



Legislation Text

File #: 210593, Version: 2

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 210593, AS AMENDED

Providing for submission to the qualified voters of the City for their approval at an election called for February 8, 2022, the question of authorizing the issuance of sanitary sewer revenue bonds of the City in the principal amount of \$750,000,000.00 for the purpose of rehabilitating, improving and extending the sanitary sewer system of the City, including acquiring necessary land and rights of way, in order to provide for its continuing operation and to maintain compliance with federal, state and judicial requirements; directing the City Clerk to notify the responsible election authorities of this election; declaring the City's intention to set rates; declaring the City's intention to reimburse itself from revenue bond proceeds for bond related expenditures; recognizing this ordinance to have an accelerated effective; and establishing an effective date for the voter authorization.

WHEREAS, an election may be held throughout Kansas City on February 8, 2022; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. ELECTION CALLED. An election is hereby called and shall be held in Kansas City, Missouri, on February 8, 2022, at which election there shall be submitted to the qualified electors of Kansas City, Missouri, the question of authorizing the issuance of sanitary sewer revenue bonds by the City in the principal amount of \$750,000,000.00 for the purpose of rehabilitating, improving and extending the sanitary sewer system of the City, including acquiring necessary land and rights of way.

Section 2. BALLOT LANGUAGE. The ballot language shall be in substantially the following form:

QUESTION _____
SHALL THE FOLLOWING BE APPROVED?

Shall the City of Kansas City, Missouri issue sanitary sewer revenue bonds in the principal amount of \$750,000,000.00 for the purpose of rehabilitating, expanding and improving of the City's sanitary sewer system , including acquiring necessary land and rights of way, in order to provide for its continuing operation and to maintain compliance with federal, state and judicial requirements, with the principal of and interest on said revenue bonds to be payable solely from the revenues derived by the City from the operation of its sanitary sewer system, including all future rehabilitations, improvements and expansions thereto?

_____ Yes
_____ No

The voter who desires to vote in favor of this proposition shall place an X in the box opposite Yes. The voter who desires to vote against this proposition shall place an X in the box opposite No.

Section 3. DELIVERY OF ORDINANCE BY CITY CLERK TO ELECTION AUTHORITIES.

The City Clerk shall deliver certified copies of this ordinance and notice of election to the Board of Election Commissioners of Kansas City, Missouri, to the Board of Election Commissioners of Clay County, Missouri, to the Board of Election Commissioners of Platte County, Missouri, and to the County Clerk of Cass County, Missouri, which shall be the authority of the respective election authorities of the City to submit the question to the electors of Kansas City as herein provided and to give public notice thereof as provided by law.

Section 4. ELECTION NOTICE. That the notice of election shall read as follows:

NOTICE OF ELECTION
CITY OF KANSAS CITY, MISSOURI

Notice is hereby given that the City of Kansas City has called an election to be held in the City on February 8, 2022, between the hours of 6:00 a.m. and 7:00 p.m. C.D.T., at which election all qualified voters residing within the City of Kansas City, Missouri, will be given the opportunity to vote.

The official ballot will be in substantially the following form:

QUESTION _____
SHALL THE FOLLOWING BE APPROVED?

Shall the City of Kansas City, Missouri issue sanitary sewer revenue bonds in the principal amount of \$750,000,000.00 for the purpose of rehabilitating, expanding and improving the City's sanitary sewer system, including acquiring necessary land and rights of way, in order to provide for its continuing operation and to maintain compliance with federal, state and judicial requirements, with the principal of and interest on said revenue bonds to be payable solely from the revenues derived by the City from the operation of its sanitary sewer system, including all future rehabilitations, improvements and expansions thereto?

_____ Yes
_____ No

[Instructions to voters will be supplied by the election authorities.]

A full and complete copy of Ordinance No. *****, submitting the above question to the electorate is on file in the office of the City Clerk of Kansas City, Missouri, where the same is open for inspection and copying.

The polling places for the election will be *[insert list of polling places in last publication only.]*

I hereby certify that the foregoing is the legal notice to be published pursuant to Section 115.127, RSMo.

Given under my hand and the official seal of the City of Kansas City, Missouri, this _____ day of _____, 2021.

(SEAL)

Marilyn Sanders
City Clerk, City of Kansas City, Missouri

Before me, a notary public, personally appeared Marilyn Sanders, to me known to be the City Clerk of the City of Kansas City, Missouri, and the person who acknowledged to me that she executed the same for the purposes therein stated.

Notary Public

My Commission Expires: _____

Section 5. RATE SETTING. The authorization of the sanitary sewer revenue bonds will authorize the City to fix, establish, maintain and collect rates and charges for the services provided by the City through its sanitary sewer system, including all rehabilitations, extensions and improvements thereto hereafter constructed or acquired by the City, in addition to the other rates and charges for such services provided by law, as will produce income and revenues sufficient to provide funds to pay the costs of operation and maintenance of said sanitary sewer system and the principal of and interest on the sanitary sewer revenue bonds as they become due and to provide for the establishment of reasonable reserves therefor. The Council states its intention to structure the issuance of the bonds so as to minimize the impact on ratepayers, while continuing to make necessary improvements and extensions to the sanitary sewer system.

Section 6. REIMBURSEMENT. The City has made and expects to make expenditures on and after the date of passage of this Ordinance in connection with the rehabilitations, improvements and extensions to the sanitary sewer system of the City, and the City intends to reimburse itself for such expenditures with the proceeds of the sanitary sewer revenue bonds. The maximum principal amount of sanitary sewer revenue bonds expected to be issued is \$750,000,000.00.

Section 7. ACCELERATED EFFECTIVE DATE RECOGNIZED. This ordinance, calling for an election and providing for the submission of a question to the people of Kansas City, Missouri, is hereby recognized to have an accelerated effective date within the meaning of Section 503(a)(3)(A) of the Charter because it calls an election and provides for the submission of proposals to the people, and as such take effect in accordance with Section 503.

Section 8. EFFECTIVE DATE. If a majority of the qualified voters voting at said election shall vote in favor of the question, then the authority of the Council to sell said sanitary sewer revenue bonds shall

become effective immediately upon certification of the election results by the election authorities.

Approved as to form and legality:

Katherine Chandler
Assistant City Attorney