

# **Board Meeting Agenda**

## **Tax Increment Financing Commission**

**City of Kansas City, Missouri**

DATE: June 14, 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 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 May 10, 2022 Platte County/Platte RIII-Park Hill meeting are included for the Commission’s review prior to the meeting.

*Action recommended:* ACCEPTANCE OF THE MAY 10, 2022 PLATTE COUNTY/PLATTE RIII-PARK HILL MINUTES AS PRESENTED.

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

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

- Cost Certifications (**Exhibit 2**)

**KCI Corridor TIF Plan: Consideration of certification of costs totaling \$286,628.99, and other matters related thereto. (*Gloria Garrison*)**

Request from:	MD Management, Inc.
Total amount requested:	\$286,628.99
Use of funds:	Street Improvements and Administrative Cost
Cost certifier:	Ralph Johnson
Questioned or disallowed costs:	None
EATs reporting requirement:	92% compliant for the current reporting period (2 <sup>nd</sup> half 2021), 96%Compliant for the last reporting period (1 <sup>st</sup> half 2021).

Notes: Street and Public Improvements Project 7D Old Tiffany Springs Road-soft costs. Street and Public Improvements Project 17 Line Creek Parkway-soft costs, Street and Public Improvements Project 21 Northland Sports Complex Sitework & Utilities and Soft-Costs, construction period interest. A portion of this request will be paid from a bond draw—see schedule below.

	Bond Draw Portion- Project Fund	Bond Draw Portion- Admin Fund	Pay As You Go Portion	Total Certification
KCI Corridor				
MD Management Project 7D	\$ 2,580.70			\$ 2,580.70
MD Management Project 21	281,951.70			281,951.70
MD Management Project 17			\$ 2,094.18	2,094.18
MD Management Interest		\$ 2.41		2.41
	\$ 284,532.40	\$ 2.41	\$ 2,094.18	\$ 286,628.99

*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: Consideration of approval of the Certificate of Partial Completion and Compliance No. 3 in connection with Project 21 – Northland Sports Complex within the KCI Corridor TIF Plan, 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 June 28, 2021, 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 public infrastructure improvements related to the development of a Sports Complex (the “Partially Completed 21 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 April 30, 2022 by Independent Accountant’s Report (the “Certification Report”) dated May 12, 2022 by Ralph C. Johnson & Company, P.C.

**Redevelopment Project Costs**

	Budget	Actual
Public Improvement 21 Reimbursable Soft Costs	\$15,570,000	\$4,828,288
Total Public Improvement 21 Reimbursable Costs	\$15,570,000	\$4,828,288

The Redeveloper satisfactorily complied with the policies attached to and incorporated within the Redevelopment Agreement, including the Commission’s Work Force Policy and Ordinance No. 180535, as amended (the “MBE/WBE Ordinance.”).

Staff recommends approval of the Certificate of Partial Completion and Compliance No. 3.

*Action recommended:*

APPROVAL OF THE CERTIFICATE OF PARTIAL COMPLETION AND COMPLIANCE NO. 3 TO M.D. MANAGEMENT, INC. FOR THE PARTIALLY COMPLETED PUBLIC IMPROVEMENTS 21 COSTS WITHIN THE KCI CORRIDOR TIF PLAN AND DIRECT THE CHAIR, VICE-CHAIR OR EXECUTIVE DIRECTOR TO EXECUTE A RESOLUTION APPROVING THE SAME.

**4. KCI Corridor TIF Plan: Consideration of approval of the Certificate of Partial Completion and Compliance No. 15 in connection with Project 17 within the KCI Corridor TIF Plan, and other matters related thereto. (Sandra L. Rayford) Exhibit 4**

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 April 30, 2022 by Independent Accountant’s Report (the “Certification Report”) dated May 12, 2022 by Ralph C. Johnson & Company, P.C.

