

# **Board Meeting Agenda**

## **Tax Increment Financing Commission**

**City of Kansas City, Missouri**

DATE: March 8, 2022  
TIME: **9:30 a.m.**  
PLACE: Economic Development Corporation Board Room, 4<sup>th</sup> Floor  
300 Wyandotte  
Kansas City, Missouri

## **Videoconference**

<https://us06web.zoom.us/j/89120225749?pwd=cHc3OTlpMmFNK2pqZFIGdEROazlvdz09>

**Meeting ID: 891 2022 5749**

**Passcode: 199445**

**By Telephone: +1 312 626 6799**

# ***PLATTE-CLAY COUNTY/PLATTE RIII AGENDA ITEMS***

## **PUBLIC HEARING – 9:35 AM**

### ***ROLL CALL***

1. **Barry Towne TIF Plan - Fourth Amendment: Consideration of approval of the Fourth Amendment of the Barry Towne TIF Plan, and other matters related thereto. (David Leader)**

*Action recommended:* WITHDRAWN

2. **Consideration of acceptance of the Platte-Clay County/Platte RIII Commission Minutes, and other matters related thereto. (La’Sherry Banks) Exhibit 2**

Minutes of the February 8, 2022 Platte-Clay County/Platte RIII meeting are included for the Commission’s review prior to the meeting.

*Action recommended:* ACCEPTANCE OF THE FEBRUARY 8, 2022 PLATTE-CLAY COUNTY/PLATTE RIII MINUTES AS PRESENTED.

3. **Consent Agenda (Cost Certifications): Consideration of the Cost Consent Agenda for Platte-Clay County/Platte RIII, and other matters related thereto. (Rick DeSimone) Exhibit 3**

The Consent Agenda items for March 2022 are included in the Commission’s Board Packet for review prior to the meeting. The following items are included:

- Cost Certifications (Exhibit 3)

**Barry Towne TIF Plan: Consideration of certification of costs totaling \$92,101.89, and other matters related thereto. (Rick DeSimone)**

Request from:	Pedcor Investment
Total amount requested:	\$92,101.89.
Use of funds:	NID Special Assessments
Cost certifier:	Ralph Johnson
Questioned or disallowed costs:	None
EATs reporting requirement:	80% compliant for the current reporting period (2nd half 2021), 2nd Half Reports are not due to the Commission until 1-31-2022. 100% Compliant for the last reporting period (1st half 2021).

Notes: NID Special Assessment reimbursement of the 2021 Property Tax.

Recommendation: Approval of certification of costs totaling \$92,101.89.

*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.

## ***CLAY COUNTY/PLATTE RIII AGENDA ITEMS***

### ***ROLL CALL***

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

Minutes of the September 14, 2021 Clay County/Platte RIII meeting are included for the Commission’s review prior to the meeting.

*Action recommended:* ACCEPTANCE OF THE SEPTEMBER 14, 2021 CLAY COUNTY/PLATTE RIII MINUTES AS PRESENTED.

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

The Consent Agenda items for March 2022 are included in the Commission’s Board Packet for review prior to the meeting. The following items are included:

- Cost Certifications (Exhibit 5)

**Metro North TIF Plan: Consideration of certification of costs totaling \$1,906,956.69, and other matters related thereto. (Rick DeSimone)**

Request from:	Metro North Crossing LLC
Total amount requested:	\$1,906,956.69
Use of funds:	Project Expenses
Cost certifier:	BerganKDV
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: Project Expenses include Site Work, Landscaping & Signage, General Condition Cost, Construction Interest, Off-Site Road Improvements, and Contingency Expenses. Pay Application #6.

Recommendation: Approval of certification of costs totaling \$1,906,956.69.

*Action recommended:* APPROVAL OF THE COST CONSENT AGENDA FOR CLAY COUNTY/PLATTE RIII 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***

6. **Consideration of acceptance of the Clay County/Liberty-NKC TIFC Minutes, and other matters related thereto. (*La'Sherry Banks*) Exhibit 2**

Minutes of the February 8, 2022 Clay County/Liberty-NKC meeting are included for the Commission's review prior to the meeting.

*Action recommended:* ACCEPTANCE OF THE FEBRUARY 8, 2022 CLAY COUNTY/LIBERTY-NKC MINUTES AS PRESENTED.

7. **Shoal Creek Parkway TIF Plan: Consideration of approval of revisions to certain cost certifications and associated resolutions related to Star Acquisitions within the Shoal Creek Parkway TIF Plan and grant a waiver of the 18-month submittal policy, and other matters related thereto. (*Jennifer Brasher*) Exhibit 7**

Background: The Commission had previously approved certified cost reports (submissions 1 through 4) for Star Acquisitions for the Shoal Creek TIF Plan resulting in executed resolutions. Originally, approved submissions 1-4 contained certain single line items that exceeded budget by more than the lessor of 10% or an amount in excess of \$1,000,000 that would require a Plan amendment. Amounts over the line-item budget were not originally considered questioned costs. Through submission 4, individual line items over budget totaled \$269,513.

