

Board Meeting Agenda

Tax Increment Financing Commission

City of Kansas City, Missouri

DATE: August 10, 2021
TIME: **9:30 a.m.**
PLACE: Economic Development Corporation Board Room, 4th Floor
300 Wyandotte
Kansas City, Missouri

Videoconference

- Do not delete or change any of the following text. -

Join the meeting via Zoom

<https://zoom.us/j/92182348011?pwd=R0FXNGMzRGtnRzB0a0l0OWx3Z0hkdz09>

Meeting ID: 921 8234 8011

Passcode: 377462

By Telephone Dial: 312 626 6799

Meeting ID: 921 8234 8011

PLATTE COUNTY/PLATTE RIII-PARK HILL AGENDA ITEMS

ROLL CALL

- 1. Consideration of acceptance of the Platte County/Platte RIII-Park Hill Commission Minutes, and other matters related thereto. (*La’Sherry Banks*) Exhibit 1**

Minutes of the July 13, 2021 Platte County/Platte RIII-Park Hill meeting are included for the Commission’s review prior to the meeting.

Action recommended: ACCEPTANCE OF THE JULY 13, 2021 PLATTE COUNTY/PLATTE RIII-PARK HILL MINUTES AS PRESENTED.

- 2. Consent Agenda (Cost Certifications): Consideration of the Cost Consent Agenda for Platte County/Platte RIII-Park Hill, and other matters related thereto. (*Rick DeSimone*) Exhibit 2**

The Consent Agenda items for August 2021 are included in the Commission’s Board Packet for review prior to the meeting. The following items are included:

- Cost Certifications (**Exhibit 2**)

KCI TIF Plan: Consideration of certification of costs totaling \$155,382.40, and other matters related thereto. (*Rick DeSimone*)

Request from:	MD Management, Inc.
Total amount requested:	\$155,382.40
Use of funds:	Street Improvements and Administrative Cost
Cost certifier:	Ralph Johnson
Questioned or disallowed costs:	None
EATs reporting requirement:	33% compliant for the current reporting period (1st half 2021), 1st Half Reports are not due to the Commission until 7-31-2021. 96% Compliant for the last reporting period (2nd half 2020).

Notes: Street Improvement 17 (Line Creek Parkway), Engineering Cost and related Commission Expenses, Legal Fees and Construction Interest. A portion of this request will be paid from a bond draw—see schedule below.

	Bond Draw Portion	Pay As You Go Portion	Total Certification
<hr/>			
KCI Corridor			
- MD Management, Inc.	\$ 153,448.02	\$ 1,934.38	\$ 155,382.40

Recommendation: Approval of certification of costs totaling \$155,382.40 and payment of related bond draw of \$153,448.02. Reimbursement is subject to the issuance of a Certificate of Partial Completion.

Action recommended: APPROVAL OF THE COST CONSENT AGENDA FOR PLATTE COUNTY/PLATTE RIII-PARK HILL AND AUTHORIZE AND DIRECT THE CHAIR, VICE-CHAIR OR EXECUTIVE DIRECTOR TO EXECUTE A RESOLUTION APPROVING THE SAME.

3. KCI Corridor TIF Plan TIF Plan/Project 17: Consideration of approval of the Certificate of Partial Completion and Compliance No. 12 in connection with the KCI Corridor TIF Plan/Public Improvement 17 and other matters related thereto. (Sandra L. Rayford) Exhibit 3

This Certificate of Partial Completion and Compliance is issued to MD Management, Inc. (the “Redeveloper”) in accordance with Section 14 of the Agreement, dated March 30, 2006, and as amended from time to time, between the Tax Increment Financing Commission of Kansas City, Missouri (the “Commission”) and the Redeveloper (the “Redevelopment Agreement”) for all such requirements and obligations in connection with the construction of a portion of certain improvements to Line Creek Parkway (the “Partially Completed 17 Improvements”) contemplated by the KCI Corridor Tax Increment Financing Plan, as amended (the “KCI Corridor TIF Plan”) and that are identified on Exhibit A to the KCI Corridor TIF Plan – City of Kansas City, Missouri Schedule of Project Costs Submitted and Certified for Reimbursement through June 30, 2021 by Independent Accountant’s Report (the “Certification Report”) dated July 9, 2021 by Ralph C. Johnson & Company, P.C.

This Certificate of Partial Completion and Compliance does not waive or modify any existing rights or obligations the Redeveloper has or may have under the Funding Agreement, dated March 30, 2006, between the Commission and the Redeveloper, as it has been modified, amended or restated from time to time, or the Redevelopment Agreement, including any obligation the Redeveloper may have to complete the construction of the remaining public infrastructure improvements to be undertaken pursuant to the terms and conditions of the Redevelopment Agreement and to provide reports required by the Redevelopment Agreement and any obligation of the Commission arising under the Redevelopment Agreement, including any obligation the Commission may have to reimburse unpaid certified costs.

