

# Kansas City

414 E. 12th Street  
Kansas City, MO 64106



## Docket

**Wednesday, January 19, 2022**

**10:30 AM**

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

**26th Floor, Council Chamber**

## **Finance, Governance and Public Safety Committee**

*Katheryn Shields, Chair*

*Heather Hall, Vice Chair*

*Ryana Parks-Shaw*

*Melissa Robinson*

*Lee Barnes*

*Kevin McManus*

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>

**220034** Approving and authorizing settlement of exceptions in a condemnation lawsuit styled *City of Kansas City, MO v. Gary Calvert, et al.*, Case No. 2116-CV02627.

**220036** Authorizing the Director of Finance to accept the proposal of PNC Equipment Finance, LLC or an affiliate or other designee thereof for financing the acquisition of fire fleet vehicles and equipment under a lease-purchase agreement at an estimated cost of \$8,300,000.00; authorizing the execution of any and all documents and agreements necessary for the financing; estimating and appropriating revenues in the amount of \$8,300,000.00 in Fund No. 3230, the Equipment Lease Capital Acquisition Fund; designating requisitioning authority and authorizing the Director of Finance to close project accounts; and declaring the intent of the City to reimburse itself from the lease purchase proceeds for certain expenditures.

HELD IN COMMITTEE

**211077** Directing the City Manager to continue to use certain incremental property and economic activity taxes to support affordable housing in the Midtown Redevelopment Tax Increment Financing Plan; and Authorizing the City Manager to enter into a funding agreement with the Planned Industrial Expansion Authority of Kansas City, Missouri for funding of projects in the Armour-Gillham PIEA Planning Area. \*\*\*\*This ordinance will be held until January 19, 2022\*\*\* There will be no public testimony\*\*\*

**220010** Providing certain City employees up to 80 hours paid leave for Coronavirus Disease 2019 quarantine due to a positive test, offset by the number of Emergency Paid Sick Leave hours utilized under the Families First Coronavirus Response Act and Ordinance Nos. 210029 and 210729.

ADDITIONAL BUSINESS

1. There may be an additional general discussion regarding current Finance, Governance, and Public Safety Committee issues.

2. Closed Session

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 the auditor

3. Those who wish to comment on proposed ordinances can testify to

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

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**File #: 220034**

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### ORDINANCE NO. 220034

Approving and authorizing settlement of exceptions in a condemnation lawsuit styled *City of Kansas City, MO v. Gary Calvert, et al.*, Case No. 2116-CV02627.

WHEREAS, the City brought the above condemnation action to acquire certain property interests via eminent domain for the Street Improvement Project No. 89008516, "Wornall Road Improvements 74th Street to 79th Street" in Kansas City, Jackson County, Missouri; and

WHEREAS, Section 2-302 of the Code of Ordinances authorizes the City Attorney to settle claims in excess of \$50,000.00 "subject to approval by the city council upon the recommendation of the risk management committee"; and

WHEREAS, the Risk Management Committee recommends the City Attorney be given such authority to settle the above styled cases; NOW, THEREFORE,

#### BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the payment of the sum of \$100,000.00 in settlement of the exceptions filed by San Angelo Realty and the City of Kansas City, Missouri in the lawsuit styled, *City of Kansas City, MO v. Gary Calvert, et al.*, Case No. 2116-CV02627, as recommended by the City Attorney and the Risk Management Committee, is hereby approved.

Section 2. That the City Attorney is hereby authorized to pay the sum of \$100,000.00 in settlement of said claims in this lawsuit from funds previously appropriated in Account No. 3520-898061-B-89008516 and Account No. 3090-898601-B-89008516.  
..end

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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 Queen  
Director of Finance

Approved as to form and legality:

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Matthew Cooper  
Assistant City Attorney

<b>LEGISLATIVE FISCAL NOTE</b>	LEGISLATION NUMBER:							
<b>LEGISLATION IN BRIEF:</b>								
Approving and authorizing settlement of exceptions in a condemnation lawsuit styled City of Kansas City, MO v. Gary Calvert, et al., Case No. 2116-CV02627								
<b>What is the purpose of this legislation?</b>	OPERATIONAL							
<i>For the purpose of authorizing expenditures new or planned to conduct municipal services</i>								
<b>Does this legislation spend money?</b> <i>See Sections 01, 02 and 03 for sources of funding</i>	YES	Yes/No						
<b>Does this legislation estimate new Revenues?</b> 0	NO	Yes/No						
<b>Does this Legislation Increase Appropriations?</b>	NO	Yes/No						
<b>Are costs associated with this legislation ongoing (Yes)? Or one-time (No)</b> <i>See Section 00: " Notes" Below</i>	NO	Yes/No						
<b>Section 00: Notes:</b>								
<i>This is a one-time condemnation settlement.</i>								
Five years of operational costs for ongoing programs should be included in Section 04 below.								
<b>FINANCIAL IMPACT OF LEGISLATION</b>								
<b>Section 01: If applicable, where are funds appropriated in the current budget?</b>								
FUND    DEPTID    ACCOUNT    PROJECT	FY 21-22 BUD	FY 22-23 EST						
Various    898061    B    89008516	\$    100,000.00							
<b>Section 02: If applicable, where will new revenues be estimated?</b>								
FUND    DEPTID    ACCOUNT    PROJECT	FY 21-22 BUD	FY 22-23 EST						
<b>Section 03: If applicable, where will appropriations be increased?</b>								
FUND    DEPTID    ACCOUNT    PROJECT	FY 21-22 BUD	FY 22-23 EST						
<b>NET IMPACT ON OPERATIONAL BUDGET</b>								
	\$    -	\$    -						
<i>RESERVE STATUS:</i>								
<b>SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)</b>								
FUND	FUND NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears
<b>TOTAL REV</b>		-	-	-	-	-	-	-
FUND	FUND NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears
3520	GO Bond 2020 Q1	\$    56,000						
3090	Capital Improvements	\$    44,000						
<b>TOTAL EXP</b>		\$    100,000.00	\$    -	\$    -	\$    -	\$    -	\$    -	\$    -
<b>NET Per-YEAR IMPACT</b>		\$    (100,000.00)	\$    -	\$    -	\$    -	\$    -	\$    -	\$    -
<b>NET IMPACT ( SIX YEARS)</b>		(100,000.00)						
REVIEWED BY <b>Kitty Steffens, OMB</b>		DATE <b>1/3/2022</b>						

# GENERAL

## Ordinance Fact Sheet

R-2020-00611

Ordinance Number

### Brief Title

Settlement of exceptions in a condemnation lawsuit. Street Improvement Proj. No. 89008516, Wornall Rd Improvements 74th St to 79th St

### Approval Deadline

### Reason

Approving and authorizing settlement of exceptions in a condemnation lawsuit styled City of Kansas City, MO v. Gary Calvert, et al., Case No. 2116-CV02627.