	<u>Redevelopment Project Costs</u>	
	<b>Budget</b>	<b>Actual</b>
Total Public Improvement 17 Costs	\$3,130,324	\$3,116,897
Total Reimbursable Construction Costs	\$2,658,129	\$2,658,129
Total Reimbursable Engineering Costs	\$ 335,000	\$ 333,989
Total Reimbursable Soft Costs	\$ 137,195	\$ 124,779

The Redeveloper satisfactorily complied with the policies attached to and incorporated within the Redevelopment Agreement, including the Commission’s Work Force Policy and Ordinance No. 180535, as amended (the “MBE/WBE Ordinance.”).

Staff recommends approval of the Certificate of Partial Completion and Compliance No. 15.

*Action recommended:*

APPROVAL OF THE CERTIFICATE OF PARTIAL COMPLETION AND COMPLIANCE NO. 15 TO M.D. MANAGEMENT, INC. FOR THE PARTIALLY COMPLETED PUBLIC IMPROVEMENTS 17 COSTS WITHIN THE KCI CORRIDOR TIF PLAN 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***

**5. 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 May 10, 2022 Platte-Clay County/Platte RIII meeting are included for the Commission’s review prior to the meeting.

*Action recommended:* ACCEPTANCE OF THE MAY 10, 2022 PLATTE-CLAY COUNTY/PLATTE RIII MINUTES AS PRESENTED.

**6. Consent Agenda (Cost Certifications): Consideration of approval of the Cost Consent Agenda for Platte-Clay County/Platte RIII, and other matters related thereto. (Gloria Garrison) Exhibit 6**

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

- Cost Certifications (Exhibit 6)

**Platte Purchase Development Plan: Consideration of certification of costs totaling \$71,373.96, and other matters related thereto. (Gloria Garrison)**

Request from:	Hunt Midwest Real Estate
Total amount requested:	\$71,373.96
Use of funds:	Water & Sewer main Extension
Cost certifier:	Ralph Johnson
Questioned or disallowed costs:	None
EATs reporting requirement:	100% compliant for the current reporting period (2 <sup>nd</sup> half 2021), 100% Compliant for the last reporting period
	(1 <sup>st</sup> half 2021).

Notes: Improvement Cost Project 11 Water & Sanitary Sewer Construction and Waterline. A portion of this request will be paid from bond draw-see schedule below.

	<b>Bond Draw Portion</b>	<b>City Contribution</b>	<b>Total Certification</b>
Platte Purchase			
Hunt Midwest Water & Sewer Proj 11	\$ 71,373.96		\$ 71,373.96

Recommendation: Approval of certification of costs totaling \$71,373.96 and payment of related bond draw of \$71,373.96. Reimbursement is subject to the issuance of a Certificate of Partial Completion.

**Platte Purchase Development Plan: : Consideration of bond draw totaling \$6,637.87, and other matters related thereto. (Gloria Garrison)**

Request from: Olsson  
 Total amount requested: \$6,637.87  
 Use of funds: Professional Services for work completed on Platte Purchase Project 6 – MO Route 152 and Platte Purchase Interchange.

<b>Olsson</b>	<b>Date</b>	<b>Bond Draw Portion</b>	<b>Pay As You Go Portion</b>	<b>Total</b>
Invoice 408149	12/21/2021	\$ 859.74		\$ 859.74
Invoice 402939	10/29/2021	5,778.13		5,778.13
		<b>\$ 6,637.87</b>		<b>\$ 6,637.87</b>

Notes: The draw is for \$6,637.87 for Professional Service payable from the Platte Purchase Project Bond Fund, related to the Platte Purchase TIF Plan.

Recommendation: Approval of payment of bond draw totaling \$6,637.87.

*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/NKC AGENDA ITEMS***

**PUBLIC HEARING – 9:45 AM**

***ROLL CALL***

- 7. **North Oak TIF Plan – Twelfth Amendment: Consideration of approval of the Twelfth Amendment of the North Oak TIF Plan, and other matters related thereto. (David Leader)**

*Action recommended:* CONTINUING THE PUBLIC HEARING TO 9:45 AM JULY 12, 2022

**PUBLIC HEARING – 9:50 AM**

***ROLL CALL***

- 8. **Chouteau I-35 TIF Plan – Ninth Amendment: Consideration of approval of the Ninth Amendment of the Chouteau I-35 TIF Plan, and other matters related thereto. (David Leader) Exhibit 8**

The purpose of this hearing is for the TIF Commission to consider recommending to the City Council of Kansas City, Missouri approval of the Ninth Amendment of the Chouteau I-35 TIF Plan (the “TIF Plan”).