Certified Cost Submission No. 4 has been restated to reflect a change in application of the single line item being over budget originally applied in submission 1-4. With the revised submission No.4, \$167,459 in requested reimbursable costs have been removed from the revised submission No. 4 and costs in excess of budget for individual lines items of \$103,950 are now considered questioned costs.

### **Original Resolutions:**



*Action recommended:*

APPROVAL OF REVISIONS TO CERTAIN COST CERTIFICATIONS AND ASSOCIATED RESOLUTIONS RELATED TO STAR ACQUISITIONS WITHIN THE SHOAL CREEK PARKWAY TIF PLAN, GRANT A WAIVER OF THE 18 MONTH SUBMITTAL POLICY AND AUTHORIZE AND DIRECT THE CHAIR, VICE-CHAIR OR EXECUTIVE DIRECTOR TO EXECUTE A RESOLUTION APPROVING THE SAME.

8. **Shoal Creek Parkway TIF Plan: Consideration of acceptance of the recommendations to the Shoal Creek Parkway TIF Plan, and other matters related thereto. (Heather Brown)**

The Shoal Creek Parkway TIF Plan Advisory Committee (the “Advisory Committee”) met on February 24, 2022 to discuss certain modifications to the budget of costs and the dates of completion for improvements contemplated by the Shoal Creek Parkway TIF Plan, as well as the inclusion of additional public infrastructure improvements to be incorporated within the Shoal Creek Parkway TIF Plan that may be funded with a portion of the economic activity taxes generated within the Redevelopment Area described by the Shoal Creek Parkway TIF Plan.

The Advisory Committee recommended that the City Council approve an amendment to the Shoal Creek Parkway TIF Plan that would:

1. Modify the date of completion for the design of North Brighton Avenue, beginning at a point 1,941 linear feet south of NE 79<sup>th</sup> Street and continuing south to Pleasant Valley Road, including right of way acquisition at the intersection of North Brighton and NE Pleasant Valley Road (Public Improvement G2) to December 2024;
2. Modify the date of completion for the construction of certain improvements to North Brighton Road, beginning at NE 58<sup>th</sup> Street and continuing to Pleasant Valley Road (the (Public Improvement G6) and including the intersection at N. Brighton and Pleasant Valley Road (Public Improvement M1) to March 2023;
3. Modify the date of completion for the installation of street lights along N Sherman Road, between NE Cookingham Drive and NE 116<sup>th</sup> Terrace (Public Improvement V) to May 2022;
4. Modify the date of completion for the design and construction of a trail segment along Shoal Creek Parkway, between North Brighton Avenue and Pleasant Valley Road (Public Improvement P) to April 2024; and
5. Modify the budget of costs related to the implementation of improvements within Hodge Park (Public Improvement N).

The Advisory Committee further recommended that the Commission enter into all necessary agreements to accomplish the aforementioned proposed amendments to the Shoal Creek Parkway TIF Plan.

The Advisory Committee further recommended that the Commission approve and recommend that the City Council approve an amendment to the Shoal Creek Parkway TIF Plan that would:

1. Provide for the design and construction of improvements to Soccer Drive from \_\_\_\_\_ to \_\_\_\_\_ and the reimbursement of costs related thereto in an amount not to exceed \$790,000;
2. Provide for right-of-way acquisition for the construction of improvements to North Brighton Road, between Pleasant Valley Road and 79<sup>th</sup> Street and the reimbursement of costs related thereto in an amount not to exceed \$1,000,000; and
3. Provide for the installation of lights for the multi-purpose fields within Hodge Park and the reimbursement of costs related thereto in an amount not to exceed \$550,000.

The Advisory Committee further recommended that the Commission enter into all necessary agreements to accomplish the aforementioned proposed amendments to the Shoal Creek Parkway TIF Plan.

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

*Action recommended:* APPROVAL OF THE RECOMMENDATIONS PRESENTED BY THE SHOAL CREEK TIF PLAN ADVISORY COMMITTEE.

**9. Shoal Creek Parkway TIF Plan: Consideration of approval of a First Amendment to Redevelopment Agreement between the Commission and the City of Kansas City, Missouri for the design of North Brighton Avenue, beginning at a point 1,941 linear feet south of NE 79<sup>th</sup> Street and continuing south to Pleasant Valley Road, including right of way acquisition at the intersection of North Brighton and NE Pleasant Valley Road (G2), in connection with and in furtherance of the Shoal Creek Parkway TIF Plan, and other matters related thereto. (Jon Otto) Exhibit 9**

On November 10, 1994, the City Council (the “City Council”) of the City of Kansas City, Missouri (the “City”), upon the recommendation of the TIF Commission, approved the Shoal Creek Parkway Tax Increment Financing Plan (the “Shoal Creek TIF Plan”) by Ordinance No. 941443 and designated the area described therein as a redevelopment area (the “Redevelopment Area”). The Shoal Creek TIF Plan has been subsequently amended, pursuant to a series of ordinances passed by the City Council.