### Details

#### Reason for Legislation

The City brought the above condemnation action to acquire certain property interests via eminent domain for the Street Improvement Project No. 89008516, "Wornall Road Improvements 74th Street to 79th Street" in Kansas City, Jackson County, Missouri.

Section 2-302 of the Code of Ordinances authorizes the City Attorney to settle claims in excess of \$50,000.00 "subject to approval by the city council upon the recommendation of the risk management committee".

The Risk Management Committee recommends the City Attorney be given such authority to settle the above styled cases.

That the payment of the sum of \$100,000.00 in settlement of the exceptions filed by San Angelo Realty and the City of Kansas City, Missouri in the lawsuit styled, *City of Kansas City, MO v. Gary Calvert, et al.*, Case No. 2116-CV02627, as recommended by the City Attorney and the Risk Management Committee, is hereby approved.

That the City Attorney is hereby authorized to pay the sum of \$100,000.00 in settlement of said claims in this lawsuit from funds previously appropriated Account No. 3520-898061-B-89008516 and Account No. 3090-898601-B-89008516.

### Positions/Recommendations

Sponsor	City Manager
Programs, Departments, or Groups Affected	Public Works
Applicants / Proponents	<b>Applicant</b>  <b>City Department</b> Public Works <b>Other</b>
Opponents	<b>Groups or Individuals</b>  <b>Basis of opposition</b>
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against <b>Reason Against</b>
Board or Commission Recommendation	<b>By</b> <input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No action taken <input type="checkbox"/> For, with revisions or conditions (see details column for conditions)
Council Committee Actions	<input type="checkbox"/> Do pass <input type="checkbox"/> Do pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass

Discussion (continued)

Details

Policy/Program Impact

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

Finances

Cost & Revenue Projections -- Including Indirect Costs	\$100,000.00
Financial Impact	\$100,000.00
Fund Source (s) and Appropriation Account Codes	3520-898061-B-89008516 3090-898601-B-89008516

Applicable Dates:

Fact Sheet Prepared by:  
Homer Janssens,  
Right of Way Reviewer  
Department of Public Works

Reviewed by:  
Mark Montgomery  
Acting City Engineer  
Department of Public Works

Reference Numbers



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**File #:** 220036

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### ORDINANCE NO. 220036

*Authorizing the Director of Finance to accept the proposal of PNC Equipment Finance, LLC or an affiliate or other designee thereof for financing the acquisition of fire fleet vehicles and equipment under a lease-purchase agreement at an estimated cost of \$8,300,000.00; authorizing the execution of any and all documents and agreements necessary for the financing; estimating and appropriating revenues in the amount of \$8,300,000.00 in Fund No. 3230, the Equipment Lease Capital Acquisition Fund; designating requisitioning authority and authorizing the Director of Finance to close project accounts; and declaring the intent of the City to reimburse itself from the lease purchase proceeds for certain expenditures.*

*WHEREAS, the City of Kansas City, Missouri (the "City") is a constitutional charter city, municipal corporation and political subdivision of the State of Missouri (the "State") and is duly organized and existing pursuant to the Constitution and laws of the State; and*

*WHEREAS, pursuant to applicable law, the governing body of the City ("Governing Body") is authorized to acquire, dispose of and encumber real and personal property, including, without limitation, rights and interest in property, leases and easements necessary to the functions or operations of the City; and*

*WHEREAS, the City previously accepted the proposal of Oshkosh Capital, a/k/a PNC Equipment Finance, LLC ("PNC") pursuant to Ordinance No. 150394, for financing the acquisition of new fleet vehicles and equipment for the Fire Department of the City to properly perform its fire service duties, at an estimated purchase price of \$36,675,538.00 and a not-to-exceed purchase price of \$37,000,000.00 (the "2015 Project"), the purchase of which fleet vehicles and related equipment constituting the 2015 Project was carried out over a period of time pursuant to one or more lease-purchase agreements and related schedules and documents (each, a "2015 Project Lease") with PNC as Lessor thereunder; and*

*WHEREAS, the fire fleet vehicles and equipment constituting the 2015 Project were ordered from Pierce Manufacturing, Inc. ("Pierce"); and*

*WHEREAS, the payment of scheduled debt service payments on a 2015 Project Lease for the financing of pumpers and certain equipment was to be paid over a successive seven-year (7) period and for the financing of rear-mount aerial platforms (RMAPs), rescues and tillers and certain equipment was to be paid over a successive ten-year (10) period, depending on the applicable useful life of the vehicle or equipment, from legally available funds; and*

*WHEREAS, as provided in Ordinance No. 150394 approving the 2015 Project, no fire fleet vehicle financed under a 2015 Project Lease will have been paid in full at the end of the applicable Lease term, instead, the form of Lease included an end-of-lease term rider setting out three options available to the City at the end of the lease term, as*

*follows: (1) the City may pay a balloon rent payment and purchase the fire fleet vehicle, (2) the City may turn in the fire fleet vehicle to Pierce and agree to acquire a new fire fleet vehicle from Pierce or Pierce's designated dealer, or (3) the City may refinance the balloon rent payment, subject to further approval as applicable by the governing body of the City prior to the exercise of such option; and*

*WHEREAS, PNC and the City entered into a 2015 Project Lease for the purchase of 32 pumpers and equipment in the principal amount of \$18,067,251.00 (net of prepay discounts) pursuant to a Lease Purchase Agreement (Turn-In Lease for Pierce Equipment) dated June 29, 2015 (the "2015 Pumper Lease"), with a lease term ending July 29, 2022; and*

*WHEREAS, the City wishes to replace the 32 pumpers over a period of time, pursuant to the turn-in plan (option (2) above) set out in the 2015 Pumper Lease; and*

*WHEREAS, PNC proposes a three-year staggered plan of replacing currently leased vehicles with an estimated 11 new units each year, where certain existing leased vehicles would be purchased by the City as reserve apparatus and the remaining vehicles would be turned in over the three year period, commencing at the end of the current 2015 Pumper Lease term; and*