The Redeveloper has complied with the Commission’s Certification of Costs and Reimbursement Policy, as amended from time to time, and together with the costs to certified pursuant to Certification of Costs Resolution that relate to implementation of the Partially Completed 17 Improvements.

To date, the Redeveloper is in compliance with all provisions of the Redevelopment Agreement, including, but not limited to, the policies incorporated therein. Staff recommends approval of the Certificate of Partial Completion and Compliance.

Action recommended: APPROVAL OF THE CERTIFICATE OF PARTIAL COMPLETION AND COMPLIANCE TO MD MANAGEMENT FOR THE PARTIAL COMPLETION AND COMPLIANCE OF PUBLIC IMPROVEMENT 17 WITHIN THE KCI CORRIDOR TIF PLAN AND AUTHORIZE AND DIRECT THE CHAIR, VICE-CHAIR OR EXECUTIVE DIRECTOR TO EXECUTE A RESOLUTION APPROVING THE SAME.

PLATTE-CLAY COUNTY/PLATTE RIII AGENDA ITEMS

ROLL CALL

4. Consideration of acceptance of the Platte-Clay County/Platte RIII Commission Minutes, and other matters related thereto. (La’Sherry Banks) Exhibit 1

Minutes of the July 13, 2021 Platte-Clay County/Platte RIII meeting are included for the Commission’s review prior to the meeting.

Action recommended: ACCEPTANCE OF THE JULY 13, 2021 PLATTE-CLAY COUNTY/PLATTE RIII MINUTES AS PRESENTED.

5. Consent Agenda (Cost Certifications): Consideration of the Cost Consent Agenda for Platte-Clay County/Platte RIII, and other matters related thereto. (Rick DeSimone) Exhibit 5

The Consent Agenda items for August 2021 are included in the Commission’s Board Packet for review prior to the meeting. The following items are included:

- Cost Certifications (**Exhibit 5**)

Platte Purchase TIF Plan: Consideration of certification of costs totaling \$90,266.48, and other matters related thereto. (Rick DeSimone)

Request from: Hunt Midwest
 Total amount requested: \$90,266.48.
 Use of funds: Water and Sanitary Sewer
 Cost certifier: Ralph Johnson
 Questioned or disallowed costs: None
 EATs reporting requirement: 0% compliant for the current reporting period (1st half 2021), 1st Half Reports are not due to the Commission until 7-31-2021. 100% Compliant for the last reporting period (2nd half 2020).

Notes: Cost Includes \$48,496.17 for project 11, Water and Sanitary Sewers Main Extension and \$41,770.31 for project 7C, N Platte Purchase Drive, between NE 108th St and Platte Purchase Park.

Notes: This request will be Pay as You Go from KCMO Contributions.
 See schedule below:

	Bond Draw Portion	Pay As You Go Portion	Total Certification
Platte Purchase			
- MD Management, Inc.	\$ -	\$ 90,266.48	\$ 90,266.48

Recommendation: Approval of certification of costs totaling \$90,266.48. Reimbursement is subject to the issuance of a Certificate of Partial Completion.

Platte Purchase TIF Plan: Consideration of certification of costs totaling \$183,350.24, and other matters related thereto. (Rick DeSimone)

Request from: MD Management, Inc.
 Total amount requested: \$183,350.24.
 Use of funds: Construction and Street Improvement Cost
 Cost certifier: Ralph Johnson
 Questioned or disallowed costs: None
 EATs reporting requirement: 0% compliant for the current reporting period (1st half 2021), 1st Half Reports are not due to the Commission until 7-31-2021. 100% Compliant for the last reporting period (2nd half 2020).

Notes: Cost Includes Commission Expenses, Construction Period Interest, Legal Fees & Street Improvement Cost. Street Improvement Cost includes N Platte Purchase Dr, Line Creek Parkway Sanitary Sewer Professional Services.

Notes: A portion of this request will be paid from bond draw—see schedule below.

	Bond Draw Portion	Pay As You Go Portion	Total Certification
Platte Purchase			
- MD Management, Inc.	\$ 174,169.73	\$ 9,180.51	\$ 183,350.24

Recommendation: Approval of certification of costs totaling \$183,350.24 and payment of related bond draw of \$174,169.73. Reimbursement is subject to the issuance of a Certificate of Partial Completion.

