

Legislation Details (With Text)

File #:	BILL NO. 24-008	Name:	
Type:	Ordinance	Status:	Passed
File created:	12/7/2023	In control:	City Council - Regular Session
On agenda:	1/8/2024	Final action:	1/16/2024
Title:	An Ordinance authorizing the execution of a Memorandum of Agreement between the City of Lee's Summit, Missouri, the Federal Highway Administration, and the Missouri State Historic Preservation Officer related to the mitigation of adverse effects of the public improvement project designated as Federal Project Number STBG-3001(009), M291 North Interchange with US50, within the City limits of Lee's Summit, Missouri and authorizing the Mayor to execute the same. (PWC 1/8/24)		
Sponsors:	Public Works Admin & Engineering		
Indexes:			
Code sections:			
Attachments:	1. Ordinance, 2. Exhibit 1: MOA, 3. Supporting Document: Project Map		

Date	Ver.	Action By	Action	Result
1/16/2024	1	City Council - Regular Session	for second reading	Pass
1/16/2024	1	City Council - Regular Session	adopted and numbered	Pass
1/8/2024	1	Public Works Committee	recommended for approval	Pass

An Ordinance authorizing the execution of a Memorandum of Agreement between the City of Lee's Summit, Missouri, the Federal Highway Administration, and the Missouri State Historic Preservation Officer related to the mitigation of adverse effects of the public improvement project designated as Federal Project Number STBG-3001(009), M291 North Interchange with US50, within the City limits of Lee's Summit, Missouri and authorizing the Mayor to execute the same. (PWC 1/8/24)

Issue/Request:

An Ordinance authorizing the execution of a Memorandum of Agreement between the City of Lee's Summit, Missouri, the Federal Highway Administration, and the Missouri State Historic Preservation Officer related to the mitigation of adverse effects of the public improvement project designated as Federal Project Number STBG-3001(009), M291 North Interchange with US50, within the City limits of Lee's Summit, Missouri and authorizing the Mayor to execute the same.

Key Issues:

- Pursuant to Ordinance No. 9303, the City entered into a Cost Share Agreement with the Missouri Highways and Transportation Commission (hereinafter "MoDOT") for the M291 North Interchange with Highway US 50 Project, Commission Project No. J4P3196, to improve the safety and overall functionality of this transportation corridor (hereinafter "Interchange Project").
- The City further entered into a Relocation Funding Agreement with the Missouri Office of Administration (hereinafter "OA") and the Missouri State Highway Patrol (hereinafter "MSHP") per Ordinance 9398 to help

facilitate the Interchange Project.

- The Project was approved by MoDOT to receive federal funding through the Federal Highway Administration's (hereinafter "FHWA") Surface Transportation Block Grant Program (hereinafter "Federal Project Number STBG-3001(009)").
- Since Federal Project Number STBG-3001(009) includes federal funding, the City is required to obtain National Environmental Policy Act approval from the FHWA and concurrence of compliance of Section 106 of the National Historic Preservation Act by the Missouri State Historic Preservation Officer (hereinafter "SHPO").
- FHWA and SHPO declared the MSHP Troop A complex eligible for listing in the National Register of Historic Places (NRHP) and that the proposed Interchange Project will be an adverse effect on the complex as an NRHP-eligible property.
- A Memorandum of Agreement between the City, FHWA, and SHPO is necessary to document the mutual covenants and stipulations to be carried out to mitigate the adverse effect for Federal Project Number STP-3001(009) to be carried through fruition.

Proposed City Committee Motion:

I move to recommend to the City Council approval an Ordinance authorizing the execution of a Memorandum of Agreement between the City of Lee's Summit, Missouri, the Federal Highway Administration, and the Missouri State Historic Preservation Officer related to the mitigation of adverse effects of the public improvement project designated as Federal Project Number STBG-3001(009), M291 North Interchange with US50, within the City limits of Lee's Summit, Missouri and authorizing the Mayor to execute the same.