*WHEREAS, the City wishes to purchase 11 new pumpers in 2022 (the "2022 Pumper Project"), including the turning in to Pierce of certain previously purchased fire fleet vehicles and the purchase from Pierce of new vehicles, at a cost of \$8,300,000.00, pursuant to a Lease Purchase Agreement (Turn-In Lease for Pierce Equipment) (the "2022 Pumper Lease"), which will have comparable terms to the 2015 Pumper Lease; and*

*WHEREAS, the payment of scheduled debt service payments on the 2022 Pumper Lease will be made by annual appropriation of monies from the Fire Capital Sales Tax Fund over a successive eight (8) year period beginning in fiscal year 2022-2023; and*

*WHEREAS, PNC proposes that at the end of the 2015 Pumper Lease term (July 29, 2022), there would be a refinancing of the remaining currently leased vehicles that are not purchased or turned in as a part of the 2022 Pumper Project, until such time as such currently leased vehicles are either purchased by the City or turned in as a part of the future purchase of new vehicles in the remaining two years of the three-year staggered replacement plan; and*

*WHEREAS, the refinancing of the remaining currently leased vehicles and the purchase of replacement vehicles in subsequent years will be authorized and approved by subsequent legislative action of the City and will be carried out pursuant to one or more additional lease agreements between the City and PNC; and*

*WHEREAS, the Governing Body hereby finds and determines that the execution of the 2022 Pumper Lease in the principal amount not exceeding the amount stated above for the purpose of acquiring the fire fleet vehicles and equipment to be described in the 2022 Pumper Lease is appropriate and necessary to the functions and operations of the City; NOW THEREFORE,*

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

Section 1. That the Director of Finance is authorized to accept the proposal of PNC for financing the 2022 Pumper Project under the 2022 Pumper Lease in substantially the form of the lease made available for inspection by the Council at the time this ordinance is passed, with such changes therein as shall be approved by the Director of Finance.

Section 2. That the Director of Finance is authorized to execute, deliver and file in the name of the City, the 2022 Pumper Lease relating to the 2022 Pumper Project and any and all documents and agreements necessary to complete such transactions, including, without limitation and when appropriate, escrow trust agreements, lease schedules of property and certificates and other documents related to such 2022 Pumper Lease.

Section 3. That the City will, and the officials and agents of the City, including but not limited to the Director of Finance and the Fire Chief, are hereby authorized and directed to, take such actions, expend such funds and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this ordinance and to carry out, comply with and perform the duties of the City with respect to the 2022 Pumper Project and the 2022 Pumper Lease and the other documents authorized or approved hereby.

Section 4. That the aggregate principal amount of the 2022 Pumper Lease to be entered into for the 2022 Pumper Project shall not exceed \$8,300,000.00 and shall bear interest as set forth in the 2022 Pumper Lease and the 2022 Pumper Lease shall contain such options to purchase by the City as set forth therein.

Section 5. That the approval of subsequent leases for the purchase of additional replacement pumps to be entered into following the initial purchase shall be as set forth in subsequent ordinances of the City.

Section 6. That the City's obligations under the 2022 Pumper Lease shall be subject to annual appropriation or renewal by the Governing Body as set forth therein and the City's obligations under the 2022 Pumper Lease shall not constitute general obligations of the City or indebtedness under the Constitution or laws of the State.

Section 7. That the City approves Kutak Rock LLP to serve as Lease Counsel for the City in connection with the 2022 Pumper Lease and financing of the 2022 Pumper Project thereunder.

Section 8. That the revenue in the following account of Fund No. 3230, the Equipment Lease Capital Acquisition Fund, is hereby estimated in the following amount:

<i>AL-3230-12000-583000</i>	<i>Lease Proceeds</i>
<i>\$8,300,000.00</i>	

Section 9. That the sum of \$8,300,000.00 is hereby appropriated from the Unappropriated Fund Balance of Fund No. 3230, the Equipment Lease Capital Acquisition Fund to the following account:

AL-3230-237701-E-23FLTPU21	Fire Fleet	\$ 8,280,000.00
AL-3230-129620-G	Cost of Issuance	<u>20,000.00</u>
	TOTAL	\$ 8,300,000.00

Section 10. That the Chief of the Fire Department is hereby designated as requisitioning authority for Account Number AL-3230-237701-E-23FLTPU21 and the Director of Finance is hereby designated as the requisitioning authority for Account Number AL-3230-129620-G.

Section 11. That the Director of Finance is hereby authorized to close accounts, open encumbrances and retainage related to the accounts in Section 9, and return the unspent portion to the Fund balance from which it came upon the earliest of: (i) completion of the project; (ii) final maturity of financing or (iii) five years after issuance.

Section 12. That the City hereby declares its official intent to reimburse itself for certain expenditures made within sixty (60) days prior to or on and after the date of this ordinance with respect to the 2022 Pumper Project with the proceeds expected to be drawn under the 2022 Pumper Lease. The maximum principal amount of lease proceeds for the 2022 Pumper Project expected to be financed under the 2022 Pumper Lease is \$8,300,000. This constitutes a declaration of official intent under Treasury Regulation Section 1.150-2.

Section 13. That the Director of Finance is hereby authorized to modify the previously approved estimated revenues and appropriations in Section 9 and Section 10 previously as required to correctly record the budgetary amounts finalized through the 2022 Pumper Lease

..end

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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Alan Holtkamp  
Assistant City Attorney

# GENERAL

## Ordinance Fact Sheet

220036

Ordinance Number

### Brief Title

Authorizing the Director of Finance to accept the proposal of PNC Equipment Finance, LLC or an affiliate for financing the acquisition of Fire Department Pumpers.

### Reason

The City wishes to replace the 32 pumpers over a period of time from Ordinance 150394 approved in 2015.

### Details

#### Reason for Legislation

Authorizing the Director of Finance to accept the proposal of PNC Equipment Finance, LLC or an affiliate or other designee thereof for financing the acquisition of fire fleet vehicles and equipment under a lease-purchase agreement at an estimated cost of \$8,300,000; authorizing the execution of any and all documents and agreements necessary for the financing; estimating and appropriating revenues in the amount of \$8,300,000 in Fund No. 3230, the Equipment Lease Capital Acquisition Fund; designating requisitioning authority and authorizing the Director of Finance to close project accounts; and declaring the intent of the City to reimburse itself from the lease purchase proceeds for certain expenditures.

