

Board Meeting Agenda

Tax Increment Financing Commission

City of Kansas City, Missouri

DATE: November 8, 2022
TIME: **9:30 a.m.**
PLACE: Economic Development Corporation Board Room, 4th 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 October 11, 2022 Platte County/Platte RIII-Park Hill meeting are included for the Commission’s review prior to the meeting.

Action recommended: ACCEPTANCE OF THE OCTOBER 11, 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. (*Gloria Garrison*) Exhibit 2**

The Consent Agenda items for November 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 TIF Plan: Consideration of certification of costs totaling \$1,008,514.88, and other matters related thereto. (*Gloria Garrison*)

Request from:	MD Management, Inc.
Total amount requested:	\$1,008,514.88
Use of funds:	Public Improvements, Engineering and Administrative Cost
Cost certifier:	Ralph Johnson
Questioned or disallowed costs:	None
EATs reporting requirement:	85% compliant for the current reporting period (1 st half 2022), 1 st half reports due 7-31-2022 (prior reporting cycle 92% 2nd 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. Project 21 Northland Sports Complex Road Improvements, Sidewalk Improvements, Road Improvements, Sitework & Utilities, Miscellaneous Site Features, Contingency & Soft Costs and Construction Period Interest.

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

	Bond Draw Portion- Project Fund	Pay As You Go Portion	Total Certification
KCI Corridor			
MD Manangement Project 7D	\$ 530.47		\$ 530.47
MD Manangement Project 21	1,007,444.34		1,007,444.34
MD Manangement Project 17		539.18	539.18
MD Manangement Interest		0.89	0.89
	\$ 1,007,974.81	\$ 540.07	\$ 1,008,514.88

Recommendation: Approval of certification of costs totaling \$1,008,514.88 and payment of related bond draws of \$1,007,974.81. 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: Consideration of Approval of the Certificate of Partial Completion and Compliance No. 5 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 as of August 31, 2022 by Independent Accountant’s Report (the “Certification Report”) dated September 8, 2022 by Ralph C. Johnson & Company, P.C.

	<u>Redevelopment Budget</u>	<u>Project Costs Actual</u>
Public Improvement 21 Reimbursable Soft Costs	\$15,570,000	\$9,071,750
Total Public Improvement 21 Reimbursable Costs	\$15,570,000	\$9,071,750

The Redeveloper has complied with the Commission’s Certification of Costs and Reimbursement Policy, as amended from time to time, including the certification of costs related to the Partially Completed 21 Improvements. Staff recommends approval of this Certificate of Partial Completion and Compliance.

Action recommended: APPROVAL OF THE CERTIFICATE OF PARTIAL COMPLETION AND COMPLIANCE TO M.D. MANAGEMENT, INC. FOR THE PARTIALLY COMPLETED PUBLIC IMPROVEMENTS 21 COSTS 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 4

Minutes of the September 13, 2022 Platte-Clay County/Platte RIII meeting are included for the Commission’s review prior to the meeting.

Action recommended: ACCEPTANCE OF THE SEPTEMBER 13, 2022 PLATTE-CLAY COUNTY/PLATTE RIII MINUTES AS PRESENTED.

5. Platte Purchase TIF Plan: Consideration of Rescinding Resolution 5-11-22 and approving a Seventh Amendment to the Redevelopment Agreement between the TIF Commission and MD Management regarding certain improvement contemplated by the Platte Purchase TIF Plan and other matters related thereto. (*Wesley Fields*) (Exhibit 5)

On July 28, 2016, the City Council (the “Council”) of Kansas City, Missouri (the “City”), by way of Ordinance No. 160415, approved the Platte Purchase Development Plan, which has been amended from time to time by a series of ordinances passed by the Council (the “TIF Plan”) for an area designated therein as the redevelopment area (the “Platte Purchase Redevelopment Area”).

The Plan provides for public infrastructure improvements within and adjacent to the Redevelopment Area, including street improvements, traffic signalization, trails, sanitary sewer lines and related improvements to support commercial development (the “Public Improvements”).