The Plan provides, among other things, for the design of public infrastructure improvements within the Redevelopment Area, and specifically, the design of North Brighton Avenue, beginning at a point 1,941 linear feet south of NE 79<sup>th</sup> Street and continuing south to Pleasant Valley Road, including right of way acquisition at the intersection of North Brighton and NE Pleasant Valley Road (the “Design of N Brighton and Right of Way Acquisition”).

On December 22, 2017, the City and the Commission entered into a Redevelopment Agreement, which provides for the City to complete the design of North Brighton Avenue, beginning at a point 1,941 linear feet south of NE 79<sup>th</sup> Street and continuing south to Pleasant Valley Road, including right of way acquisition at the intersection of North Brighton and NE

Pleasant Valley Road (the “Design of N Brighton and Right of Way Acquisition”) by July 1, 2019.

The Shoal Creek Parkway TIF Plan Advisory Committee (the “Advisory Committee”) met on February 24, 2022 to discuss certain modifications to the dates of completion for improvements contemplated by the Shoal Creek Parkway TIF Plan, including modifying the date of completion of the Design of N Brighton and Right of Way Acquisition to December 2024. The Shoal Creek Advisory Committee recommended that the City Council approve a 22<sup>nd</sup> Amendment to the Shoal Creek TIF Plan that modifies the date of completion of the Design of N Brighton and Right of Way Acquisition to December 2024.

The City desires to amend the Redevelopment Agreement to provide for the City to complete the Design of N Brighton and Right of Way Acquisition by December 2024 and for the Commission to reimburse certified Redevelopment Project Costs related thereto in amount not to exceed \$485,000.

The First Amendment to the Redevelopment Agreement, attached as **Exhibit 9** to the Commission Board Packet, has been prepared by legal counsel and reviewed by staff and provides for (A) the City to complete the Design of N Brighton and Right of Way Acquisition by December 2024 and (B) the Commission, subject to the terms of the First Amendment to the Redevelopment Agreement, which contains the Commission’s most recent policies and procedures, shall reimburse the City for certified Redevelopment Project Costs related thereto that are not in excess of \$485,000.

To the extent the Commission finds the terms acceptable of the First Amendment to the Redevelopment Agreement, staff and legal counsel recommend its approval, subject to modifications accepted by the Chair, Executive Director and legal counsel.

*Action recommended:*

APPROVAL OF THE FIRST AMENDMENT TO REDEVELOPMENT AGREEMENT WITH CITY OF KANSAS CITY, MISSOURI FOR THE DESIGN OF NORTH BRIGHTON AVENUE, BEGINNING AT A POINT 1,941 LINEAR FEET SOUTH OF NE 79<sup>TH</sup> STREET AND CONTINUING SOUTH TO PLEASANT VALLEY ROAD, INCLUDING RIGHT OF WAY ACQUISITION AT THE INTERSECTION OF NORTH BRIGHTON AND NE PLEASANT VALLEY ROAD, AS CONTEMPLATED BY THE SHOAL CREEK PARKWAY TIF PLAN, SUBJECT MODIFICATIONS ACCEPTED BY THE CHAIR, THE EXECUTIVE DIRECTOR, AND LEGAL COUNSEL; PROVIDED THE EXECUTION OF THE FIRST AMENDMENT SHALL BE SUBJECT TO THE CITY COUNCIL’S APPROVAL OF THE 22<sup>ND</sup> AMENDMENT TO THE SHOAL CREEK PARKWAY TIF PLAN.



10. **Shoal Creek Parkway TIF Plan: Consideration of approval of a First Amendment to Amended and Restated Redevelopment Agreement between the Commission and the City of Kansas City, Missouri for the construction of certain improvements to North Brighton Road, beginning at NE 58<sup>th</sup> Street and continuing to Pleasant Valley Road (the “North Brighton Improvements – (G6)” and including the intersection at N. Brighton and Pleasant Valley Road (the “Pleasant Valley Intersection – “M1”), in connection with and in furtherance of the Shoal Creek Parkway TIF Plan, and other matters related thereto. (Wesley Fields) Exhibit 10**

On November 10, 1994, the City Council (the “City Council”) of the City of Kansas City, Missouri (the “City”), upon the recommendation of the TIF Commission, approved the Shoal Creek Parkway Tax Increment Financing Plan (the “Shoal Creek TIF Plan”) by Ordinance No. 941443 and designated the area described therein as a redevelopment area (the “Redevelopment Area”). The Shoal Creek TIF Plan has been subsequently amended, pursuant to a series of ordinances passed by the City Council.