Action recommended: APPROVAL OF THE COST CONSENT AGENDA FOR PLATTE-CLAY COUNTY/PLATTE RIII AND AUTHORIZE AND DIRECT THE CHAIR, VICE-CHAIR OR EXECUTIVE DIRECTOR TO EXECUTE A RESOLUTION APPROVING THE SAME.

6. Platte Purchase Development Plan: Consideration of acceptance of the recommendations of the Platte Purchase Development Plan Advisory Committee regarding the Sixth Amendment to the Platte Purchase Development Plan, and other matters related thereto. (Heather Brown) Exhibit 6

The Platte Purchase Development Plan Advisory Committee (the “Advisory Committee”) met on July 21, 2021 to discuss additional public infrastructure improvements to be incorporated within Platte Purchase Development Plan (the “Platte Purchase Development Plan”) that are located within the Redevelopment Area and the boundaries described by the Twin Creeks West Community Improvement District, as approved by the City Council of Kansas City, Missouri (the “City Council”) by its passage of Ordinance No. 200462 (the “Twin Creeks West CID”).

The Advisory Committee recommends that the TIF Commission take all necessary steps to approve and recommend that the City Council approve a Sixth Amendment to the Platte Development Plan that would incorporate certain public infrastructure improvements described by the CID, including improvements to NW Fountain Hills Drive and N. Platte Purchase Drive, as well as the installation of certain public utilities, including store, sewer and water lines.

The Advisory Committee further recommends that the Commission enter a Redevelopment Agreement, which shall provide (A) for the implementation of the improvements contemplated by the Sixth Amendment to the Platte Purchase Development Plan, (B) for the reimbursement of certain costs related thereto from economic activity tax portion of the 1.00% sales tax imposed by the CID and (C) that such reimbursement shall not be subject to that certain Reimbursement Prioritization Agreement related to the Platte Purchase Development Plan.

Staff recommends acceptance and approval of the recommendations as presented above.

Action recommended: APPROVAL OF THE SIXTH AMENDMENT PRESENTED BY THE PLATTE PURCHASE DEVELOPMENT PLAN ADVISORY COMMITTEE AND AUTHORIZE AND DIRECT THE CHAIR, VICE-CHAIR OR EXECUTIVE DIRECTOR TO EXECUTE A RESOLUTION APPROVING THE SAME.

CLAY COUNTY/LIBERTY-NKC AGENDA ITEMS

ROLL CALL

7. Consideration of acceptance of the Clay County/Liberty-NKC TIFC Minutes, and other matters related thereto. (*La'Sherry Banks*) Exhibit 1

Minutes of the July 13, 2021 Clay County/Liberty-NKC meeting are included for the Commission's review prior to the meeting.

Action recommended: ACCEPTANCE OF THE JULY 13, 2021 CLAY COUNTY/LIBERTY-NKC MINUTES AS PRESENTED.

8. Shoal Creek Parkway TIF Plan/Project G2: Consideration of approval of the Certificate of Partial Completion and Compliance in connection with the Shoal Creek/Public Improvement G2 and other matters related thereto. (*Sandra L. Rayford*) Exhibit 8

This Certificate of Partial Completion and Compliance is issued to the City of Kansas City, Missouri, through its Public Works Department (the "Redeveloper"), in accordance with Section 5 of the Agreement, dated December 22, 2017, by and between the Tax Increment Financing Commission of Kansas City, Missouri (the "Commission") and the Redeveloper, as it may be modified, amended or restated from time to time (the "Redevelopment Agreement") for all such requirements and obligations in connection with right of way acquisition at the intersection of North Brighton and NE Pleasant Valley Road (the "Right of Way Acquisition"), as contemplated by the Shoal Creek Parkway Tax Increment Financing Plan,

as amended (the “Shoal Creek TIF Plan”), and that are identified on Exhibit A to the Shoal Creek Parkway TIF Plan – City of Kansas City, Missouri Schedule of Project Costs Submitted and Certified for Reimbursement through May 17, 2021 by the Independent Accountant’s Report (the “Certification Report”) dated June 25, 2021 by Cochran Head Vick CO., P.C. and Commission Resolution No. 7-4-21.

This Certificate of Partial Completion and Compliance does not waive or modify any existing rights or obligations Redeveloper has or may have under the Redevelopment Agreement, including any obligation the Redeveloper may have to complete the remaining Design of N Brighton and Right of Way Acquisition described by the Redevelopment Agreement and to provide reports required by the Redevelopment Agreement and any obligation the Commission may have under the Redevelopment Agreement, including the obligation to reimburse unpaid certified Redevelopment Project Costs

The Redeveloper has complied with the Commission’s Certification of Costs and Reimbursement Policy, as amended from time to time, and together with the costs to certified pursuant to Certification of Costs Resolution that relate to implementation of the Partially Completed G2 Improvements.