**Notices:** All notices required by the TIF statute have been published and/or mailed as required by law.

**Redevelopment Area:** The Redevelopment Area, as described by the Plan, is generally bounded by North Antioch on the west, I-35 on the north, North Brighton on the east and Parvin Road on the south, in Kansas City, Clay County, Missouri.

**Objective of Amendment:** To incorporate the addition of the Searcy Creek Trail Public Improvement and to remove all references to the acquisition and improvement of the Offsite Antioch Project at 4305 N Antioch. The Searcy Creek Trail Public Improvement will increase the total construction costs by \$399,096. The Total TIF Reimbursable Costs are reduced by \$130,000 due to a clerical error, but line items remain unchanged.

**Proposed Ninth Amendment to the Chouteau I-35 TIF Plan:** The proposed Ninth Amendment to the Chouteau I-35 TIF Plan provides for:

- (1) modifications to the description of the public improvements to be implemented pursuant to the Plan;
- (2) modifications to the Site Plan
- (3) modifications to the Budget of Redevelopment Project Costs;
- (4) modifications to the Sources of Funds;
- (5) modifications to the Redevelopment Schedule; and
- (6) modifications to the description of property acquisition and disposition.

The intent of the Chouteau I-35 TIF Plan remains unchanged other than those changes specifically mentioned in the proposed Ninth Amendment.

**Statutory Findings:** The Ninth Amendment does not alter certain of the previous required statutory findings made by the TIF Commission. Specifically,

- **Blighted Area:** The Ninth Amendment does alter the previous finding that the Redevelopment Area on the whole is a blighted area and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed “but for” the adoption of tax increment financing.
- **Finding the Area Conforms to the City’s Comprehensive Plan:** The changes contemplated by the Ninth Amendment are of a nature that they do not alter the TIF Commission’s previous finding that the Chouteau I-35 TIF Plan conforms to the City’s FOCUS Plan.

- **Cost-Benefit Analysis:** The changes contemplated by the Ninth Amendment are of a nature that they do not alter existing cost-benefit analysis attached to the Plan and approved by the City, which assesses the economic impact of the Plan on each affected Taxing District and provides sufficient information to evaluate whether the Redevelopment Projects, as proposed by the Plan, are financially feasible.
- **Redevelopment Schedule:** All Redevelopment Projects, including those contemplated by the Ninth Amendment, are to be completed no later than twenty-three (23) years from the adoption of the ordinances approving the Redevelopment Projects.
- **Date to Retire Obligations:** In the event Obligations are issued to finance Redevelopment Project Costs, it is anticipated that such Obligations will be retired in less than twenty-three (23) years from the adoption of the Ordinance approving the last Redevelopment Project to be approved by the City Council from which TIF Revenue is utilized to pay principal and interest on such Obligations
- **Relocation Plan:** The changes contemplated by the Ninth Amendment are of a nature that they do not alter the previous relocation assistance plan that is a part of the Chouteau I-35 TIF Plan. The Ninth Amendment does not contemplate the relocation of any businesses or residents.
- **Gambling Establishment:** The Ninth Amendment does not include development or redevelopment of any gambling establishment.
- **Acquisition by Eminent Domain:** This Ninth Amendment does not contemplate that any property located within a Redevelopment Project Area will be acquired by eminent domain later than five (5) years from the adoption of the Ordinance approving such Redevelopment Project.
- **Date to Adopt Redevelopment Project:** The Ninth Amendment does not provide for the adoption of an Ordinance approving any Redevelopment Project later than ten (10) years from the adoption of the Plan.

Staff believes that the Ninth Amendment to the Chouteau I-35 TIF Plan meets all statutory requirements of the TIF Act and proposes the following actions:

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

**(2 of 2)** APPROVAL OF THE NINTH AMENDMENT OF THE CHOUTEAU I-35 TIF PLAN AND FORWARDING A RECOMMENDATION TO CITY COUNCIL FOR APPROVAL.