#### Discussion

The City previously accepted the proposal of Oshkosh Capital, a/k/a PNC Equipment Finance, LLC ("PNC") pursuant to Ordinance No. 150394, for financing the acquisition of new fleet vehicles and equipment for the Fire Department of the City to properly perform its fire service duties, at an estimated purchase price of \$36,675,538 and a not-to-exceed purchase price of \$37,000,000 (the "2015 Project"), the purchase of which fleet vehicles and related equipment constituting the 2015 Project.

The payment of scheduled debt service payments on the 2015 Project Lease for the financing of 32 fire pumper trucks ("Pumpers") and certain equipment was to be paid over a successive seven-year (7) period and for the financing of rear-mount aerial platforms (RMAPs), rescues and tillers and certain equipment was to be paid over a successive ten-year (10) period, depending on the applicable useful life of the vehicle or equipment.

PNC proposes a three-year staggered plan to replace currently leased Pumpers with an estimated 11 new units each year in three steps:

1. Nine pumpers from the 2015 Project Lease would be purchased by the City as reserve apparatus and two would be turned in at the end of the 2015 Lease term in July of 2022.
2. Twenty-one (21) remaining Pumpers will be refinanced in July 2022 for a two year period and 11 replacement units will be ordered and financed at the same time. The twenty-one remaining Pumpers would be turned in at the time of receipt of the current 11 replacement units and the 11 replacement units ordered in 2022.
3. The final 11 replacement units will be ordered in fiscal year 2023.

The City wishes to purchase 11 new pumpers in 2022 (the "2022 Pumper Project"), including the turning in to Pierce of certain previously purchased fire fleet vehicles and the purchase from Pierce of new vehicles, at a cost of \$8,300,000, pursuant to a Lease Purchase Agreement (Turn-In Lease for Pierce Equipment) (the "2022 Pumper Lease"), which will have comparable terms to the 2015 Pumper Lease.

<b>Sponsor</b>	Tammy L. Queen, Director of Finance Donna Lake, Fire Chief
<b>Programs, Departments, or Groups Affected</b>	Finance Department Fire Department
<b>Applicants / Proponents</b>	<b>Applicant</b>  City Department Finance Department Fire Department
<b>Opponents</b>	<b>Groups or Individuals</b>  None Known <b>Basis of opposition</b>
<b>Staff Recommendation</b>	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against  <b>Reason Against</b>
<b>Board or Commission Recommendation</b>	<b>By</b> <input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No action taken <input type="checkbox"/> For, with revisions or conditions (see details column for conditions)
<b>Council Committee Actions</b>	<input type="checkbox"/> Do pass <input type="checkbox"/> Do pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass

(Continued on reverse side)

**Details**

As provided in Ordinance No. 150394 approving the 2015 Project, the form of Lease included an end-of-lease term rider setting out three options available to the City at the end of the lease term, as follows: (1) the City may pay a balloon rent payment and purchase the fire fleet vehicle, (2) the City may turn in the fire fleet vehicle to Pierce and agree to acquire a new fire fleet vehicle from Pierce or Pierce's designated dealer, or (3) the City may refinance the balloon rent payment, subject to further approval as applicable by the governing body of the City prior to the exercise of such option.

The interest rate on the 8-year term lease will be locked upon final negotiation of the terms of the lease-purchase agreement.

Is it good for the children?

Yes. The ability to deploy needed resources to a fire, rescue, or medical emergency contributes to the health and safety of citizens and visitors throughout the community.

How will this contribute to a sustainable Kansas City?

This legislation is intended to reduce fires that contribute to environmental damage resulting from the byproducts of combustion and contamination of soil and ground water.

**Policy/Program Impact**

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

**Finances**

<b>Cost &amp; Revenue Projections -- Including Indirect Costs</b>	
<b>Financial Impact</b>	Estimated average annual debt service for the lease is approximately \$1.2 million over an eight year term assuming a 2.78% federally tax-exempt interest rate.
<b>Fund Source (s) and Appropriation Account Codes</b>	Fires Capital Sales Tax Fund

(Use this space for further discussion, if necessary)

**Applicable Dates:****Fact Sheet Prepared by:**

Name: Dan Grandcolas  
Title: Public Finance Manager

Date: January 6, 2022

**Reviewed by:**

Name: Kimberly Carter  
Title: City Treasurer

Date: January 6, 2022

**Reference Numbers**

<b>LEGISLATIVE FISCAL NOTE</b>	<b>LEGISLATION NUMBER:</b>	<b>220036</b>
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**LEGISLATION IN BRIEF:**

Authorizing the Director of Finance to accept the proposal of PNC Equipment Finance, LLC or an affiliate or other designee there acquisition of fire fleet vehicles and equipment under a lease-purchase agreement at an estimated cost of \$8,300,000; authorizing all documents and agreements necessary for the financing; estimating and appropriating revenues in the amount of \$8,300,000 Equipment Lease Capital Acquisition Fund; designating requisitioning authority and authorizing the Director of Finance to close and declaring the intent of the City to reimburse itself from the lease purchase proceeds for certain expenditures.

<b>What is the purpose of this legislation?</b>	<b>LEGISLATIVE</b>
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*for the purpose of editing, repealing, or creating a provision in the city's code of ordinances; or for stating non-monetary support. This Fi*

**Sections 01-04 should be blank. See section 00 for more information**

**Section 00: Notes:**


**FINANCIAL IMPACT OF LEGISLATION**

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

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD

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

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD
3230	120000	583000		8,300,000.00

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

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD
3230	237701	634100	23FLTPU21	8,280,000.00
3230	129620	743050		20,000.00

**NET IMPACT ON OPERATIONAL BUDGET**

**RESERVE STATUS:**

**REVENUE S**

**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
2301	Fire Sales Tax Capital Fund	-	1,200,000	1,200,000	1,200,000	1,200,000
	<b>TOTAL REV</b>	-	1,200,000	1,200,000	1,200,000	1,200,000

FUND	FUND NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26

TOTAL EXP		-	-	-	-	-
NET Per-YEAR IMPACT	-		1,200,000	1,200,000	1,200,000	1,200,000
NET IMPACT ( SIX YEARS)						9,1
REVIEWED BY	Krista Morrison			DATE	1/18/	

Proof for financing the  
ing the execution of any and  
in Fund No. 3230, the  
project accounts; and

Fiscal note should be blank

NO

Yes/No

YES

Yes/No

YES

Yes/No

YES

Yes/No

FY 22-23 EST

FY 22-23 EST

FY 22-23 EST

-

SUPPORTED

FY 26-27All Out years

1,200,000

3,600,000

1,200,0003,600,000

FY 26-27All Out years

User entered field

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Calculated Field


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1,200,000	3,600,000
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600,000.00	
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2022



REQUEST FOR SUPPLEMENTAL REVENUE  
CITY OF KANSAS CITY, MISSOURI

DEPARTMENT: Finance Department

220036

BUSINESS UNIT: KCMBU

DATE: 1/6/2022

JOURNAL ID: \_\_\_\_\_

LEDGER GROUP: REVENUE

	<u>FUND</u>	<u>DEPT ID</u>	<u>ACCOUNT</u>	<u>PROJECT</u>	<u>AMOUNT</u>
AL	3230	120000	583000		8,300,000.00

TOTAL \$ 8,300,000.00

**DESCRIPTION:**

Estimated Bond Proceeds for the Fire Department Pumpers project.