To date, the Redeveloper is in compliance with all provisions of the Redevelopment Agreement, including, but not limited to, the policies incorporated therein. Staff recommends approval of the Certificate of Partial Completion and Compliance.

Action recommended: APPROVAL OF THE CERTIFICATE OF PARTIAL COMPLETION AND COMPLIANCE TO THE CITY OF KANSAS CITY, MO FOR THE PARTIAL COMPLETION AND COMPLIANCE OF PUBLIC IMPROVEMENT G2 WITHIN THE SHOAL CREEK PARKWAY TIF PLAN AND DIRECT THE CHAIR, VICE-CHAIR OR EXECUTIVE DIRECTOR TO EXECUTE A RESOLUTION APPROVING THE SAME.

CLAY COUNTY/NKC AGENDA ITEMS

PUBLIC HEARING – 9:45 AM

ROLL CALL

- Arlington Road TIF Plan – Sixth Amendment: Consideration of approval of the Sixth Amendment to the Arlington Road TIF Plan, and other matters related thereto. (Heather Brown)**

Action recommended: CONTINUING THE PUBLIC HEARING TO 10:15 AM SEPTEMBER 14, 2021.

PUBLIC HEARING – 10:10 AM

ROLL CALL

10. **North Oak – Twelfth Amendment:** Consideration of approval of the Twelfth Amendment of the North Oak TIF Plan, and other matters related thereto. (*Heather Brown*)

Action recommended: CONTINUING THE PUBLIC HEARING TO 10:30 AM SEPTEMBER 14, 2021.

11. **Consideration of acceptance of the Clay County/NKC TIFC Minutes, and other matters related thereto.** (*La’Sherry Banks*) Exhibit 1

Minutes of the July 13, 2021 Clay County/NKC meeting are included for the Commission’s review prior to the meeting.

Action recommended: ACCEPTANCE OF THE JULY 13, 2021 CLAY COUNTY/NKC MINUTES AS PRESENTED.

12. **Consent Agenda (Cost Certifications):** Consideration of the Cost Consent Agenda for Clay County/NKC, and other matters related thereto. (*Rick DeSimone*) Exhibit 12

The Consent Agenda items for August 2021 are included in the Commission’s Board Packet for review prior to the meeting. The following items are included:

Cost Certifications (Exhibit 12)

Arlington Road TIF Plan: Consideration of certification of costs totaling \$77,687.00, and other matters related thereto. (*Rick DeSimone*)

Request from:	Hunt Midwest
Total amount requested:	\$77,687.00
Use of funds:	Project Expenses
Cost certifier:	Novak Birks
Questioned or disallowed costs:	None
EATs reporting requirement:	0% compliant for the current reporting period (1st half 2021), 1st Half Reports are not due to the Commission until 7-31-2021. 100% Compliant for the last reporting period (2nd half 2020).

Notes: Project Expenses includes Engineering Surveys Costs, TIF Administration Fees and Construction Period Interest. Pay Application #28.

Parvin Road TIF Plan: Consideration of certification of costs totaling \$20,275.00, and other matters related thereto. (Rick DeSimone)

Request from: Hunt Midwest
Total amount requested: \$20,275.00
Use of funds: Construction, Road & Infrastructure Improvements.
Cost certifier: Novak Birks
Questioned or disallowed costs: None
EATs reporting requirement: 35% compliant for the current reporting period (1st half 2021), 1st Half Reports are not due to the Commission until 7-31-2021. 98% Compliant for the last reporting period (2nd half 2020).

Notes: Project Area 1 Expenses includes Construction Cost, Project Management and Construction Period Interest. Project Area 3A Expense includes Construction Period Interest. Project Area 4 Expenses include TIF Administration Expenses and Construction Period Interest. Pay Application 127.

Recommendation: Approval of certification of costs totaling \$20,275.00.

Action recommended: APPROVAL OF THE COST CONSENT AGENDA FOR CLAY COUNTY/NKC AND AUTHORIZE AND DIRECT THE CHAIR, VICE-CHAIR OR EXECUTIVE DIRECTOR TO EXECUTE A RESOLUTION APPROVING THE SAME.

13. Parvin Road TIF Plan: Consideration of the Approval of the Second Amendment to the Amended and Restated Redevelopment Agreement between the TIF Commission and Hunt Midwest Real Estate Development, Inc. in connection with the implementation of the Parvin Road TIF Plan, and other matters related thereto. (Wesley Fields) Exhibit 13

On November 8, 2000, after receiving the comments of all interested persons and taxing districts, the Commission, by Resolution No. 11-13-00, recommended to the City Council (the “City Council”) of the City of Kansas City, Missouri the approval of the Parvin Road Tax Increment Financing Plan (the “Plan”) and the City Council did so on December 14, 2000, by Ordinance Number 001638, and did also designate the area described by the Plan as a redevelopment area (the “Redevelopment Area”). The Plan has been subsequently amended by a series of ordinances passed by the City Council (the “Parvin Road Tax Increment Financing Plan as amended shall hereinafter be referred to as the “Amended Plan”).