**9. Chouteau I-35 TIF Plan: Consideration of approval of a Mutual Termination and Release Agreement, in connection with the acquisition of property located at 4305 NE Antioch Road, Kansas City, Missouri, and other matters related thereto. (Wesley Fields) Exhibit 9**



On April 23, 1998, the City Council (the “City Council”) of the City of Kansas City, Missouri (the “City”), upon the recommendation of the TIF Commission, approved the Chouteau I-35 Tax Increment Financing Plan (the “Chouteau I-35 TIF Plan”) by Ordinance No. 980426 and designated the area described therein as a redevelopment area (the “Redevelopment Area”). The Chouteau I-35 TIF Plan has been subsequently amended, pursuant to a series of ordinances passed by the City Council. The Eighth Amendment to the Chouteau I-35 TIF Plan provides, among other things, for the remediation of blight and the construction of certain public improvements, including the acquisition of 4305 NE Antioch Road, Kansas City, Missouri (the “Subject Property”).

On June 3, 2020, the Commission and the City entered into a Funding Agreement (the “Funding Agreement”), which provides for the City to acquire the Subject Property, and for the TIF Commission, subject to the satisfaction of certain conditions, to reimburse the City for costs related thereto in an amount not to exceed \$700,000 (the “Commission’s Contribution”).

The City has indicated that it no longer requires the Commission’s Contribution to acquire the Subject Property and each of the City and the Commission desire to terminate the Funding Agreement and release one another from any obligation arising thereunder.

Attached as **Exhibit 9** to the Board Packet is a Mutual Termination and Release Agreement, which provides, in part, for the termination of the Funding Agreement and for the City’s and the Commission’s mutual release of any and all past, present and future claims whatsoever arising under the Funding Agreement.

To the extent, the Commission finds acceptable the terms of the Mutual Termination and Release Agreement attached to the Board Packet as **Exhibit 9**, staff and legal counsel recommend its approval, subject to modifications accepted by the Chair, Executive Director and legal counsel.

*Action recommended:*

APPROVAL OF THE MUTUAL TERMINATION AND RELEASE AGREEMENT WITH THE CITY OF KANSAS CITY, MISSOURI IN CONNECTION WITH THE ACQUISITION OF PROPERTY LOCATED AT 4305 NE ANTIOCH ROAD, KANSAS CITY, MISSOURI WITHIN THE CHOUTEAU I-35 TIF PLAN, SUBJECT TO MODIFICATIONS ACCEPTED BY THE CHAIR, THE EXECUTIVE DIRECTOR, AND LEGAL COUNSEL.

**10. Chouteau I-35 TIF Plan: Consideration of approval of a Redevelopment Agreement with the City in connection with certain public improvements that are necessary to construct a trail along Searcy Creek, and other matters related thereto. (Wesley Fields) (Exhibit 10)**

On April 23, 1998, the City Council (the “City Council”) of the City of Kansas City, Missouri (the “City”), upon the recommendation of the TIF Commission, approved the Chouteau I-35 Tax Increment Financing Plan (the “Chouteau I-35 TIF Plan”) by Ordinance No. 980426 and designated the area described therein as a redevelopment area (the “Redevelopment Area”).

The Chouteau I-35 TIF Plan has been subsequently amended, pursuant to a series of ordinances passed by the City Council.

The proposed Ninth Amendment to the Chouteau I-35 TIF Plan provides, in part, for the design and construction of a 10' wide concrete non-motorized transportation facility along Searcy Creek between NE Parvin Road to approximately North Topping Avenue and the grading and culvert improvements for a future trail improvement from approximately North Topping Avenue to NE 48th Street (the "Searcy Creek Trail Public Improvements"). The City desires to enter into an agreement with the Commission (the "Redevelopment Agreement"), which shall provide, in part, for the City to design and construct the Searcy Creek Trail Public Improvements by December 2023 and for the Commission, subject to the terms and conditions of the Redevelopment Agreement, to reimburse the City for costs related thereto in an amount not in excess of \$700,000.