The Plan provides, among other things, for the design of public infrastructure improvements within the Redevelopment Area, and specifically, the construction of certain improvements to North Brighton Road, beginning at NE 58<sup>th</sup> Street and continuing to Pleasant Valley Road (the “North Brighton Improvements – (G6)” and including the intersection at N. Brighton and Pleasant Valley Road (the “Pleasant Valley Intersection – “M1”) (collectively “Public Infrastructure Improvements”).

On March 9, 2020, the City and the Commission entered into an Amended and Restated Redevelopment Agreement, which provides for the City to complete the Public Infrastructure Improvements by the spring of 2022.

The Shoal Creek Parkway TIF Plan Advisory Committee (the “Advisory Committee”) met on February 24, 2022 to discuss certain modifications to the dates of completion for improvements contemplated by the Shoal Creek Parkway TIF Plan, including modifying the date of completion of the Public Infrastructure Improvements to the spring of 2023. The Shoal Creek Advisory Committee recommended that the City Council approve a 22<sup>nd</sup> Amendment to the Shoal Creek TIF Plan that modifies the date of completion of the Public Infrastructure Improvements to the spring of 2023.

The City desires to amend the Amended and Restated Redevelopment Agreement to provide for the City to complete the Public Infrastructure Improvements by the spring of 2023 and for the Commission to reimburse certified Redevelopment Project Costs related thereto in amount not to exceed \$10,900,000.

The First Amendment to the Amended and Restated Redevelopment Agreement, attached as **Exhibit 10** to the Commission Board Packet, has been prepared by legal counsel and reviewed by staff and provides for (A) the City to complete the Design of N Brighton and Right of Way Acquisition by the spring of 2023 and (B) the Commission, subject to the terms of the First Amendment to the Amended and Restated Redevelopment Agreement, which contains the Commission’s most recent policies and procedures, shall reimburse the City for certified Redevelopment Project Costs related thereto that are not in excess of \$10,900,000.

To the extent the Commission finds the terms acceptable of the First Amendment to the Amended and Restated Redevelopment Agreement, staff and legal counsel recommend its approval, 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 CITY OF KANSAS CITY, MISSOURI FOR THE CONSTRUCTION OF CERTAIN IMPROVEMENTS TO NORTH BRIGHTON ROAD, BEGINNING AT NE 58<sup>TH</sup> STREET AND CONTINUING TO PLEASANT VALLEY ROAD (THE “NORTH BRIGHTON IMPROVEMENTS – (G6)” AND INCLUDING THE INTERSECTION AT N. BRIGHTON AND PLEASANT VALLEY ROAD (THE “PLEASANT VALLEY INTERSECTION – “M1”), AS CONTEMPLATED BY THE SHOAL CREEK PARKWAY TIF PLAN, SUBJECT MODIFICATIONS ACCEPTED BY THE CHAIR, THE EXECUTIVE DIRECTOR AND LEGAL COUNSEL; PROVIDED THE EXECUTION OF THE FIRST AMENDMENT SHALL BE SUBJECT TO THE CITY COUNCIL’S APPROVAL OF THE 22<sup>ND</sup> AMENDMENT TO THE SHOAL CREEK PARKWAY TIF PLAN.

**11. Shoal Creek Parkway TIF Plan: Consideration of approval of a Third Amendment to Redevelopment Agreement between the Commission and the City of Kansas City, Missouri for the design and construction of a trail segment along Shoal Creek, between North Brighton Avenue and Pleasant Valley Road (P), in connection with and in furtherance of the Shoal Creek Parkway TIF Plan, and other matters related thereto. (Jon Otto) Exhibit 11**

On November 10, 1994, the City Council (the “City Council”) of the City of Kansas City, Missouri (the “City”), upon the recommendation of the TIF Commission, approved the Shoal Creek Parkway Tax Increment Financing Plan (the “Shoal Creek TIF Plan”) by Ordinance No. 941443 and designated the area described therein as a redevelopment area (the “Redevelopment Area”). The Shoal Creek TIF Plan has been subsequently amended, pursuant to a series of ordinances passed by the City Council.

The Plan provides, among other things, for the design of public infrastructure improvements within the Redevelopment Area, and specifically, the design and construction of a trail segment along Shoal Creek, between North Brighton Avenue and Pleasant Valley Road (the “Shoal Creek Trail Segment 3”).

On July 14, 2017, the City and the Commission entered into a Redevelopment Agreement, which was subsequently amended on March 2, 2021, and May 4, 2021, which provides for the City to complete the Shoal Creek Trail Segment 3 by December 31, 2021.