On July 21, 2016, the TIF Commission and MD Management, Inc. entered into a Redevelopment Agreement, which was amended on February 27, 2018 and June 12, 2019 (the “Original Amended Redevelopment Agreement”), which provides, in part, that MD Management, Inc. shall implement the Public Improvements in accordance with the Plan and the terms and conditions of the Redevelopment Agreement, which prioritizes the Public Improvements within three separate tranches and which provides that Tranche 1 Improvements shall implemented on an equal prioritized basis, but prior to Tranche 2 Public Improvements and that the Tranche 2 Improvements shall be implemented on an equal prioritized basis, but prior to Tranche 3 Improvements and that the TIF Commission, subject to the terms and conditions of the Redevelopment Agreement, shall reimburse MD Management, Inc. up to \$59,107,000 of the estimated \$64,820,000 of Redevelopment Project Costs related to the Public Improvements.

On January 26, 2022, the Platte Purchase Advisory Committee convened and recommended that the Commission enter into an amendment to the Original Amended Redevelopment Agreement with MD Management, Inc., which shall provide (1) for the design and construction of an extension of Line Creek Parkway from the current terminus at the future NW 93rd Street north to NW 100th Street/NW Tiffany Springs Parkway and (2) for the reimbursement of certain certified costs related thereto in an amount not to exceed \$4,500,000.

On May 10, 2022, the Commission, pursuant to Resolution 5-11-22, accepted the Platte Purchase Advisory Commission's recommendations and approved entering into an amendment to the Original Amended Redevelopment Agreement. Resolution 5-11-22 incorrectly referenced the approved amendment to the Original Amended Redevelopment Agreement as the "Third Amendment" and such reference in Resolution 5-11-22 should have been the "Seventh Amendment" to Original Amended Redevelopment Agreement.

Staff and legal counsel recommend that the Commission rescind Resolution 5-11-22, which incorrectly references the approval of a "Third Amendment" to the Original Amended Redevelopment Agreement, and approve a Seventh Amendment to the Original Amended Redevelopment Agreement with MD Management, attached hereto as **Exhibit 5**, which shall provide (1) for the design and construction of an extension of Line Creek Parkway from the current terminus at the future NW 93rd Street north to NW 100th Street/NW Tiffany Springs Parkway and (2) for the reimbursement of certain certified costs related thereto in an amount not to exceed \$4,500,000.

Action recommended:

APPROVAL OF RESCINDING RESOLUTION 5-11-22 AND APPROVING THE SEVENTH AMENDMENT TO THE REDEVELOPMENT AGREEMENT BY AND BETWEEN THE TAX INCREMENT FINANCING COMMISSION OF KANSAS CITY, MISSOURI AND MD MANAGEMENT INC., IN CONNECTION WITH THE DESIGN AND CONSTRUCTION OF THE EXTENSION OF LINE CREEK PARKWAY FROM THE CURRENT TERMINUS AT THE FUTURE NW 93RD STREET NORTH TO NW 100TH STREET/NW TIFFANY SPRINGS PARKWAY, SUBJECT TO ANY MODIFICATIONS APPROVED BY THE CHAIR, EXECUTIVE DIRECTOR AND LEGAL COUNSEL.

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 6

Minutes of the July 12, 2022 Clay County/Liberty-NKC meeting are included for the Commission's review prior to the meeting.

Action recommended:

ACCEPTANCE OF THE JULY 12, 2022 CLAY COUNTY/LIBERTY-NKC MINUTES AS PRESENTED.

7. **Consent Agenda (Cost Certifications): Consideration of approval of the Cost Consent Agenda for Clay County/Liberty-NKC, and other matters related thereto. (Jennifer Brasher) Exhibit 7**

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

- Cost Certifications (**Exhibit 7**)

Shoal Creek Parkway TIF Plan: Consideration of certification of costs totaling \$158,286, and other matters related thereto. (Jennifer Brasher)

Request from: Star Acquisitions
Total amount requested: \$457,045
Use of funds: Shoal Creek Parkway Projects Q/R/S
Cost certifier: Novak Birks
Questioned or disallowed costs: \$298,759
EATs reporting requirement: 75% compliant for the current reporting period (1st half 2022), 2nd Half Reports are not due to the Commission until 7-31-2022. 95.8% Compliant for the last reporting period (2nd half 2021).

Notes: Projects Q/R/S Public Roadway Mo 152 Improvements, Public Utilities, Water Main, Dry Utility and Financing Costs Certification #5

Recommendation: Approval of certification of costs totaling \$158,286.