APPROVED BY:

DATE

APPROVED BY: DEPARTMENT HEAD

DATE



## Legislation Text

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**File #: 211077**

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### ORDINANCE NO. 211077

Directing the City Manager to continue to use certain incremental property and economic activity taxes to support affordable housing in the Midtown Redevelopment Tax Increment Financing Plan; and Authorizing the City Manager to enter into a funding agreement with the Planned Industrial Expansion Authority of Kansas City, Missouri for funding of projects in the Armour-Gillham PIEA Planning Area. \*\*\*\*This ordinance will be held until January 19, 2022\*\*\* There will be no public testimony\*\*\*

WHEREAS, the Midtown Redevelopment Tax Increment Financing Plan (the “Redevelopment Plan”) was approved December 15, 1992 by the Tax Increment Financing Commission of Kansas City; and

WHEREAS, the objectives of the Redevelopment Plan include (1) eliminating blight; (2) enhancing the tax base of the City; (3) increasing employment in the city; and (4) preserving and rehabilitating the existing residential development, and constructing new residential development in the vicinity of the Redevelopment Plan’s redevelopment area; and

WHEREAS, the Redevelopment Plan will expire April 12, 2023; and

WHEREAS, upon expiration of the Redevelopment Plan, the City and other taxing jurisdictions will begin to collect full property and sales taxes for the Midtown Tax Increment Financing District (the “District”); and

WHEREAS, the Redevelopment Plan has furthered the City’s goals of supporting commercial development, single-family development through the Rehabilitation Assistance of Midtown Properties (“RAMP”) Program, and multi-family development through the Business Interruption Fund; and

WHEREAS, certain economic activity taxes are statutorily committed and not subject to redirection for affordable housing uses (“Restricted Economic Activity Taxes.”); and

WHEREAS, the City desires to use the incremental property taxes and fifty percent of the economic activity taxes excluding the Restricted Economic Activity taxes collected in the area currently within the District, (the “Redirected Funds”) to support affordable housing in the district; and

WHEREAS, the City Manager has estimated the amount of Redirected Funds to be collected by the City in Fiscal Year 2024 to be \$1,838,345; and

WHEREAS, the City desires to support the furtherance of Midtown housing growth, consistent with the City policy goals of increased affordable housing and workforce housing, beyond the Redevelopment Plan's expiration date by contributing the Redirected Funds to projects within the Armour-Gillham PIEA Planning Area; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the City Manager is authorized to contribute 33.33% of the Redirected Funds collected per year, beginning is Fiscal Year 2024, to the RAMP Program, to be administered by the Economic Development Corporation of Kansas City with assistance from City staff.

Section 2. That the City Manager is directed to establish a program utilizing 33.33% of the Redirected Funds to support the creation of new residential units in the vicinity of the Midtown Redevelopment Tax Increment Financing Plan.

Section 3. That the City Manager is directed to contribute 33.33% of the Redirected Funds as subsidies for Kansas City renters who live in what is now the Midtown Tax Increment Financing District.

Section 4. That as part of the program referenced in Section 2, the City Manager is hereby authorized to execute a funding agreement with the Planned Industrial Expansion Authority of Kansas City, Missouri for a term of twenty years to contribute a portion of the Redirected Funds in the amount not to exceed \$526,051.82 per year for use in the Armour Main Redevelopment Plan located within the Armour-Gilham PIEA Planning Area, beginning to no earlier than May 1, 2024.

Section 5. That the City Manager is authorized to execute the funding agreement in substantially the form attached to this Ordinance with such changes and clarifications as are determined necessary by the City Manager.

..end

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Approved as to form and legality:

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Emalea Black  
Assistant City Attorney

No  
Fact  
Sheet  
Provided  
For  
Resolution  
211077

**From:** [Elizabeth Davis](#)  
**To:** [Shields, Katheryn](#); [Hall, Heather](#); [Robinson, Melissa](#); [Parks-Shaw, Ryana](#); [McManus, Kevin](#); [Barnes, Lee](#)  
**Cc:** [midtowntenantskc@gmail.com](mailto:midtowntenantskc@gmail.com); [Public Testimony](#)  
**Subject:** Ordinance 211077 is harmful to Kansas City's future as written  
**Date:** Monday, December 6, 2021 11:18:48 AM

---

To the Finance Committee & Councilmembers,

Regarding the recent ordinance introduced by Councilwoman Katheryn Shields and cosponsored by Eric Bunch and Andrea Bough, **Ordinance 211077 will do harm to the Kansas City Community without significant changes.** Mac Properties is an outside corporation from Illinois, and has already received millions in funding and tax abatements.

Mac does not need any additional public funding when they are not developing projects that are designed to meet the needs and challenges of the Kansas City community. **90% of the units in Mac Properties' proposal for Main & Armour are unaffordable.** Rising rents impact all renters, and [reporting done recently by KCUR](#) notes that rent in Kansas City has gone up by 6% in a year - double what we would typically expect. I want TIF funding to be used towards combating rising rent costs - a real and growing concern here in Kansas City - going towards the creation of permanently affordable housing. Mac reports multimillion dollar annual revenues and does not need assistance from public funds to maintain solvency as a corporation.

These are changes that must happen to move towards solving those problems:

**1. Strike Section 4, in its entirety, from ordinance 211077.**

This section stands in opposition to transparency and prevents the public from understanding Mac's full proposal or give opportunities for taxpayers to voice their opinion. At the bare minimum, funding should be discussed at the same time as when Mac seeks the required set-aside waiver.