Attached to the Commission Board Packet as **Exhibit 10**, is the Redevelopment Agreement, which provides, in part, for the City to design and construct the Searcy Creek Trail Public Improvements by December 2023 and for the Commission, subject to the terms and conditions of the Redevelopment Agreement, to reimburse the City for costs related thereto in an amount not in excess of \$700,000.

To the extent the Commission finds acceptable the terms of the Redevelopment Agreement, attached to the Board Packet as **Exhibit 10**, and subject to the City Council's approval of the Ninth Amendment to Chouteau I-35 TIF Plan, as recommended by the Commission, staff and legal counsel recommend its approval, subject to modifications accepted by the Chair, Executive Director and legal counsel.

*Action recommended:* APPROVAL OF THE REDEVELOPMENT AGREEMENT WITH THE CITY OF KANSAS CITY, MISSOURI FOR THE DESIGN AND CONSTRUCTION OF CERTAIN PUBLIC IMPROVEMENTS TO SUPPORT THE CONSTRUCTION OF A TRAIL ALONG SEARCY CREEK BETWEEN NE 48TH STREET AND NORTH TOPPING AVENUE, SUBJECT TO THE CITY COUNCIL'S APPROVAL OF THE NINTH AMENDMENT TO THE CHOUTEAU I-35 TIF PLAN, AS RECOMMENDED BY THE TIF COMMISSION, AND SUBJECT TO MODIFICATIONS ACCEPTED BY THE CHAIR, THE EXECUTIVE DIRECTOR AND LEGAL COUNSEL

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

Minutes of the May 10, 2022 Clay County/NKC meeting are included for the Commission's review prior to the meeting.

*Action recommended:* ACCEPTANCE OF THE MAY 10, 2022 CLAY COUNTY/NKC MINUTES AS PRESENTED.

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

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

Cost Certifications (**Exhibit 12**)

**Parvin Road TIF Plan: Consideration of certification of costs totaling \$12,678, and other matters related thereto. (Gloria Garrison)**

Request from:	Hunt Midwest
Total amount requested:	\$12,678
Use of funds:	Construction, Road & Infrastructure improvements
Cost certifier:	Novak Birks
Questioned or disallowed costs:	None
EATs reporting requirement:	89% compliant for the current reporting period (2 <sup>nd</sup> half 2021), 100% Compliant for the last reporting period (1 <sup>st</sup> half 2021).

Notes: Project Area 3A Expense includes Construction Period Interest. Project Area 4 Expenses include TIF Administration Expenses, Construction Period Interest and Financing Cost. Pay Application 130.

Recommendation: Approval of certification of costs totaling \$12,678

*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 Corridor TIF Plan: Consideration of approval of the Certificate of Partial Completion and Compliance No. 10 in connection with Project Areas 1 -4 within the Parvin Road Corridor TIF Plan, and other matters related thereto. (Sandra L. Rayford) Exhibit 13**

This Certificate of Partial Completion and Compliance is issued to Hunt Midwest Real Estate Development, Inc. (the “Redeveloper”), in accordance with Section 19 of the Amended and Restated Redevelopment Agreement (the “Redevelopment Agreement”), dated June 8, 2013 and amended on March 16, 2018 and April 1, 2022 between the Tax Increment Financing Commission of Kansas City, Missouri (the “Commission”) and the Redeveloper for the implementation of a portion of the Uncompleted Private Project Improvements and Uncompleted Public Improvements described on Exhibit A, attached hereto (the “Partially Completed Public Improvements”), and identified by the Parvin Road Corridor Tax Increment Financing Plan, as amended (the “TIF Plan”) and for which Redevelopment Project

Costs through March 31, 2022 were submitted and certified, pursuant to the Novak Birks, P.C.'s Independent Accountant's Report, dated May 23, 2022.

	<b>Budget</b>	<b>Actual</b>
Total Public Improvements	\$68,155,814	\$39,185,328
Public Improvement Costs Eligible for Reimbursement	\$68,155,814	\$39,185,328

The Redeveloper satisfactorily complied with the policies attached to and incorporated within the Redevelopment Agreement, including the Commission's Work Force Policy and Ordinance No. 180535, as amended (the "MBE/WBE Ordinance.").