The Amended Plan provides for the construction of, or improvements to, certain roadways, curbing, traffic signals, storm sewers, water lines, utilities and related public infrastructure improvements to serve the Redevelopment Area (the “Public Improvements”).

On June 8, 2013, the TIF Commission and Hunt Midwest Real Estate Development, Inc. (“Hunt Midwest”) entered into an Amended and Restated Redevelopment Agreement (the

“Redevelopment Agreement”), which provides that Hunt Midwest shall implement the Public Improvements, in accordance with the terms and conditions set forth in the Redevelopment Agreement and the Commission, subject to the terms and conditions of the Redevelopment Agreement, shall reimburse Hunt Midwest from Payments in Lieu of Taxes and Economic Activity Taxes on deposit in its Special Allocation Fund(s) in an amount up to \$67,805,614.

On March 16, 2018, the Commission and the Hunt Midwest entered into a First Amendment to the Redevelopment Agreement to incorporate certain modification contemplated by the Tenth Amendment to the Amended Plan.

On July 22, 2021, the City Council passed Ordinance No. 210587, which approved the Twelfth Amendment to the Plan (the “Twelfth Amendment”). The Twelfth Amendment to the Plan provides for certain modifications to the Budget of Redevelopment Project Costs (“Twelfth Amendment Modifications”).

Hunt Midwest now desires to amend the Redevelopment Agreement to incorporate the Twelfth Amendment Modifications described above and to provide certain updates to the Redevelopment Agreement regarding the City’s MBE/WBE ordinance and the City’s Work Force reporting procedures.

The Second Amendment to the Redevelopment Agreement, attached as Exhibit 13 to the Commission Board Packet, has been prepared by legal counsel, reviewed by staff and it incorporates the Twelfth Amendment Modifications described above, along with certain modifications related to the City’s MBE/WBE Ordinance and the City’s Work Force reporting procedures. To the extent the Commission finds acceptable the terms of the Second Amendment to the Redevelopment Agreement, staff and legal counsel recommend approval, subject to modifications accepted by the Chair, Executive Director and legal counsel.

Action recommended: APPROVAL OF THE SECOND AMENDMENT TO AMENDED AND RESTATED REDEVELOPMENT AGREEMENT WITH HUNT MIDWEST REAL ESTATE DEVELOPMENT, INC. FOR THE IMPLEMENTATION OF CERTAIN PUBLIC IMPROVEMENTS CONTEMPLATED BY THE PARVIN ROAD TAX INCREMENT FINANCING PLAN, SUBJECT TO MODIFICATIONS ACCEPTED BY THE CHAIR, THE EXECUTIVE DIRECTOR AND LEGAL COUNSEL

ADMINISTRATIVE TIF COMMISSION AGENDA ITEMS

ROLL CALL

14. Consideration of acceptance of the Administrative TIFC Minutes, and other matters related thereto. (La’Sherry Banks) Exhibit 1

Minutes of the July 13, 2021 Administrative TIFC meeting are included for the Commission’s review prior to the meeting.

Action recommended: ACCEPTANCE OF THE JULY 13, 2021 ADMINISTRATIVE TIFC MINUTES AS PRESENTED.

15. Economic Activity Taxes: Consideration of acceptance of the Economic Activity Taxes Report, and other matters related thereto. (Rick DeSimone) Exhibit 15

The most current Economic Activity Taxes Report is included for the Commission's review prior to the meeting:

- EATs Report

Action recommended: NONE; INFORMATION ONLY

16. Affirmative Action and Contract Compliance Subcommittee Reports: Consideration of acceptance of the Affirmative Action and Contract Compliance Reports, and other matters related thereto. (Dion Lewis) Exhibit 16

The Affirmative Action/Contract Compliance Committee did not meet in June 2021.

Enclosed with your Board Packets are copies of the MBE/WBE expenditure reports for activity through June 30, 2021. These reports will be reviewed in detail by the Committee at the August 16, 2021 Committee meeting.

