact, low-income households are isolated and highly concentrated in six Kansas City zip codes, four of which are addressed by this project. This will therefore enhance equitable access to nature. Riparian restoration and native plant demonstration gardens will help generate recreation opportunities in both planned and grassroots ways along the Blue River Greenway.

Finally, as part of the project, contractors will be working with communities surrounding the project area to provide educational opportunities about the benefits of green infrastructure. Both trees and native plants will be provided to interested citizens and consultations with Nature Advisors will help interested residents determine the best locations and species of native plants for their properties.

Other Impacts

1. What will be the potential health impacts to any affected groups?
   Reducing the impacts of flooding during storm events could have an impact on affected groups be reducing the mold and mildew build-up due to standing water, thus improving air quality in homes with regular flooding. Water quality will be improved as less sewer overflows will be diverted to the river during storm events if we are not overloading the combined sewer water system. Additionally, increased tree canopy and native plants will ultimately help reduce the urban heat island effect and the local impacts of climate change. This will improve public health in our City by reducing the impact of heat-related health issues caused by climate change. Finally, it has been shown that access to natural spaces improves mental health. As we are in a national mental health crisis, increasing access to natural areas will provide the public with more ways of combatting these issues.

2. How have those groups been engaged and involved in the development of this ordinance?
   Residents were not directly engaged in the development of the project proposal. However, the proposal was built off the strategies listed in the City's CPRP, which

was heavily influenced by public outreach and feedback during its development in 2022.

3. How does this legislation contribute to a sustainable Kansas City?
   As stated throughout the Docket Memo, this is ultimately a sustainability project. While it is a stormwater infrastructure project, it largely contributes to a more sustainable Kansas City as it aligns with all the strategies laid out in the Natural Systems section of the City's Climate Protection & Resiliency Plan.
   1. N-1: It will expand our network of trees and natural areas, thus helping to increase the City's urban forest/canopy, reduce the urban heat island effect, and increase the effectiveness of pervious land areas for water absorption.
   2. N-2: It will promote regenerative, ecologically healthy soils and landscapes by removing invasive species and replacing them with native plants that will better support the local ecosystem of plants and animals.
   3. N-3: It will promote sustainable water supply and use by planting natives that don't require additional watering and that help filter non-point source pollution so that less processing is needed further down the chain.
   4. N-4: It will use natural systems to manage stormwater runoff be providing natural sinks that help to soak up water during storm events, sending less to the combined sewer system which reduces the chance of overflows and the need for increased wastewater processing downstream.

4. Does this legislation create or preserve new housing units?
   No (Press tab after selecting)

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

   No - CREO's review is not applicable (Press tab after selecting)
   Please provide reasoning why not:
   This ordinance is simply to accept, approve, and appropriate grant funds.

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

   No(Press tab after selecting)

   Click or tap here to enter text.

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?
   No(Press tab after selecting)