The Shoal Creek Parkway TIF Plan Advisory Committee (the “Advisory Committee”) met on February 24, 2022, to discuss certain modifications to the dates of completion for improvements contemplated by the Shoal Creek Parkway TIF Plan, including modifying the date of completion of the Shoal Creek Trail Segment 3 to July 31, 2023. The Shoal Creek Advisory Committee recommended that the City Council approve a 22<sup>nd</sup> Amendment to the Shoal Creek TIF Plan that modifies the date of completion of the Shoal Creek Trail Segment 3 to July 31, 2023.

The City desires to further amend the Redevelopment Agreement to provide for the City to complete Shoal Creek Trail Segment 3 to July 31, 2023 and for the Commission to reimburse certified Redevelopment Project Costs related thereto in amount not to exceed \$1,400,000.

The Third Amendment to the Redevelopment Agreement, attached as **Exhibit 11** to the Commission Board Packet, has been prepared by legal counsel and reviewed by staff and provides for (A) the City to complete the Shoal Creek Trail Segment 3 by July 31, 2023, and (B) the Commission, subject to the terms of the Third Amendment to the Redevelopment Agreement, which contains the Commission’s most recent policies and procedures, shall reimburse the City for certified Redevelopment Project Costs related thereto that are not in excess of 1,400,000.

To the extent the Commission finds the terms acceptable of the Third Amendment to the Redevelopment Agreement, staff and legal counsel recommend its approval, subject to modifications accepted by the Chair, Executive Director and legal counsel.

*Action recommended:* APPROVAL OF THE THIRD AMENDMENT TO REDEVELOPMENT AGREEMENT WITH CITY OF KANSAS CITY, MISSOURI FOR THE DESIGN AND CONSTRUCTION OF A TRAIL SEGMENT ALONG SHOAL CREEK, BETWEEN NORTH BRIGHTON AVENUE AND PLEASANT VALLEY ROAD, AS CONTEMPLATED BY THE SHOAL CREEK PARKWAY TIF PLAN, SUBJECT MODIFICATIONS ACCEPTED BY THE CHAIR, THE EXECUTIVE DIRECTOR AND LEGAL COUNSEL; PROVIDED THE EXECUTION OF THE THIRD AMENDMENT SHALL BE SUBJECT TO THE CITY COUNCIL’S APPROVAL OF THE 22<sup>ND</sup> AMENDMENT TO THE SHOAL CREEK PARKWAY TIF PLAN.

**12. Shoal Creek Parkway TIF Plan: Consideration of approval of a Third Amendment to Redevelopment Agreement between the Commission and the City of Kansas City, Missouri for the conceptual design of Shoal Creek Parkway, between N. Brighton Road and N Woodland Avenue and (2) the construction of certain improvements within Hodge Park, in connection with and in furtherance of the Shoal Creek Parkway TIF Plan, and other matters related thereto. (Wesley Fields) Exhibit 12**

On November 10, 1994, the City Council (the “City Council”) of the City of Kansas City, Missouri (the “City”), upon the recommendation of the TIF Commission, approved the Shoal Creek Parkway Tax Increment Financing Plan (the “Shoal Creek TIF Plan”) by Ordinance No. 941443 and designated the area described therein as a redevelopment area (the “Redevelopment Area”). The Shoal Creek TIF Plan has been subsequently amended, pursuant to a series of ordinances passed by the City Council.

The Plan provides, among other things, for the design of public infrastructure improvements within the Redevelopment Area, and specifically (1) the conceptual design of Shoal Creek Parkway, between N. Brighton Road and N Woodland Avenue and (2) the construction of certain improvements within Hodge Park, including general park improvements to support facilities for a playground, trails and athletic fields and to address drainage, signage, landscaping and roadway improvements (“General Park Improvements and Trail Completion”), a multi-purpose sports field in the north portion of Hodge Park (the “Multi-Purpose Playing Field”), a destination playground project, including the installation of play equipment (the “Destination Playground”), the construction of a parking lot to support the

Destination Playground, trails and athletic fields (“Parking Lot Improvements”) and the construction of a water main for Hodge Park and irrigation for sports fields located within Hodge Park (the “Water Main Extension and Irrigation Improvements,” and together with the General Park Improvements and Trail Completion, Multi-Purpose Playing Field, the Destination Playground and the Parking Lot Improvements, the “Hodge Park Improvements”).

On May 29, 2017, the City and the Commission entered into a Redevelopment Agreement, which was subsequently amended on May 29, 2019, and January 11, 2022, which provides for the City to cause the design of the General Park Improvements and Trail Completion, the Multi-Purpose Playing Field, the destination Playground and the Parking Lot Improvements to be completed by May 2019 and the Water Main Extension to be completed by July 2023.