**2. Amend Section 2 to include affordability.**

The amended section should read "That the City Manager is directed to establish a program utilizing 33.33% of the Redirected Funds to support the creation of new TRULY AFFORDABLE (30-50% AMI) residential units in the vicinity of the Midtown Redevelopment Tax Increment Financing Plan.

**3. Clarify Section 3.**

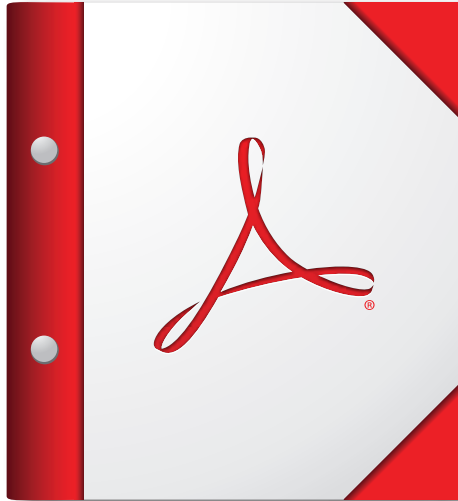
A lack of specificity, definition of purpose, and overall structure is an invitation for disaster. How exactly will this funding reach renters? Who will administer this program? It was apparent with the [Land Bank program](#) that a lack of transparency resulted in a failure to live up to its intended vision.

If the goal is to improve the lives of renters and make affordable housing more accessible, getting stakeholders from your target demographic is crucial. A tenant representative or a group of representatives from the Midtown Tenants Union should have a say in how funds will be administered to renters. A tenant representative must have a seat at the table for the problem to specifically address tenant needs.

**Unless the above amendments are made, vote NO on ordinance 211077.** Demonstrate that you stand with the tenants and working-class of Kansas City, instead of working for an out-of-state corporation.

Signed,  
Elizabeth Davis

<b>LEGISLATIVE FISCAL NOTE</b>	LEGISLATION NUMBER:	211077					
<b>LEGISLATION IN BRIEF:</b>							
Directing the City Manager to continue using incremental property taxes and economic activity taxes (Redirected Funds) generated within the Midtown Redevelopment Tax Increment Financing Plan to support affordable housing in the redevelopment area. Authorizing the City Manager to enter into a funding agreement with the Planned Industrial Expansion Authority for the purpose of funding projects in the Armour-Gillham PIEA Planning Area. Authorizing the City Manager to contribute 33.33% of the Redirected Funds to the RAMP housing program. Directing the City Manager to establish a program utilizing 33.33% of the Redirected Funds as subsidy for renters within the redevelopment area.							
<b>What is the purpose of this legislation?</b>	ECONOMIC DEVELOPMENT						
<i>For the purpose of entering an agreement between the city and third party for the attraction or retention of economic activity for the purpose of economic development.</i>							
<b>Does this legislation spend money appropriated in the current fiscal year?</b> <i>What is the city's obligation in future fiscal Years (See Section 04)</i>	<b>NO</b>	Yes/No					
<b>Does this Legislation estimate new revenue in the current Fiscal Year?</b> <i>What is the city's gross new revenue in future Fiscal Years? (See Section 01)</i>	<b>NO</b>	Yes/No					
<b>Section 00: Notes:</b>							
The Midtown TIF Plan is scheduled to terminate 4/12/23. This ordinance continues the redirection of 50% of the economic activity taxes (EATs) generated by retail sales within the redevelopment area. This ordinance also redirects 100% of the incremental property taxes, which are to be received by the City following the expiration of the TIF. The "base" taxes which are not captured by the TIF, will continue to be retained by the City. The EATs redirections will exclude certain sales taxes, which are not subject to redirection.							
<b>FINANCIAL IMPACT OF LEGISLATION</b>							
<b>Section 01: If applicable, where are funds appropriated in the current budget?</b>							
FUND    DEPTID    ACCOUNT    PROJECT	FY 21-22 BUD	FY 22-23 EST					
<div style="border: 1px solid black; height: 20px; width: 100%;"></div>	<div style="border: 1px solid black; height: 20px; width: 100%;"></div>	<div style="border: 1px solid black; height: 20px; width: 100%;"></div>					
<b>Section 02: If applicable, where will new revenues be estimated?</b>							
FUND    DEPTID    ACCOUNT    PROJECT	FY 21-22 BUD	FY 22-23 EST					
<div style="border: 1px solid black; height: 20px; width: 100%;"></div>	<div style="border: 1px solid black; height: 20px; width: 100%;"></div>	<div style="border: 1px solid black; height: 20px; width: 100%;"></div>					
<b>Section 03: If applicable, where will appropriations be increased?</b>							
FUND    DEPTID    ACCOUNT    PROJECT	FY 21-22 BUD	FY 22-23 EST					
<div style="border: 1px solid black; height: 20px; width: 100%;"></div>	<div style="border: 1px solid black; height: 20px; width: 100%;"></div>	<div style="border: 1px solid black; height: 20px; width: 100%;"></div>					
<b>NET IMPACT ON OPERATIONAL BUDGET</b>							
	-	-					
<i>RESERVE STATUS:</i>							
<b>SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)</b>							
FUND    FUND NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears
1000 2020    General Fund, Museum 2330    Fund, Health Fund, and Debt 5010    Fund	<div style="border: 1px solid black; height: 40px; width: 100%;"></div>	<div style="border: 1px solid black; height: 40px; width: 100%;"></div>	<div style="border: 1px solid black; height: 40px; width: 100%;"></div>	<div style="border: 1px solid black; height: 40px; width: 100%;"></div>	<div style="border: 1px solid black; height: 40px; width: 100%;"></div>	<div style="border: 1px solid black; height: 40px; width: 100%;"></div>	<div style="border: 1px solid black; height: 40px; width: 100%;"></div>
2320    Public Safety Fund	-	-	(99,200)	(99,200)	(100,700)	(100,700)	(1,630,900)
3090    Capital Imp. Fund	-	-	(142,900)	(217,700)	(221,000)	(224,300)	(3,798,300)
<b>TOTAL REV</b>	-	-	(813,700)	(1,188,000)	(1,205,900)	(1,222,500)	(20,627,600)
FUND    FUND NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears
<div style="border: 1px solid black; height: 20px; width: 100%;"></div>	<div style="border: 1px solid black; height: 20px; width: 100%;"></div>	<div style="border: 1px solid black; height: 20px; width: 100%;"></div>	<div style="border: 1px solid black; height: 20px; width: 100%;"></div>	<div style="border: 1px solid black; height: 20px; width: 100%;"></div>	<div style="border: 1px solid black; height: 20px; width: 100%;"></div>	<div style="border: 1px solid black; height: 20px; width: 100%;"></div>	<div style="border: 1px solid black; height: 20px; width: 100%;"></div>
<div style="border: 1px solid black; height: 20px; width: 100%;"></div>	-	-	-	-	-	-	-
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<b>TOTAL EXP</b>	-	-	-	-	-	-	-
<b>NET Per-YEAR IMPACT</b>	-	-	(813,700)	(1,188,000)	(1,205,900)	(1,222,500)	(20,627,600)
<b>NET IMPACT ( SIX YEARS)</b>		<b>(25,057,700.00)</b>					
REVIEWED BY <b>Tanner Owens</b>		DATE <b>12/8/2021</b>					