Action recommended: NONE; INFORMATION ONLY

17. Governance, Finance and Audit Subcommittee: Consideration of acceptance of the Governance, Finance and Audit Reports, and other matters related thereto. (Tammy Queen) Exhibit 17

The Governance, Finance and Audit Subcommittee met on August 2, 2021 to consider the following item:

- Monthly Financials as prepared by Cochran Head
(Michael Keenen of Cochran Head)

Action recommended: ACCEPTANCE OF THE FINANCIAL REPORT

18. Neighborhood & Housing Subcommittee: Consideration of the Neighborhood & Housing Report, and other matters related thereto. (Ryana Parks-Shaw) Exhibit 18

The most current Housing Report is included for the Commission's review prior to the meeting.

Action recommended: NONE; INFORMATION ONLY.

19. Administrative: Consideration of the Chair's Report, and other matters related thereto. (Chair Canady)

Action recommended: NONE; INFORMATION ONLY.

20. **Administrative: Consideration of the Executive Director’s Report, and other matters related thereto. (Heather Brown)**

Action recommended: NONE; INFORMATION ONLY.

JACKSON COUNTY/KCMO AGENDA ITEMS

ROLL CALL

21. **Consideration of acceptance of the Jackson County/KCMO TIFC Minutes, and other matters related thereto. (La’Sherry Banks) Exhibit 1**

Minutes of the July 13, 2021 Jackson County/KCMO meeting are included for the Commission’s review prior to the meeting.

Action recommended: ACCEPTANCE OF THE JULY 13, 2021 JACKSON COUNTY/KCMO MINUTES AS PRESENTED.

22. **Potential TIF Plan at 63rd & Prospect: Consideration of the approval of a Funding Agreement between the TIF Commission and UA KC Southpointe, LLC, in connection with the implementation of certain improvements to be incorporated within a potential tax increment financing plan that will provide for the redevelopment of an area located at approximately 63rd and Prospect within the Southtown Corridor TIF Plan, and other matters related thereto. (Wesley Fields) Exhibit 22**

In December 2012, Commission approved the terms of a Settlement Agreement, which provides, in part, that in connection with the settlement by the City of Kansas City, Missouri (the “City”) of various lawsuits with Citadel Plaza, LLC (“Citadel”), its parent company, the Community Development Corporation of Kansas City, Missouri (CDCKC), and several creditors of Citadel and CDCKC, the Commission agreed to (1) terminate certain development and financing agreements related to the implementation of Redevelopment Project G of the Southtown Corridor/31st & Baltimore TIF Plan (the “Southtown TIF Plan”), (2) execute a release as to all claims against the City, Citadel and the CDCKC and (3) accept title to certain parcels of property (the “Project Properties”) located within Redevelopment Project Area G, as described by Southtown TIF Plan (the “Commission’s Covenants”)

In consideration of the Commission’s Covenants listed above, the City agreed to (1) terminate certain development and financing agreements related to the implementation of Redevelopment Project G of the Southtown Corridor/31st & Baltimore TIF Plan (the “Southtown TIF Plan”), (2) execute a release as to all claims against the Commission, Citadel and the CDCKC, (3) transfer title to the Commission the Project Properties and (4) execute and deliver to the Commission a Ground Lease, which shall provide that the Commission shall lease the Project Properties to the City for one Dollar (\$1), plus, in connection with such lease, the City shall pay such amounts that are necessary to remove any environmentally hazardous material from the Project Properties, and shall provide, at its own expense: insurance, necessary fencing and security, staffing, and maintenance of the Project Properties until such Project Properties are disposed of for development purpose s(the “City’s Covenants”).

Pursuant to the Commission’s Covenants and the City’s Covenants, the City and the Commission, on February 29, 2012, entered into a Ground Lease. The City has indicated that it has selected UA KC Southpointe, LLC (the “Developer”) as the developer of the Project Properties.

The Developer requested that the Commission prepare and review a Development Agreement (the “Initial Development Agreement”) by and among the City of Kansas City, Missouri, the Commission, and the Developer, which shall provide, in part, for the Commission, subject to the satisfaction of certain conditions, to transfer to the Developer certain Project Properties located within an area that is generally bounded by 59th Street on the north, 63rd Street on the south, Bruce R. Watkins Highway on the east and Brooklyn Avenue on the west in Kansas City, Jackson County, Missouri (the “Proposed Development Area” and, if requested by the Developer, (1) prepare and review all necessary documents, provide all statutory public notices and participate in a public meeting to consider a tax increment financing plan for the development of the Proposed Development Area (the “TIF Plan”) and thereafter take all action the Commission deems necessary to administer and assist in implementing and thereafter terminating the TIF Plan, (2) if the the TIF Plan is approved, prepare and negotiate a redevelopment agreement (the “TIF Redevelopment Agreement”) and any and all agreements, instruments and certificates that may be necessary to implement the TIF Plan, and (3) reimburse the Developer for all eligible certified redevelopment project costs incurred by the Developer and identified by the TIF Plan, as it may be amended from time to time.