The Shoal Creek Parkway TIF Plan Advisory Committee (the “Advisory Committee”) met on February 24, 2022, to discuss certain modifications to the budget of redevelopment project costs for improvements contemplated by the Shoal Creek Parkway TIF Plan, including modifying the budget of redevelopment project costs related to the Hodge Park Improvements by reducing the redevelopment project costs related to the Destination Playground by \$78,000 and the Multi-Purpose Playing Field by \$2,000 and increasing the redevelopment project costs related to the Water Main Extension and Irrigation Improvements by \$80,000 (collectively, the Budget Modifications). The Shoal Creek Advisory Committee recommended that the City Council approve the 22<sup>nd</sup> Amendment to the Shoal Creek TIF Plan to incorporate the Budget Modifications.

The City desires to further amend the Redevelopment Agreement to incorporate the Budget Modifications.

The Third Amendment to the Redevelopment Agreement, attached as **Exhibit 12** to the Commission Board Packet, has been prepared by legal counsel and reviewed by staff and provides for the incorporation of the Budget Modifications.

To the extent the Commission finds the terms acceptable of the Third Amendment to the Redevelopment Agreement, staff and legal counsel recommend its approval, subject to modifications accepted by the Chair, Executive Director and legal counsel.

*Action recommended:*

APPROVAL OF THE THIRD AMENDMENT TO REDEVELOPMENT AGREEMENT WITH CITY OF KANSAS CITY, MISSOURI FOR (1) THE CONCEPTUAL DESIGN OF SHOAL CREEK PARKWAY, BETWEEN N. BRIGHTON ROAD AND N. WOODLAND AVENUE AND (2) THE CONSTRUCTION OF CERTAIN IMPROVEMENTS WITHIN HODGE PARK, SUBJECT TO MODIFICATIONS ACCEPTED BY THE CHAIR, THE EXECUTIVE DIRECTOR AND LEGAL COUNSEL; PROVIDED THE EXECUTION OF THE THIRD AMENDMENT SHALL BE SUBJECT TO THE CITY COUNCIL’S APPROVAL OF THE 22<sup>ND</sup> AMENDMENT TO THE SHOAL CREEK PARKWAY TIF PLAN.

13. **SHOAL CREEK PARKWAY TIF PLAN - Consideration of approval of an amendment to the Shoal Creek Prioritization Agreement, and other matters related thereto. (Wesley Fields) Exhibit 13**

*FORTHCOMING*

## **CLAY COUNTY/NKC AGENDA ITEMS**

### **PUBLIC HEARING – 10:00 AM**

#### **ROLL CALL**

14. **North Oak TIF Plan – 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 9:45 AM APRIL 12, 2022.

15. **Consideration of acceptance of the Clay County/NKC TIFC Minutes, and other matters related thereto. (La’Sherry Banks) Exhibit 2**

Minutes of the February 8, 2022 Clay County/NKC meeting are included for the Commission’s review prior to the meeting.

*Action recommended:* ACCEPTANCE OF THE FEBRUARY 8, 2022 CLAY COUNTY/NKC MINUTES AS PRESENTED.

16. **Arlington Road TIF Plan: Consideration of approval of revisions to certain cost certifications and associated resolutions related to Hunt Midwest Real Estate within the Arlington Road TIF Plan, and other matters related thereto. (Jennifer Brasher) Exhibit 16**

Background: certified costs previously approved by resolution 07-10-21 for Arlington Road contained certain single line items that exceeded budget by more than the lesser of 10% or an amount in excess of \$1,000,000 that would require a Plan amendment. Amounts over the line-item budget were not originally considered questioned costs. The Certified costs submission has been restated to reflect a change in the application of the single line item being over budget originally applied. With the revised submission, costs in excess of the budget for individual lines items of \$5,327 are now considered questioned costs.

Original Resolution:

Resolution 07-10-21

TIF Plan	Developer	Costs Requested	Questioned Costs	Costs Certified
Arlington Road	Hunt Midwest Real Estate	\$ 244,102	none	\$ 244,102
Parvin Road	Hunt Midwest Real Estate	33,246	none	33,246

Original Resolution Total                    \$        277,348    \$                    -    \$        277,348

New Resolution

TIF Plan	Developer	Costs Requested	Questioned Costs	Costs Certified	Notes
Arlington Road	Hunt Midwest Real Estate	\$ 244,102	\$ 5,327	\$ 238,775	Replacing Resolution 07-10-21
Parvin Road	Hunt Midwest Real Estate	33,246	none	33,246	Replacing Resolution 07-10-21

New Resolution Total                    277,348                    5,327                    272,021

Difference                    \$                    -    \$                    5,327    \$                    5,327

Recommendation: To rescind Resolution 07-10-21 and related cost certification for Arlington Road/ Hunt Midwest Real Estate totaling \$277,348 and approve the restated cost certification for Arlington Road/ Hunt Midwest totaling \$272,021 and reapprove certification for Parvin Road/Hunt Midwest Real Estate in the amount \$33,246.