Shoal Creek Parkway TIF Plan: Consideration of certification of costs totaling \$334,038, and other matters related thereto. (Jennifer Brasher)

Request from: Star Acquisitions
Total amount requested: \$334,038
Use of funds: Shoal Creek Parkway Projects Q/R/S
Cost certifier: Novak Birks
Questioned or disallowed costs: none
EATs reporting requirement: 75% compliant for the current reporting period (1st half 2022), 2nd Half Reports are not due to the Commission until 7-31-2022. 95.8% Compliant for the last reporting period (2nd half 2021).

Notes: Projects Q/R/S Booth Avenue, Detention Basin, Storm Sewer, Sanitary Sewer and Finance Costs Certification #6

Recommendation: Approval of certification of costs totaling \$334,038.

Action recommended: APPROVAL OF THE CONSENT AGENDA FOR CLAY COUNTY/LIBERTY-NKC 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 Approval of the Certificate of Partial Completion and Compliance in connection with Public Improvements Q, R, & S within the Shoal Creek Parkway TIF Plan, and other matters related thereto. (Sandra L. Rayford) Exhibit 8

This Certificate of Partial Completion and Compliance is issued to Star Acquisitions, Inc. (the “Redeveloper”) in accordance with Section 19 of the Amended and Restated Redevelopment Agreement (the “Redevelopment Agreement”), dated March 9, 2020 and amended on July 21, 2022, between the Tax Increment Financing Commission of Kansas City, Missouri (the “Commission”) and Star Acquisitions, Inc. (the “Redeveloper”) for 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”) that are identified on Exhibit A to the Shoal Creek Parkway Tax Increment Financing Plan Schedule of Project Costs submitted and certified for reimbursement through August 16, 2021, pursuant to that certain Independent Accountant’s Report (the “Certification Report”), dated October 7, 2021, by Novak Birks, P.C. (the “Partially Completed Improvements”), and as contemplated by the Shoal Creek Parkway Tax Increment Financing Plan, as amended (the “Shoal Creek TIF Plan”).

	Budget	Actual
Public Improvement Costs	\$12,478,850	\$15,642,188
Eligible Reimbursement Costs	\$ 9,438,024	\$ 8,274,140

The Redeveloper has complied with the Commission’s Certification of Costs and Reimbursement Policy, as amended from time to time, including the certification of costs related to the Partially Completed Public Improvements. Staff recommends approval of this Certificate of Partial Completion and Compliance.

Action recommended: APPROVAL OF THE CERTIFICATE OF PARTIAL COMPLETION AND COMPLIANCE TO SHOAL CREEK. FOR THE PUBLIC IMPROVEMENTS Q, R, & S 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

9. Arlington Road TIF Plan - Eighth Amendment: Consideration of approval of the Eighth Amendment of the Arlington Road TIF Plan, and other matters related thereto. (David Leader) Exhibit 9

The purpose of this hearing is for the TIF Commission to consider recommending to the City Council of Kansas City, Missouri approval of the Eighth Amendment of the Arlington Road 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 Claycomo city limits on the north and on the east, Parvin Road on the south, and Worlds of Fun Avenue on the west in Kansas City, Clay County, Missouri.

Objective of Amendment: To add Legal Definitions that define Redevelopment Project Areas A3 (57,575 square feet) and J2 (1,230,943 square feet), revise the Site Map, and update Pilots and Eats projections. These revised exhibits will require updating various portions of text in the plan.

Proposed Eighth Amendment to the Arlington Road TIF Plan: The proposed Eighth Amendment to the Arlington Road TIF Plan provides for:

- (1) the addition of legal descriptions for Redevelopment Project Area A3 and Redevelopment Project Area J2;
- (2) certain modifications to the Site Maps; and
- (3) the inclusion of all conforming changes within the Exhibits to the Plan that are in furtherance of the foregoing modifications.

The intent of the Arlington Road TIF Plan remains unchanged other than those changes specifically mentioned in the proposed Eighth Amendment.

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

- **Blighted Area:** The Eighth 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 Eighth Amendment are of a nature that they do not alter the TIF Commission’s previous finding that the Arlington Road TIF Plan conforms to the City’s FOCUS Plan.
- **Cost-Benefit Analysis:** The changes contemplated by the Eighth 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 Eighth 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 Eighth Amendment are of a nature that they do not alter the previous relocation assistance plan that is a part of the Arlington Road TIF Plan. The Eighth Amendment does not contemplate the relocation of any businesses or residents.
- **Gambling Establishment:** The Eighth Amendment does not include development or redevelopment of any gambling establishment.
- **Acquisition by Eminent Domain:** This Eighth 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 Eighth 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 Eighth Amendment to the Arlington Road 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 EIGHTH AMENDMENT OF THE ARLINGTON ROAD TIF PLAN AND FORWARD A RECOMMENDATION TO CITY COUNCIL FOR APPROVAL.

