

BILL NO. 22-179

AN ORDINANCE APPROVING AMENDMENT NO. 2 TO THE BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2023, AS ADOPTED BY ORDINANCE NO. 9441, ORDINANCE NO. 9442, ORDINANCE NO. 9449, ORDINANCE NO. 9450, AND ORDINANCE NO. 9451, BY ALLOCATING FUNDS TO THE GREEN STREET IMPROVEMENTS PROJECT FUND FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Ordinance Nos. 9441, 9442, 9450, and 9451, passed by the City Council on June 21, 2022, adopted the authorized expenditures for the City of Lee's Summit, Missouri ("City") for the Fiscal Year ending June 30, 2023; and,

WHEREAS, in April 2013 voters approved a general obligation "no tax increase" bond issue which included a targeted amount of \$600,000 to fund a downtown performance and festival space as part of an effort to increase cultural arts facilities within the community; and,

WHEREAS, multiple sites were evaluated including studies and concept plans in consideration for siting the location of the downtown performance and festival space, and,

WHEREAS, the City has approved the Chapter 353 Redevelopment Plan for the Downtown Market Plaza Redevelopment Area which will include the integration of the downtown performance and festival space; and,

WHEREAS, the City has acquired property on the east side of SE Green Street between 2nd and 3rd Streets for the Downtown Market Plaza project and utilized the \$600,000 bond proceeds in conducting site evaluations, preparing concept plans and acquiring property; and,

WHEREAS, on April 20, 2021, the City Council adopted Ordinance No. 9124 which created the Downtown Market Plaza Fund and approved an amendment to the Fiscal Year 2022 budget by appropriating \$3,530,000 to the Downtown Market Plaza Fund for the Downtown Market Plaza Project; and,

WHEREAS, the Green Street Improvements Fund (Fund 359) had previously been created through the approval of prior budgets in prior fiscal years, and the appropriation to the Downtown Market Plaza Fund as referenced in Ordinance No. 9124 has been treated as an appropriation to the Green Streets Improvement Fund, and should be treated as appropriations to the Green Streets Improvement Fund going forward for the Downtown Market Plaza Project; and,

WHEREAS, the Budget ordinances recited above for Fiscal Year 2023 included the authority to expend a portion of the Green Street Improvement Fund moneys for the Downtown Market Plaza Project, and such amounts and purposes need to be modified to authorize the expenditure of funds for environmental remediation and demolition in the Redevelopment Area during Fiscal Year 2023; and,

WHEREAS, the City has received an allocation of \$8,310,822 from the American Rescue Plan Act of 2021 ("ARPA"), and on August 16, 2022 the City Council adopted Ordinance No. 9482 which amended the Budget for the Fiscal Year 2023 by allocating \$4,200,000 of the available ARPA funds to the Fire/EMS Fund for the purpose of funding the construction of two fire stations; and,

BILL NO. 22-179

WHEREAS, the City Council desires to allocate the remaining ARPA funds balance of \$4,110,882 to the Green Street Improvements Fund, to be expended for the Downtown Market Plaza Project.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. The authorized expenditures for the Fiscal Year ending June 30, 2023, of the City of Lee's Summit, Missouri, are amended as set forth in the attached Exhibit A and incorporated herein by reference. Funds in the Green Street Improvements Fund may be expended for the purposes of environmental remediation and demolition during Fiscal Year 2023.

SECTION 2. All other provisions of Ordinance Nos. 9441, 9442, 9449 and 9450 shall remain in full force and effect, subject to Amendment No. 1 (Ordinance No. 9482).

SECTION 3. This Ordinance shall be in full force and effect from and after the date of its adoption, passage, and approval by the Mayor.

SECTION 4. Should any section, sentence, or clause of this Ordinance be declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining sections, sentences or clauses.

PASSED by the City Council of the City of Lee's Summit, Missouri, this _____ day of _____, 2022.

ATTEST:

Mayor *William A. Baird*

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2022.

ATTEST:

Mayor *William A. Baird*

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*

EXHIBIT A

FY23 BUDGET AMENDMENT NO. 2