File #: 240926, **Version:** 1

ORDINANCE NO. 240926

Sponsor: Director of the Finance Department

Authorizing the Director of Finance to accept a proposal of Banc of America Public Capital Corp. ("BAPCC") to finance the acquisition of twelve ambulances and equipment for the Fire Department (Project); estimating revenue and appropriating $5,003,940.00 in Fund No. 3230, the Equipment Lease Capital Acquisition Fund; authorizing the execution of any and all documents and agreements necessary for the financing; authorizing the Director of Finance to close project accounts upon completion; approving lease counsel; declaring the intent of the City to reimburse itself from the lease purchase proceeds for certain expenditures; and recognizing this ordinance as having an accelerated effective date.

WHEREAS, on June 2, 2020, the voters approved a one quarter cent (1/4 cent) increase in the Fire Sales Tax, raising the tax from one-quarter cent (1/4 cent) to one-half cent (1/2 cent) for the purpose of meeting the capital needs of the Fire Department and the Fire Department has determined that the replacement of the current fleet of ambulances is of high priority; and

WHEREAS, the Fire Department plans on replacing twelve ambulances in its current fleet on an annual basis, thus establishing a fleet lifecycle of sixty ambulances over five years. The first twelve ambulances replaced were those with the highest mileage and that contained the most outdated equipment; and

WHEREAS, the City financed the purchase of twelve ambulances pursuant to Ordinance No. 200499 passed by City Council on July 9, 2020, the purchase of twelve ambulances pursuant to Ordinance No. 210534 passed by City Council on June 24, 2021, the purchase of twelve ambulances pursuant to Ordinance No. 220727 passed by City Council on August 25, 2022 and the purchase of thirteen ambulances pursuant to Ordinance No. 230804 passed by City Council on September 28, 2023; and

WHEREAS, the City desires to execute the fifth purchase cycle of twelve ambulances through Conrad Fire Equipment Company to replace the current twelve ambulance fleet; and

WHEREAS, the Fire Department will make the purchases through the Mid America Council of Public Purchasing (MACPP) cooperative purchasing contracts, vehicle bid system; and

WHEREAS, the cost of acquisition and implementation of the Project is expected to be financed under the Master Lease Purchase Agreement ("Lease") with BAPCC by executing one (1) draw upon the Lease; and

WHEREAS, the payment of scheduled debt service payments on the draws made under the Lease will be made by annual appropriation of monies from the City's General Municipal Revenues over a successive five (5) year period with the Fire Sales Tax - Capital being the primary source of repayment; 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 BAPCC for the financing of the Project through up to two draws upon the Lease in an approximate principal amount not to exceed $5,003,940.00.

Section 2. That the Director of Finance is authorized to execute, deliver and file in the name of the City, the Lease and any and all documents and agreements necessary to complete such financing.

Section 3. That the revenue in the following account of the Equipment Lease Capital Acquisition Fund is hereby estimated in the following amount:

AL-3230-120000-583000	Lease Proceeds	$5,003,940.00

Section 4. That the sum of $ 5,003,940.00 is hereby appropriated from the Unappropriated Fund Balance of the Equipment Lease Capital Acquisition Fund to the following accounts:

AL-3230-237701-E-23FAMB24	Purchase of 12 Ambulances	$4,995,940.00
AL-3230-129620-G	Cost of Issuance	8,000.00
	TOTAL	$5,003,940.00

Section 5. That the Chief of the Fire Department is hereby designated as requisitioning authority for Account No. AL-3230-237701 and that the Director of Finance is hereby designated as requisitioning authority for Account No. AL-3230-129620.

Section 6. That the Director of Finance is hereby authorized to close project accounts, encumbrances and retainage related to the accounts in Section 4 and return the unspent portion to the Fund Balance from which it came upon the earliest of: (i) Project's completion; (ii) final maturity of financing or (iii) four years after issuance.

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

Section 8. 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 Project with the proceeds of the lease expected to be drawn from the Lease. The maximum principal amount of lease proceeds for the Project expected to be financed under the Lease is $5,003,940.00. This constitutes a declaration of official intent under Treasury Regulation Section 1.150-2.

Section 9. That this ordinance is recognized as having an accelerated effective date as provided by Section 503(a)(c) of the City Charter in that it appropriates money and shall take effect in accordance with that section.

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

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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:

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Samuel Miller
Assistant City Attorney

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