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**File #: 220010**

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### COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 220010

Providing certain City employees up to 80 hours paid leave for Coronavirus Disease 2019 quarantine due to a positive test, offset by the number of Emergency Paid Sick Leave hours utilized under the Families First Coronavirus Response Act and Ordinance Nos. 210029 and 210729.

WHEREAS, the United States Congress provided up to 80 hours Emergency Paid Sick Leave under the Families First Coronavirus Response Act, Pub. L. No. 116-127, 134. Stat. 195, to employees of local governments when they were required to quarantine for various reasons related to the Coronavirus Disease 2019 (COVID-19); and

WHEREAS, the provision of paid leave to local government employees under the FFCRA expired December 31, 2020 and was not renewed by the United States Congress; and

WHEREAS, the Council provided paid leave for City employees required to quarantine who had not already utilized the leave previously provided under the FFCRA by Ordinance No. 210029; and

WHEREAS, in Committee Substitute for Ordinance No. 210729, the Council renewed the provisions of Ordinance No. 210029 for employees who had not already utilized the leave previously provided under the FFCRA and Ordinance 210029 and who had taken the additional precaution of getting vaccinated against COVID-19; and

WHEREAS, Ordinance No. 210729 expired December 31, 2021; and

WHEREAS, Kansas City currently has a fully vaccinated rate of only fifty-four percent; and

WHEREAS, cases of COVID-19 have increased with high community transmission of COVID-19 throughout Missouri, threatening both unvaccinated and vaccinated employees; and

WHEREAS, the Health Department has noted breakthrough cases and Delta variant cases among vaccinated and unvaccinated people in Kansas City; and

WHEREAS, Omicron variant cases has been rising across the country, spreading across much of Missouri and Kansas; and

WHEREAS, the symptoms of COVID-19 and the Delta and Omicron variants are milder among vaccinated people than unvaccinated, but may still be spread by people who have tested positive whether vaccinated or not; and

WHEREAS, employees of the City who test positive must isolate themselves from others if ordered by the Health Department; and

WHEREAS, employees of the City may not be able to telework if their work is not conducive to telework or due to symptoms of COVID-19; and

WHEREAS, the City wishes to provide paid leave for City employees required to quarantine because they tested positive for COVID-19 who have not already utilized the leave previously provided under the FFCRA and Ordinance Nos. 210029 and 210729, and who have been fully vaccinated against COVID-19; NOW, THEREFORE,

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

Section 1. That a total of eighty hours of paid leave be available to employees of the City of Kansas City who have not exhausted the Emergency Paid Sick Leave provided by the Families First Coronavirus Response Act, Pub. L. No. 116-127 or Ordinance No. 210029 or Ordinance No. 210729, who are fully vaccinated against COVID-19, who are required to isolate by the City of Kansas City Health Department because the employee tests positive for COVID-19, and who are unable to telework.

Section 2. That employees will be eligible for a maximum of eighty hours paid leave, offset by the number of Emergency Paid Sick Leave hours utilized under the Families First Coronavirus Response Act and Ordinance Nos. 210029 and 210729.

Section 3. That this leave will be available retroactively to January 1, 2022. Employees who were vaccinated or have been granted an accommodation for an exemption from the COVID-19 vaccination, tested positive, were required to isolate by the Health Department between January 1, 2022 and the effective date of this ordinance shall have any leave up to eighty hours, offset by the number of Emergency Paid Sick Leave hours utilized under the Families First Coronavirus Response Act, Ordinance No. 210029 and Ordinance No. 210729, used during the required isolation period restored, or shall have back pay issued for any leave without pay used during the required isolation period.

Section 4. That this leave will be available until December 31, 2022.  
..end

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Approved as to form and legality:

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Katherine Chandler

Assistant City Attorney

**No Fact Sheet  
Provided for  
Ordinance No.**

**220010**

<b>LEGISLATIVE FISCAL NOTE</b>	LEGISLATION NUMBER:	<b>220010</b> TMP-1336						
LEGISLATION IN BRIEF:								
Providing certain City employees up to 80 hours paid leave for Coronavirus Disease 2019 quarantine due to a positive test, offset by the number of Emergency Paid Sick Leave hours utilized under the Families First Coronavirus Response Act and Ordinances 210029 and 210729.								
What is the purpose of this legislation?	OPERATIONAL							
<i>For the purpose of authorizing expenditures new or planned to conduct municipal services</i>								
Does this legislation spend money?	NO	Yes/No						
Does this legislation estimate new Revenues?	NO	Yes/No						
Does this Legislation Increase Appropriations?	NO	Yes/No						
Are costs associated with this legislation ongoing (Yes)? Or one-time (No)	NO	Yes/No						
Section 00: Notes:								
<i>Wages and leave are included in the Adopted Budget. There is potential impact to overtime. However, given the uncertainty of positive COVID cases makes fiscal impact determination imprecise.</i>								
Five years of operational costs for ongoing programs 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			
Section 02: If applicable, where will new revenues be estimated?								
FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST			
Section 03: If applicable, where will appropriations be increased?								
FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST			
NET IMPACT ON OPERATIONAL BUDGET				-	-			
				RESERVE STATUS:				
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
TOTAL REV		-	-	-	-	-	-	-
FUND	FUND NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears
TOTAL EXP		-	-	-	-	-	-	-
NET Per-YEAR IMPACT		-	-	-	-	-	-	-
NET IMPACT ( SIX YEARS)		-						
REVIEWED BY		Samantha Bradfield, OMB		DATE		1/4/2022		

## ORDINANCE NO.

Providing certain City employees up to 80 hours paid leave for Coronavirus Disease 2019 quarantine due to a positive test, offset by the number of Emergency Paid Sick Leave hours utilized under the Families First Coronavirus Response Act and Ordinances 210029 and 210729.