10. Consideration of acceptance of the Clay County/NKC TIFC Minutes, and other matters related thereto. (La’Sherry Banks) Exhibit 10

Minutes of the September 13, 2022 Clay County/NKC meeting are included for the Commission’s review prior to the meeting.

Action recommended: ACCEPTANCE OF THE SEPTEMBER 13, 2022 CLAY COUNTY/NKC MINUTES AS PRESENTED.

11. Consent Agenda (Cost Certifications): Consideration of approval of the Cost Consent Agenda for Clay County/NKC, and other matters related thereto. (Gloria Garrison) Exhibit 11

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

- Cost Certifications (Exhibit 11)

North Oak TIF Plan: Consideration of certification of costs totaling \$334,038, and other matters related thereto. (Jennifer Brasher)

Request from: KCMO
Total amount requested: \$171,592
Use of funds: North Oak Corridor Gorman Park Pool Construction
Cost certifier: R. Johnson
Questioned or disallowed costs: none
EATs reporting requirement: 100% compliant for the reporting period (1st half 2022), 1st Half Reports are not due to the Commission until 7-31-2022. 95.8% Compliant for the last reporting period (2nd half 2021).

Notes: Recertification of costs related to the Gorman Park Pool Construction.

Recommendation: Approval of certification of costs totaling \$171,592.

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.

ADMINISTRATIVE TIF COMMISSION AGENDA ITEMS

ROLL CALL

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

Minutes of the October 11, 2022 Administrative TIFC meeting are included for the Commission's review prior to the meeting.

Action recommended: ACCEPTANCE OF THE OCTOBER 11, 2022 ADMINISTRATIVE TIFC MINUTES AS PRESENTED.

13. Economic Activity Taxes: Consideration of acceptance of the Economic Activity Taxes Report, and other matters related thereto. (Gloria Garrison) Exhibit 13

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

14. **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 14**

The Affirmative Action/Contract Compliance Committee did not meet during the month of October 2022. Included with your board packet is a copy of the MBE/WBE Compliance Report for expenditure activity through September 30, 2022 for your review. Developers have until the 15th of November to report expenditure activity through October 31, 2022.

Action recommended: NONE; INFORMATION ONLY

15. **Governance, Finance and Audit Subcommittee: Consideration of acceptance of the Governance, Finance and Audit Reports, and other matters related thereto. (Tammy Queen) Exhibit 15**

The Governance, Finance and Audit Subcommittee met on October 31, 2022 to consider the following item:

- Monthly Financials as prepared by Hood & Associates
(Jennifer Brasher of Hood & Associates)

Action recommended: ACCEPTANCE OF THE FINANCIAL REPORT

16. **Neighborhood & Housing Subcommittee: Consideration of the Neighborhood & Housing Report, and other matters related thereto. (Ryana Parks-Shaw) Exhibit 16**

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

Action recommended: NONE; INFORMATION ONLY.

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

Action recommended: NONE; INFORMATION ONLY.

18. **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

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

Minutes of the October 11, 2022 Jackson County/KCMO meeting are included for the Commission's review prior to the meeting.

Action recommended: ACCEPTANCE OF THE OCTOBER 11, 2022 JACKSON COUNTY/KCMO MINUTES AS PRESENTED.

20. Overlook TIF Plan: Consideration of the Certification of Redevelopment Project Costs #12 (*Heather Brown*) (Exhibit 20)

A plan for redevelopment known as the "Overlook Tax Increment Financing Plan" (the "TIF Plan") for an area designated therein as the redevelopment area (the "Redevelopment Area") was approved by the City Council of the City (the "Council") by its passage of Ordinance No. 200942 (the "TIF Ordinance").

The TIF Plan provides that the estimated reimbursable Redevelopment Project Costs related to the implementation of Projects Improvements described therein are approximately \$23,283,520, which include (1) approximately \$2,995,838 of Economic Activity Taxes and (2)(a) approximately \$2,995,838 of Additional City EATs, (b) approximately \$150,000 sales tax approved and allocated by the Public Improvements Advisory Committee (PIAC) and (c) approximately \$5,000,000 in sales tax recommended by the Central City Economic Development Board (collectively, the City's Additional Tax Contributions").