In order to do so, the Commission must retain administrative and professional staff, outside counsel and consultants and incur expenses, but the Commission is without a source of funds to pay such staff, counsel, consultants and expenses

Enclosed in the TIF Commission’s Packet, as **Exhibit 22** is a Funding Agreement by and between the TIF Commission and the Developer. The Funding Agreement contains the TIF Commission’s most recent policies and procedures and has been reviewed and negotiated by staff and legal counsel and we recommend its approval.

Action recommended: APPROVAL OF THE FUNDING AGREEMENT BETWEEN THE TIF COMMISSION, AND UA KC SOUTHPOINTE, LLC, SUBJECT TO MODIFICATIONS ACCEPTED BY THE CHAIR, EXECUTIVE DIRECTOR, LEGAL COUNSEL.

JACKSON COUNTY/HICKMAN MILLS AGENDA ITEMS

PUBLIC HEARING – 10:00 AM

ROLL CALL

- 23. Pioneer Plaza TIF Plan- First Amendment: Consideration of approval of the First Amendment of the Pioneer Plaza TIF Plan, and other matters related thereto. (*Heather Brown*)**

Action recommended: CONTINUING THE PUBLIC HEARING TO 10:30 AM DECEMBER 14, 2021

24. Consideration of acceptance of the Jackson County/Hickman Mills TIFC Minutes, and other matters related thereto. (La’Sherry Banks) Exhibit 1

Minutes of the July 13, 2021 Jackson County/Hickman Mills meeting are included for the Commission’s review prior to the meeting.

Action recommended: ACCEPTANCE OF THE JULY 13, 2021 JACKSON COUNTY/HICKMAN MILLS MINUTES AS PRESENTED.

25. Consent Agenda (Cost Certifications): Consideration of the Cost Consent Agenda for Jackson County/Hickman Mills, and other matters related thereto. (Rick DeSimone) Exhibit 25

The Consent Agenda items for August 2021 are included in the Commission’s Board Packet for review prior to the meeting. The following items are included:

Cost Certifications (Exhibit 25)

Santa Fe TIF Plan: Consideration of certification of costs totaling \$3,559,053.00, and other matters related thereto. (Rick DeSimone)

Request from:	Purcell Mid-City Development
Total amount requested:	\$3,559,053.00
Use of funds:	Mine Stabilization and Land Reclamation
Cost certifier:	CHV
Questioned or disallowed costs:	None
EATs reporting requirement:	100% compliant for the current reporting period (2nd half 2020), 100% Compliant for the last reporting period (1st half 2020).

Notes: Cost include Mine Stabilization, Land Reclamation and Professional Fees that include Legal Fees.

Action recommended: APPROVAL OF THE COST CONSENT AGENDA FOR JACKSON COUNTY/HICKMAN MILLS AND AUTHORIZE AND DIRECT THE CHAIR, VICE-CHAIR OR EXECUTIVE DIRECTOR TO EXECUTE A RESOLUTION APPROVING THE SAME.

26. Santa Fe TIF Plan/Project Phases 2 - 7: Consideration of approval of the Certificate of Partial Completion and Compliance in connection with the Santa Fe TIF Plan and other matters related thereto. (Sandra L. Rayford) Exhibit 26

This Certificate of Partial Completion and Compliance is issued to Pursell Mid-City, LLC (the “Redeveloper”) in accordance with the Amended & Restated Development Agreement

(the “Redevelopment Agreement”), dated November 12, 2014 between the Tax Increment Financing Commission of Kansas City, Missouri (the “Commission”) and Pursell Mid-City, LLC. (the “Redeveloper”) for the implementation of certain improvements (the “Plan Improvements”) contemplated by the Santa Fe Tax Increment Financing Plan (the “TIF Plan”).

This Certificate of Partial Completion and Compliance is issued to the Redeveloper, in accordance with Section 19 of the Redevelopment Agreement for the implementation of a portion of the Plan Improvements that are described on Exhibit A, attached hereto (the “Partially Completed Improvements”), and identified by the TIF Plan and for which Redevelopment Project Costs were submitted and certified, pursuant to the Cochran Head Vick & Co., P.C.’s Independent Accountant’s Report, dated July 1, 2020 (the “Certification of Costs Report”) and Commission Resolution No. 8-_-21 (the “Certification of Costs Resolution”) for Redevelopment Costs through June 11, 2020.

This Certificate of Partial Completion and Compliance does not waive or modify any existing rights or obligations the Redeveloper has or may have under the Redevelopment Agreement, including any obligation the Redeveloper may have to complete the remaining Plan Improvements and to provide reports required by the Redevelopment Agreement and any obligation the Commission may have under the Redevelopment Agreement, including the obligation to reimburse unpaid certified Redevelopment Project Costs.