WHEREAS, the United States Congress provided up to 80 hours Emergency Paid Sick Leave under the Families First Coronavirus Response Act, Pub. L. No. 116-127, 134. Stat. 195, to employees of local governments when they were required to quarantine for various reasons related to the Coronavirus Disease 2019 (COVID-19); and

WHEREAS, the provision of paid leave to local government employees under the FFCRA expired December 31, 2020 and were not renewed by the United States Congress; and

WHEREAS, the Council provided paid leave for City employees required to quarantine who had not already utilized the leave previously provided under the FFCRA by Ordinance 210029; and

WHEREAS, in Committee Substitute for Ordinance 210729, the Council renewed the provisions of Ordinance 210029 for employees who had not already utilized the leave previously provided under the FFCRA and Ordinance 210029 and who had taken the additional precaution of getting vaccinated against COVID-19; and

WHEREAS, Ordinance 210729 expired December 31, 2021; and

WHEREAS, Kansas City currently has a fully vaccinated rate of only fifty-four percent; and

WHEREAS, cases of COVID-19 have increased with high community transmission of COVID-19 throughout Missouri, threatening both unvaccinated and vaccinated employees; and

WHEREAS, the Health Department has noted breakthrough cases and Delta variant cases among vaccinated and unvaccinated people in Kansas City; and

WHEREAS, Omicron variant cases has been rising across the country, spreading across much of Missouri and Kansas; and

WHEREAS, the symptoms of COVID-19 and the Delta and Omicron variants are milder among vaccinated people than unvaccinated, but may still be spread by people who have tested positive whether vaccinated or not; and

WHEREAS, employees of the City who test positive must isolate themselves from others if ordered by the Health Department; and

ORDINANCE NO.

WHEREAS, employees of the City may not be able to telework if their work is not conducive to telework or due to symptoms of COVID-19; and

WHEREAS, the City wishes to provide paid leave for City employees required to quarantine because they tested positive for COVID-19 who have not already utilized the leave previously provided under the FFCRA and Ordinances 210029 and 210729, and who have been fully vaccinated against COVID-19; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That a total of eighty hours of paid leave be available to employees of the City of Kansas City who have not exhausted the Emergency Paid Sick Leave provided by the Families First Coronavirus Response Act, Pub. L. No. 116-127 or Ordinance 210029 or Ordinance 210729, who are fully vaccinated against COVID-19, who are required to isolate by the City of Kansas City Health Department because the employee tests positive for COVID-19, and who are unable to telework.

Section 2. That employees will be eligible for a maximum of eighty hours paid leave, offset by the number of Emergency Paid Sick Leave hours utilized under the Families First Coronavirus Response Act and Ordinances 210029 and 210729.

Section 3. That this leave will be available retroactively to January 1, 2022. Employees who were vaccinated or have been granted an accommodation regarding COVID-19 vaccination, tested positive, were required to isolate by the Health Department between January 1, 2022 and the effective date of this ordinance shall have any leave up to eighty hours, offset by the number of Emergency Paid Sick Leave hours utilized under the Families First Coronavirus Response Act, Ordinance 210029 and Ordinance 210729, used during the required isolation period restored, or shall have back pay issued for any leave without pay used during the required isolation period.

Section 4. That this leave will be available until December 31, 2022.

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Approved as to form and legality:

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Assistant City Attorney

COMPARED VERSION  
COMMITTEE SUBSTITUTE TO ORIGINAL ORDINANCE

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 220010

Providing certain City employees up to 80 hours paid leave for Coronavirus Disease 2019 quarantine due to a positive test, offset by the number of Emergency Paid Sick Leave hours utilized under the Families First Coronavirus Response Act and Ordinance Nos. 210029 and 210729.

WHEREAS, the United States Congress provided up to 80 hours Emergency Paid Sick Leave under the Families First Coronavirus Response Act, Pub. L. No. 116-127, 134. Stat. 195, to employees of local governments when they were required to quarantine for various reasons related to the Coronavirus Disease 2019 (COVID-19); and

WHEREAS, the provision of paid leave to local government employees under the FFCRA expired December 31, 2020 and was not renewed by the United States Congress; and

WHEREAS, the Council provided paid leave for City employees required to quarantine who had not already utilized the leave previously provided under the FFCRA by Ordinance No. 210029; and

WHEREAS, in Committee Substitute for Ordinance No. 210729, the Council renewed the provisions of Ordinance No. 210029 for employees who had not already utilized the leave previously provided under the FFCRA and Ordinance 210029 and who had taken the additional precaution of getting vaccinated against COVID-19; and

WHEREAS, Ordinance No. 210729 expired December 31, 2021; and

WHEREAS, Kansas City currently has a fully vaccinated rate of only fifty-four percent; and

WHEREAS, cases of COVID-19 have increased with high community transmission of COVID-19 throughout Missouri, threatening both unvaccinated and vaccinated employees; and

WHEREAS, the Health Department has noted breakthrough cases and Delta variant cases among vaccinated and unvaccinated people in Kansas City; and

WHEREAS, Omicron variant cases has been rising across the country, spreading across much of Missouri and Kansas; and

WHEREAS, the symptoms of COVID-19 and the Delta and Omicron variants are milder among vaccinated people than unvaccinated, but may still be spread by people who have tested positive whether vaccinated or not; and

WHEREAS, employees of the City who test positive must isolate themselves from others if ordered by the Health Department; and

WHEREAS, employees of the City may not be able to telework if their work is not conducive to telework or due to symptoms of COVID-19; and

WHEREAS, the City wishes to provide paid leave for City employees required to quarantine because they tested positive for COVID-19 who have not already utilized the leave previously provided under the FFCRA and Ordinance Nos. 210029 and 210729, and who have been fully vaccinated against COVID-19; NOW, THEREFORE,

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Section 1. That a total of eighty hours of paid leave be available to employees of the City of Kansas City who have not exhausted the Emergency Paid Sick Leave provided by the Families First Coronavirus Response Act, Pub. L. No. 116-127 or Ordinance No. 210029 or Ordinance No. 210729, who are fully vaccinated against COVID-19, who are required to isolate by the City of Kansas City Health Department because the employee tests positive for COVID-19, and who are unable to telework.

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Section 4. That this leave will be available until December 31, 2022.

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Approved as to form and legality:

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Katherine Chandler  
Assistant City Attorney