*Action recommended:*

APPROVAL OF REVISIONS TO CERTAIN COST CERTIFICATIONS AND ASSOCIATED RESOLUTIONS RELATED TO HUNT MIDWEST REAL ESTATE WITHIN THE ARLINGTON ROAD TIF PLAN AND AUTHORIZE AND DIRECT THE CHAIR, VICE-CHAIR, OR EXECUTIVE DIRECTOR TO EXECUTE A RESOLUTION APPROVING THE SAME.

17. **Briarcliff West TIF Plan: Consideration of acceptance of the Five-Year Progress Report in connection with the Briarcliff West TIF Plan, and other matters related thereto. (Sandra Rayford) Exhibit 17**

The Briarcliff West TIF Plan was approved by City Council May 3, 1990, Ordinance No. 065497 which has been amended several times. The Briarcliff TIF Plan contemplated the development and new construction of office and commercial, retail, housing, and hotel development. Briarcliff Development Company entered into an agreement with the Tax Increment Financing Commission on September 5, 1990. The Redevelopment Agreement requires that the Developer provide the Commission a Progress Report every five years during the life of the TIF Plan. Enclosed with your board packets is a copy of a PowerPoint presentation provided by the Developer as their Progress Report.

*Action recommended:* ACCEPTANCE OF THE FIVE-YEAR PROGRESS REPORT OF THE BRIARCLIFF WEST TIF PLAN

## ***ADMINISTRATIVE TIF COMMISSION AGENDA ITEMS***

### ***ROLL CALL***

18. **Consideration of acceptance of the Administrative TIFC Minutes, and other matters related thereto. (La'Sherry Banks) Exhibit 2**

Minutes of the February 8, 2022 Administrative TIFC meeting are included for the Commission's review prior to the meeting.

*Action recommended:* ACCEPTANCE OF THE FEBRUARY 8, 2022 ADMINISTRATIVE TIFC MINUTES AS PRESENTED.

19. **Economic Activity Taxes: Consideration of acceptance of the Economic Activity Taxes Report, and other matters related thereto. (Rick DeSimone) Exhibit 19**

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

20. **Affirmative Action and Contract Compliance Subcommittee Reports: Consideration of acceptance of the Affirmative Action and Contract Compliance Reports, and other matters related thereto. (Sandra Rayford) Exhibit 20**

The Affirmative Action/Contract Compliance Committee met on February 22, 2022. A draft MBE/WBE Executive Summary of active TIF Projects expenditures through January 2022 with Minority and Women Business Enterprises was prepared by staff and presented to the Committee for review. The City's Civil Rights and Equal Opportunity Department has advised TIF Staff that they will no longer generate reports and that it will be the responsibility of the Commission for collecting the data and preparing reports. A copy of the report is in the board packet for your review.

*Action recommended:* NONE; INFORMATION ONLY

21. **Governance, Finance and Audit Subcommittee: Consideration of acceptance of the Governance, Finance and Audit Reports, and other matters related thereto. (Tammy Queen) Exhibit 21**

The Governance, Finance and Audit Subcommittee met on February 28, 2022 to consider the following item:

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

*Action recommended:* ACCEPTANCE OF THE FINANCIAL REPORT

22. **Neighborhood & Housing Subcommittee: Consideration of the Neighborhood & Housing Report, and other matters related thereto. (Ryana Parks-Shaw) Exhibit 22**

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

*Action recommended:* NONE; INFORMATION ONLY.

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

*Action recommended:* NONE; INFORMATION ONLY.

24. **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

## PUBLIC HEARING – 10:00 AM

### ROLL CALL

25. **SouthPointe at 63<sup>rd</sup> Street TIF Plan: Consideration of approval of the SouthPointe at 63<sup>rd</sup> Street TIF Plan, and other matters related thereto. (David Leader) Exhibit 25**

Action recommended: (1 of 2) CLOSING THE PUBLIC HEARING.

(2 OF 2) RECOMMENDATION FORTHCOMING

26. **Consideration of acceptance of the Jackson County/KCMO TIFC Minutes, and other matters related thereto. (La’Sherry Banks) Exhibit 2**

Minutes of the February 8, 2022 Jackson County/KCMO meeting are included for the Commission’s review prior to the meeting.

Action recommended: ACCEPTANCE OF THE FEBRUARY 8, 2022 JACKSON COUNTY/KCMO MINUTES AS PRESENTED.