Proposed City Council Motion:

FIRST MOTION: I move for second reading of an Ordinance authorizing the execution of a Memorandum of Agreement between the City of Lee's Summit, Missouri, the Federal Highway Administration, and the Missouri State Historic Preservation Officer related to the mitigation of adverse effects of the public improvement project designated as Federal Project Number STBG-3001(009), M291 North Interchange with US50, within the City limits of Lee's Summit, Missouri and authorizing the Mayor to execute the same.

SECOND MOTION: I move for adoption of an Ordinance authorizing the execution of a Memorandum of Agreement between the City of Lee's Summit, Missouri, the Federal Highway Administration, and the Missouri State Historic Preservation Officer related to the mitigation of adverse effects of the public improvement project designated as Federal Project Number STBG-3001(009), M291 North Interchange with US50, within

the City limits of Lee's Summit, Missouri and authorizing the Mayor to execute the same.

Background:

The interchange Project will improve the safety and functionality of the overall transportation system in the area. The project will replace obsolete infrastructure to address level of service, accommodate growth and facilitate economic activity. Improvements to this area include a new bridge structure, ramp reconstruction, US 50 pavement reconstruction between the ramps, changing SE Oldham Parkway to a right-in-right out configuration, and realignment of Blue Parkway.

Access management is being applied to the roadways to improve traffic safety and traffic operational levels of service. One of these changes is the realignment of Blue Parkway. The intersection of Blue Parkway will be moved north to the existing location of SE 7th Terrace. Increasing the distance between the ramp and Blue Parkway will improve the signal operations, reduce traffic blocking intersections, and improve safety turn movements. The realignment of Blue Parkway requires the relocation of the MSHP Troop A Headquarters to a new site and conveyance of the current parcel to the City. A Relocation Funding Agreement between the City, MSHP, and OA was executed on April 20th, 2022.

This project will be funded with a combination of local funds, funding from Surface Transportation Block Grant Program (STPG) funded by the FHWA and MoDOT Cost Share funds. Due to federal funding being included in this project, the City is required to follow the National Environmental Policy Act process in order to obtain approval from FHWA. Part of this process is the concurrence of compliance by the SHPO of Section 106 of the National Historic Preservation Act. Olsson, the City's consultant, supplied SHPO with an evaluation of properties inside the footprint of the project for eligibility of listing in the NRHP. FHWA and SHPO concur and have determined that the MSHP Troop A complex is eligible for listing in the NRHP and that the demolition of the three buildings in the MSHP complex and removal of other contributing resources to accommodate the relocation of Blue Parkway will be an adverse effect on the complex as an NRHP-eligible property. The attached Memorandum of Agreement between the City, FHWA, and SHPO, stipulates the mutually agreed upon mitigation measures of adverse effects which must be carried out before letting of the project.

Impact/Analysis:

Entering into the Memorandum of Agreement is required as part of the environmental and cultural requirements involved with all federally funded projects. Not meeting this requirement will further delay or halt the project in its entirety. Further delay could result in the City forgoing the federal funds.

..Presenter

Craig Kohler, P.E., Senior Staff Engineer

Recommendation: Staff recommends approval of an Ordinance authorizing the execution of a Memorandum of Agreement between the City of Lee's Summit, Missouri, the Federal Highway Administration, and the Missouri State Historic Preservation Officer related to the mitigation of adverse effects of the public improvement project designated as Federal Project Number STBG-3001(009), M291 North Interchange with

US50, within the City limits of Lee's Summit, Missouri and authorizing the Mayor to execute the same.

Committee Recommendation: The Public Works Committee voted unanimously 4-0, to recommend to City Council approval of an Ordinance authorizing the execution of a Memorandum of Agreement between the City of Lee's Summit, Missouri, the Federal Highway Administration, and the Missouri State Historic Preservation Officer related to the mitigation of adverse effects of the public improvement project designated as Federal Project Number STBG-3001(009), M291 North Interchange with US50, within the City limits of Lee's Summit, Missouri and authorizing the Mayor to execute the same.