Staff recommends approval of the Certificate of Partial Completion and Compliance No. 10.

*Action recommended:*

APPROVAL OF THE CERTIFICATE OF PARTIAL COMPLETION AND COMPLIANCE NO. 10 TO HUNT MIDWEST REAL ESTATE DEVELOPMENT, INC. FOR THE PARTIALLY COMPLETED PROJECTS 1-4 COSTS WITHIN THE PARVIN ROAD CORRIDOR TIF PLAN AND DIRECT THE CHAIR, VICE-CHAIR, OR EXECUTIVE DIRECTOR TO EXECUTE A RESOLUTION APPROVING THE SAME.

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

### **PUBLIC HEARING – 10:00 AM**

#### ***ROLL CALL***

14. **Shoal Creek TIF Plan – Twenty-Third Amendment: Consideration of approval of the Twenty Third Amendment of the Shoal Creek TIF Plan, and other matters related thereto. (David Leader) Exhibit 14**

The purpose of this hearing is for the TIF Commission to consider recommending to the City Council of Kansas City, Missouri approval of the Twenty-Third Amendment of the Shoal Creek Parkway TIF Plan (the "TIF Plan").

**Notices:** All notices required by the TIF statute have been published and/or mailed as required by law.

**Redevelopment Area:** The Redevelopment Area, as described by the Plan, is generally bounded on the north by NE Cookingham Drive and Missouri Route 291, on the east by the Kansas City – Liberty city limits and Missouri Route 291, on the south by the Kansas City-Pleasant Valley city limits and on the west by Maplewoods Parkway, all in Kansas City, Clay County, Missouri.

**Proposed Twenty-Third Amendment to the Shoal Creek Parkway TIF Plan:** The proposed Twenty-Third Amendment to the Shoal Creek Parkway TIF Plan provides for:

- (1) modifications to the description of the boundaries of the Redevelopment Area and Redevelopment Project Area N,
- (2) modifications to the description of the public improvements to be implemented pursuant to the Plan,
- (3) modifications to the Site Plan,
- (4) modifications to the Budget of Redevelopment Project Costs,
- (5) modifications to the Sources of Funds and
- (6) modifications to the Redevelopment Schedule.

The intent of the Shoal Creek Parkway TIF Plan remains unchanged other than those changes specifically mentioned in the proposed Twenty-Third Amendment.

**Statutory Findings:** The Twenty-Third Amendment does not alter certain of the previous required statutory findings made by the TIF Commission. Specifically,

- **Economic Development Area:** The Twenty-Third Amendment does alter the previous finding that the Redevelopment Area, on the whole, is an economic development area and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed “but for” the adoption of tax increment financing.
- **Finding the Area Conforms to the City’s Comprehensive Plan:** The changes contemplated by the Twenty-Third Amendment are of a nature that they do not alter the TIF Commission’s previous finding that the Shoal Creek Parkway TIF Plan conforms to the City’s FOCUS Plan.
- **Cost-Benefit Analysis:** The changes contemplated by the Twenty-Third Amendment are of a nature that they do not alter existing cost-benefit analysis attached to the Shoal Creek Parkway and approved by the City, which assesses the economic impact of the Shoal Creek Parkway Plan on each affected Taxing District and provides sufficient information to evaluate whether the Redevelopment Projects, as proposed by the Shoal Creek Parkway Plan, are financially feasible.
- **Redevelopment Schedule:** All Redevelopment Projects, including those contemplated by the Twenty-Third Amendment, are to be completed no later than twenty-three (23) years from the adoption of the ordinances approving the Redevelopment Projects.
- **Date to Retire Obligations:** In the event Obligations are issued to finance Redevelopment Project Costs, it is anticipated that such Obligations will be retired in less than twenty-three (23) years from the adoption of the Ordinance approving the last Redevelopment Project to be approved by the City Council from which Payments in Lieu of Taxes and/or Economic Activity Taxes are utilized to pay principal and interest on such Obligations