27. **Consent Agenda (Cost Certifications): Consideration of the Cost Consent Agenda for Jackson County/KCMO, and other matters related thereto. (Rick DeSimone) Exhibit 27**

The Consent Agenda items for March 2022 are included in the Commission’s Board Packet for review prior to the meeting. The following items are included:

- Cost Certifications (Exhibit 27)

**Overlook TIF Plan: Consideration of certification of costs totaling \$557,412, and other matters related thereto. (Rick DeSimone) Exhibit x**

Request from:	Oz Development Company
Total amount requested:	\$557,412
Use of funds:	Project Redevelopment Cost
Cost certifier:	Novak Birks
Questioned or disallowed costs:	None
EATs reporting requirement:	Initial Reporting Period Pending Project Completion.

Notes: Project Costs include Design & Engineering Cost, Building & Site Demolition Costs and Environmental Remediation Cost. Draw Request #4.

Recommendation: Approval of certification of costs totaling \$557,412.

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

**28. Southtown/31<sup>st</sup> & Baltimore TIF Plan: Consideration of approval of the Certificate of Completion and Compliance in connection with the Southtown/31<sup>st</sup> & Baltimore TIF Plan, and other matters related thereto. (Sandra L. Rayford) Exhibit 28**

This Certificate of Completion and Compliance is issued to Midwest Division – PFC, LLC (the “Redeveloper”) in accordance with the Agreement dated, October 3, 1994 (the “Redevelopment Agreement”), between the Tax Increment Financing Commission of Kansas City, Missouri (the “Commission”) and Health Midwest Partners For Change, Inc. (“Health Midwest”), pursuant to which the rights, duties, interests and obligations arising thereunder were assigned to the Redeveloper as provided by that certain Assignment and Assumption Agreement, dated April 1, 2003, by and among the Commission, Health Midwest and the Redeveloper for the implementation of certain improvements contemplated by Exhibit 7 to the of the Southtown/31<sup>st</sup> & Baltimore Tax Increment Financing Plan (the “TIF Plan”) and that relate to Redevelopment Projects A, B, C, D, F, & M described therein (the “Completed Project Improvements”).

The Completed Project Improvements consist of the following: Research Medical Center Campus (“Project A Improvements”), data processing center (“Project B Improvements”), green belt improvements (“Project C Improvements”), 92,837 sq. ft. office building and ambulatory care center (“Project D Improvements”) green belt improvements, (“Project F Improvements”) and TIF BRITE Housing Program (“Project M Improvements”),

	<u>Budget</u>	<u>Actual</u>
Total Cost of Project and Public Improvements	\$32,486,827	\$16,466,292
Redevelopment Costs Eligible for Reimbursement	\$32,486,827	\$16,466,292

COMPLIANCE WITH COMMISSION POLICIES: The Redeveloper is in compliance with the policies attached to and incorporated within the Redevelopment Agreement.

Staff recommends approval of the Certificate of Partial Completion and Compliance.

*Action recommended:* APPROVAL OF THE CERTIFICATE OF COMPLETION AND COMPLIANCE TO MIDWEST DIVISION-PFC, LLC. FOR THE COMPLETED PROJECT IMPROVEMENTS COSTS AND DIRECT THE CHAIR, VICE-CHAIR OR EXECUTIVE DIRECTOR TO EXECUTE A RESOLUTION APPROVING THE SAME.

# ***JACKSON COUNTY/HICKMAN MILLS AGENDA ITEMS***

## ***ROLL CALL***

- 29. Consideration of acceptance of the Jackson County/Hickman Mills TIFC Minutes, and other matters related thereto. (*La’Sherry Banks*) Exhibit 2**

Minutes of the February 8, 2022 Jackson County/Hickman Mills meeting are included for the Commission’s review prior to the meeting.

*Action recommended:* ACCEPTANCE OF THE FEBRUARY 8, 2022 JACKSON COUNTY/HICKMAN MILLS MINUTES AS PRESENTED.

- 30. Bannister & I-435 TIF Plan: Consideration of the Prevailing Wage Resolution regarding Project Area 6 of the Bannister & I-435 TIF Plan, and other matters related thereto. (*Sandra L. Rayford*) Exhibit 30**

The Affirmative Action/Contract Compliance Committee met on February 22, 2022 to discuss Cerner Property Development, Inc.’s resolution to pay restitution to construction worker’s that worked on the Taco Bell which was constructed in Project Area 6. It had been brought to the attention of the Commission that the General Contractor had utilized Wage Order #25 instead of Wage Order #27 during the construction of the project. Representatives of Cerner attended the meeting and presented a schedule of restitution payments to be paid the construction workers. The schedule of payments is in your board packet.

*Action recommended:* NONE; INFORMATION ONLY.

## **EXECUTIVE SESSION**

- 31. 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**

- 32. Adjournment**

**high-performance work system  
technology  
organizational structure  
people  
processes  
all work together**