The Redeveloper has complied with the Commission’s Certification of Costs and Reimbursement Policy, as amended from time to time, and together with the costs to certified pursuant to Certification of Costs Resolution that relate to implementation of the Partially Completed Plan Improvements.

To date, the Redeveloper is in compliance with all provisions of the Redevelopment Agreement, including, but not limited to, the policies incorporated therein. Staff recommends approval of the Certificate of Partial Completion and Compliance subject to the approval of the City Council of the Third Amendment to the Santa Fe TIF Plan.

Action Required: APPROVAL OF THE CERTIFICATE OF PARTIAL COMPLETION AND COMPLIANCE TO THE PURSELL MID-CITY, LLC FOR THE PARTIAL COMPLETION AND COMPLIANCE OF PROJECT PHASES 2 - 7 WITHIN THE SANTA FE TIF PLAN SUBJECT TO THE APPROVAL OF THE CITY COUNCIL OF THE THIRD AMENDMENT TO THE SANTA FE TIF PLAN.

27. Santa Fe TIF Plan: Consideration of approval of a First Amendment to the Amended and Restated Redevelopment Agreement between the Commission and the Pursell Mid-City Development, L.L.C. for the Implementation of certain Improvements contemplated by the Santa Fe TIF Plan, and other matters related thereto. (*Wesley Fields*) Exhibit 27

On July 21, 1993, the City Council (the “City Council”) of the City of Kansas City, Missouri (the “City”), upon the recommendation of the TIF Commission, approved Santa Fe Tax Increment Financing Plan (the “Santa Fe TIF Plan”) by Ordinance No. 930859 and designated the area described therein as a redevelopment area (the “Redevelopment Area”). The Santa

Fe TIF Plan has been subsequently amended, pursuant to a series of ordinances passed by the City Council.

On November 12, 2014, the Commission and Pursell Mid-City Development, L.L.C. (the “Redeveloper”) entered into a Redevelopment Agreement (the “Original Agreement”), which provides for the Redeveloper to implement the improvements contemplated by the Second Amendment to Santa Fe TIF Plan.

The Third Amendment to the Santa Fe TIF Plan, if approved by the City Council, would allow for the continued reclamation of the Redevelopment Area, as contemplated by the Santa Fe TIF Plan, that will support the existing retail and enable the eventual construction of industrial/warehouse uses; provided however, the Third Amendment to the Santa Fe TIF Plan would also provide for (i) the elimination of the construction of approximately 500,000 square feet of retail uses, 3,900,000 square feet of office uses and 3,600,000 square feet of light industrial/warehouse uses described by the Santa Fe TIF Plan, (ii) the modification of the Site Map, as attached to the Santa Fe TIF Plan and (iii) the reduction of the Budget of Estimated Redevelopment Project Costs and modifies the Sources of Funds to pay Redevelopment Project Costs, as set forth in in the Santa Fe TIF Plan (the “Third Amendment Modifications”).

The Redeveloper desires to amend the Original Agreement to incorporate the Third Amendment Modifications.

To the extent the Commission finds acceptable the terms of the First Amendment to the Original Agreement, attached to the Board Packet as **Exhibit 27** which incorporates the Third Amendment Modifications, staff and legal counsel recommend its approval, subject to the City Council’s approval of the Third Amendment to the Santa Fe TIF Plan and further subject to modifications accepted by the Chair, Executive Director and legal counsel.

Action recommended: APPROVAL OF THE FIRST AMENDMENT TO AMENDED AND RESTATED REDEVELOPMENT AGREEMENT WITH PURSELL MID-CITY DEVELOPMENT, L.L.C. FOR THE IMPLEMENTATION OF CERTAIN PUBLIC IMPROVEMENTS CONTEMPLATED BY THE SANTA FE TAX INCREMENT FINANCING PLAN, SUBJECT TO MODIFICATIONS ACCEPTED BY THE CHAIR, THE EXECUTIVE DIRECTOR AND LEGAL COUNSEL; PROVIDED HOWEVER, THE COMMISSION SHALL NOT EXECUTE AND DELIVER THE FIRST AMENDMENT UNTIL THE CITY COUNCIL APPROVES THE THIRD AMENDMENT TO THE SANTA FE TAX INCREMENT FINANCING PLAN.

EXECUTIVE SESSION

- 28. Consideration of legal matters, real estate matters, sealed bids or proposals, or confidential communications between the Commission pursuant to Section 610.021(1), (2), (12), or (17), RSMo, respectively. (Chair Canady)**

RESUME BUSINESS SESSION

29. Adjourment

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