- **Relocation Plan:** The changes contemplated by the Twenty-Third Amendment are of a nature that they do not alter the previous relocation assistance plan that is a part of the Shoal Creek Parkway TIF Plan. The Twenty-Third Amendment does not contemplate the relocation of any businesses or residents.
- **Gambling Establishment:** The Twenty-Third Amendment does not include development or redevelopment of any gambling establishment.
- **Acquisition by Eminent Domain:** This Twenty-Third Amendment does not contemplate that any property located within a Redevelopment Project Area will be acquired by eminent domain later than five (5) years from the adoption of the Ordinance approving such Redevelopment Project.
- **Date to Adopt Redevelopment Project:** The Twenty-Third Amendment does not provide for the adoption of an Ordinance approving any Redevelopment Project later than ten (10) years from the adoption of the Plan.

Staff believes that the Twenty-Third Amendment to the Shoal Creek Parkway TIF Plan meets all statutory requirements of the TIF Act and proposes the following actions:

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

(2 OF 2) APPROVAL OF THE TWENTY-THIRD AMENDMENT OF THE SHOAL CREEK PARKWAY TIF PLAN AND FORWARD A RECOMMENDATION TO CITY COUNCIL FOR APPROVAL.

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

Minutes of the May 10, 2022 Clay County/Liberty-NKC meeting are included for the Commission’s review prior to the meeting.

*Action recommended:* ACCEPTANCE OF THE MAY 10, 2022 CLAY COUNTY/LIBERTY-NKC MINUTES AS PRESENTED.

**16. Shoal Creek Parkway TIF Plan: Consideration of Approval of the Certificate of Partial Completion and Compliance No. 2 in connection with Project W (Public Improvements Maplewoods Parkway, and other matters thereto: (*Sandra L. Rayford*) Exhibit 16**

This Certificate of Partial Completion and Compliance is issued to Hunt Midwest Real Estate Development, Inc. (the “Redeveloper”) in accordance with Section 14 of the Agreement, dated May 10, 2021, 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 the construction of certain improvements to Maplewoods Parkway between Shoal Creek Parkway and NE 112<sup>th</sup> Street (the “Partially Completed Improvements”) that are identified on Exhibit B to the Shoal Creek Parkway TIF Plan Schedule of Project Costs Submitted and Certified for Reimbursement

through April 15, 2022, with Independent Accountant’s Report (the “Certification Report”) dated April 25, 2022, by Hood & Associates CPAs., P.C.

	<b>Budget</b>	<b>Actual</b>
Public Improvement Costs	\$2,234,000	\$1,212,275
Eligible Reimbursement Costs	\$2,234,000	\$1,212,275

The Redeveloper satisfactorily complied with the policies attached to and incorporated within the Redevelopment Agreement, including the Commission’s Work Force Policy and Ordinance No. 180535, as amended (the “MBE/WBE Ordinance.”).

Staff recommends approval of the Certificate of Partial Completion and Compliance No. 2.

*Action recommended:* APPROVAL OF THE CERTIFICATE OF PARTIAL COMPLETION AND COMPLIANCE NO. 2 TO HUNT MIDWEST REAL ESTATE DEVELOPMENT, INC. FOR THE PARTIALLY COMPLETED PUBLIC IMPROVEMENT COSTS WITHIN THE SHOAL CREEK PARKWAY TIF PLAN AND DIRECT THE CHAIR, VICE-CHAIR, OR EXECUTIVE DIRECTOR TO EXECUTE A RESOLUTION APPROVING THE SAME.

**17. Shoal Creek Parkway TIF Plan: Consideration of approval of a First Amendment to a Redevelopment Agreement with the Star Acquisitions, Inc. for the implementation of certain public infrastructure improvements contemplated by the Shoal Creek Parkway TIF Plan, and other matters related thereto. (Wesley Fields) Exhibit 17**

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 construction of certain road and infrastructure improvements including street improvements, traffic signalization, sanitary sewer and storm water lines, detention basins and related improvements (the “Public Improvements”) to support commercial development in an approximately 28 acre area that is generally bound by a point approximately 1,700 linear feet north of MO Highway 152 on the north, MO Highway 152 on the south, The Preserve Subdivision on the west and The Green Hills Subdivision on the east in Kansas City, Clay County, Missouri.

