

Legislation Text

File #: BILL NO. 22-179, **Version:** 1

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 Fund for the City of Lee's Summit, Missouri. (Note: First read by Council on September 6, 2022. Passed by unanimous vote.)

Issue/Request:

Ordinance to approve a budget amendment to add additional funds to the Green Street Improvements Fund for the Downtown Market Plaza Project, in the amount of \$4,110,882, and add the additional authority to expend moneys from this Fund for environmental remediation and demolition in addition to the previously authorized purposes.

Key Issues:

Appropriation of the remaining ARPA funds for the Downtown Market Plaza Project.

Proposed City Council Motion:

I move for adoption of 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 Fund for the City of Lee's Summit, Missouri.

Background:

On April 20, 2021, the City Council passed Ordinance No. 9123 which approved a Development Structure Agreement for the Downtown Market Plaza Project (the "Downtown Project") between the City, Lane4 Property Group, Inc. (the "Developer") and Biederman Redevelopment Ventures ("BRV"). That Agreement was executed on May 21, 2021.

On April 20, 2021, the City Council also passed Ordinance No. 9124 which approved Amendment #12 to the Fiscal Year 2022 City Budget. This ordinance appropriated \$3,530,000 to the Green Street Improvements Fund for the Downtown Project, from funds previously accumulated by the City from the sale of surplus property and the release of a property acquisition option.

On May 3, 2021, the City Council approved Ordinance No. 9142, which approved a Cooperative Agreement between the City and the Downtown Lee's Summit Community Improvement District for the Downtown Project. That Cooperative Agreement established the contractual relationship between the City and the CID for the CID's formal participation in the Downtown Project. Under this Cooperative Agreement, the CID has committed \$120,000 for the design and engineering of the Farmer's Market Pavilion, and has also committed \$4 million for construction of the Farmer's Market Pavilion.

On January 4, 2022, the City Council passed Ordinance No. 9316 which approved an Amended and Restated

Development Structure Agreement for the Downtown Project. That amended Agreement included approval of a contract between the City and GLMV Architects (“GLMV”) for the architectural work associated with the Downtown Project. The Amended & Restated Agreement was executed by the parties on January, 2022.

After the Amended & Restated Development Structure Agreement was executed, GLMV held meetings involving interested citizens and businesses to gather input on the design, layout and functionality of the public improvements within the Downtown Project, focusing significantly on the Farmer’s Market Pavilion. BRV also held a series of meetings with interested citizens and elected officials to gather input on the programming for the public improvements that are planned for the Downtown Project.

On March 8, 2022, the City Council approved Ordinance No. 9350 which authorized an application to be filed with the Missouri Development Finance Board (“MDFB”) to seek participation in MDFB’s Tax Credits for Contributions program. City staff is planning to file that application after the City Council approves the Chapter 353 Redevelopment Plan, which is the subject of this public hearing.

On March 8, 2022, the City Council also approved Ordinance No. 9351, which authorized City staff to file documents with the Missouri Secretary of State to form the Downtown Market Plaza Redevelopment Corporation (the “Redevelopment Corporation”). The Redevelopment Corporation is the implementing entity that will carry out the Chapter 353 Redevelopment Plan, and will be responsible for the implementation steps for the Downtown Project according to the City Council’s legislative directives for the project.

Impact/Analysis:

This ordinance will appropriate \$4,110,882 to the Green Street Improvements Fund, which will be expended for the Downtown Market Plaza Project.

Timeline:

Environmental remediation and demolition work will commence after the Council approved the Redevelopment Plan, subject to normal procurement and public bidding requirements. Demolition is expected to commence as soon as possible after the environmental remediation is completed. Construction of the public improvements is expected to commence in 2023.

David Bushek, Chief Counsel of Economic Development & Planning
Mark Dunning, Assistant City Manager

Recommendation: Staff recommends approval of the Ordinance.