On March 9, 2020, the Star Acquisitions, Inc. (“Star”) and the Commission entered into an Amended and Restated Redevelopment Agreement (the “Redevelopment Agreement”), which provides, in part, for Star to implement the Public Improvements by July 2021 and for the Commission, subject to the terms and conditions of the Redevelopment Agreement, to reimburse Star for certain costs related thereto in an amount not to exceed \$9,438,024.

The proposed Twenty-Third Amendment to the Shoal Creek TIF Plan provides, in part, for certain modifications to the Budget of Redevelopment Project Costs related to the Public Improvements (the “Twenty-Third Amendment Modifications”).

Star desires to amend the Redevelopment Agreement to incorporate the Twenty-Third Amendment Modifications. Attached to the Board Packet as **Exhibit 17** is a First Amendment to the Redevelopment Agreement, which incorporates the Twenty-Third Amendment Modifications, including certain modifications to the reimbursable Redevelopment Project Costs related to the Public Improvements that results in an approximately \$44,000 reduction in reimbursable Redevelopment Project Costs related to the Public Improvements.

To the extent the Commission finds acceptable the terms of the First Amendment to the Redevelopment Agreement, attached to the Board Packet as **Exhibit 17**, and subject to the City Council’s approval of the Twenty-Third Amendment to Shoal Creek TIF Plan, as recommended by the Commission, 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 REDEVELOPMENT AGREEMENT WITH STAR ACQUISITIONS, INC., IN CONNECTION WITH THE IMPLEMENTATION OF CERTAIN PUBLIC IMPROVEMENTS CONTEMPLATED BY THE SHOAL CREEK PARKWAY TIF PLAN, SUBJECT TO THE CITY COUNCIL’S APPROVAL OF THE TWENTY-THIRD AMENDMENT TO THE SHOAL CREEK PARKWAY TIF PLAN, AS RECOMMENDED BY THE TIF COMMISSION AND SUBJECT TO MODIFICATIONS ACCEPTED BY THE CHAIR, THE EXECUTIVE DIRECTOR, AND LEGAL COUNSEL

## ***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 1**

Minutes of the May 10, 2022 Administrative TIFC meeting are included for the Commission’s review prior to the meeting.

*Action recommended:* ACCEPTANCE OF THE MAY 10, 2022 ADMINISTRATIVE TIFC MINUTES AS PRESENTED.



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

There will be no Economic Activity Taxes to report for the month of June.

*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)**

The Affirmative Action/Contract Compliance Committee did not meet during the month of May 2022.

*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 did not meet, however, would like to present the following items:

- 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/CENTER AGENDA ITEMS***

## ***ROLL CALL***

- 25. Consideration of acceptance of the Jackson County/Center TIFC Minutes, and other matters related thereto. (La'Sherry Banks) Exhibit 1**

Minutes of the May 10, 2022 Jackson County/Center meeting are included for the Commission's review prior to the meeting.

*Action recommended:* ACCEPTANCE OF THE MAY 10, 2022 JACKSON COUNTY/CENTER MINUTES AS PRESENTED.

- 26. Consent Agenda (Cost Certifications): Consideration of approval of the Cost Consent Agenda for Jackson County/Center, and other matters related thereto. (Gloria Garrison) Exhibit 27**

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

Cost Certifications (**Exhibit 26**)

**Bannister & Wornall Road TIF Plan: Consideration of certification of costs totaling \$850,096.86, and other matters related thereto. (Gloria Garrison)**

Request from:	9400 Wornall, LLC
Total amount requested:	\$850,096.86
Use of funds:	Permanent Finance Cost
Cost certifier:	Ralph C. Johnson & Company
Questioned or disallowed costs:	None
EATs reporting requirement:	100% compliant for the current reporting period (2 <sup>nd</sup> half 2021), and 100% Compliant for the last reporting period (1 <sup>st</sup> half 2021).

Notes: Permanent Financing Costs for Phases A & B

Recommendation: Approval of certification of costs totaling \$850,096.86.

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

## **EXECUTIVE SESSION**

27. **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**

28. **Adjournment**

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