On July 9, 2021, the Commission, the City, the Redeveloper and Novak Birks, P.C. (the "Cost Certifier") entered into a Tax Contribution and Disbursement Agreement, which was amended on February 2, 2022 (collectively, the "Tax Contribution Agreement"), and which provides, in part, for the procedures related to the certification of redevelopment project costs and the disbursement of the City's Additional Tax Contributions.

In accordance with the Tax Contribution Agreement and pursuant to the Cost Certifier's Report to the Commission #12, dated October 26, 2022 (the "Cost Certifier Report"), which, with the consent of the City, the Redeveloper requested \$210,750 in costs and the Certifier certified \$147,496 of redevelopment project costs related to Design and Engineering and Excavation/Earthwork for reimbursement from CCEDI funds and questioned \$63,254. Based upon such certification and consent by the City, Central City Sales Tax contributed by the City to the Commission was utilized to pay such redevelopment project costs identified by the Cost Certifier Report.

In accordance with Exhibit B to the Tax Contribution Agreement, entitled, "Cost Certification and Payment Procedures", staff recommends that the Commission certify \$147,496 of redevelopment project costs funded with Central City Sales Tax.

Action Recommended:

APPROVAL OF THE CERTIFICATION OF \$147,496 OF REDEVELOPMENT PROJECT COSTS IDENTIFIED BY THE OVERLOOK TIF PLAN TO BE FUNDED WITH CENTRAL CITY SALES TAX, AS HAS BEEN CERTIFIED BY NOVAK BIRKS, P.C. AND CONSENTED TO BY THE CITY OF KANSAS CITY, MISSOURI AND AUTHORIZE AND DIRECT THE CHAIR, VICE-CHAIR, OR EXECUTIVE DIRECTOR TO EXECUTE A RESOLUTION APPROVING THE SAME.

21. Overlook TIF Plan: Consideration of the Approval of a Second Amendment to the Tax Contribution Agreement among the TIF Commission, the City of Kansas City, Missouri, Oz Development, LLC Novak Birks, PC, in connection with the implementation of the Overlook TIF Plan (Wesley Fields) (Exhibit 21)

A plan for redevelopment known as the “Overlook Tax Increment Financing Plan” (the “TIF Plan”) for an area designated therein as the redevelopment area was approved by the City Council of the City (the “City Council”) by its passage of Ordinance No. 200942 (the “TIF Ordinance”).

The TIF Plan provides for the construction of up to 60,000 square feet of new office building and 185 surface parking spaces, along with interior driveways, and potentially a health fitness trail and public plaza areas associated with the building (the “Project Improvements”), together with the construction or reconstruction of such other public infrastructure improvements such as signage, signaling, sidewalks, storm drainage facilities, utility relocation and upgrades, structured parking facilities, curbs, and such other related public infrastructure improvements that support and enhance the Project Improvements (collectively, the “Public Improvements”). The proposed redevelopment area described by the TIF Plan is generally bounded by Swope Parkway on the north, 49th Street on the south, Chestnut Avenue on the west, and College Avenue on the east, all in Jackson County, Kansas City, Missouri (the “Redevelopment Area”).

The TIF Plan further provides that the estimated reimbursable Redevelopment Project Costs related to the implementation of Projects Improvements are approximately \$23,283,520, which include (1) approximately \$2,995,838 of Economic Activity Taxes and (2)(a) approximately \$2,995,838 of Additional City EATs, (b) approximately \$150,000 sales tax approved and allocated by the Public Improvements Advisory Committee (PIAC) and (c) approximately \$5,000,000 in sales tax recommended by the Central City Economic Development Board (collectively, the City’s Additional Tax Contributions”).

On July 9, 2021, the City of Kansas City, Missouri, the Commission, Oz Development Company, LLC (the “Redeveloper”) and Novak Birks, PC entered into a Tax Contribution and Disbursement Agreement (the “Tax Contribution Agreement”), which provides that the City, subject to the terms and conditions of the Tax Contribution Agreement, shall contribute the City’s Additional Tax Contributions in an amount up to approximately \$8,145,838, which shall be used by the Commission to reimburse Redevelopment Project Costs that have been certified by the Commission in accordance with the Redevelopment Agreement among the Commission, the Planned Industrial Expansion Authority of Kansas City, Missouri and Oz Development, LLC. The Tax Contribution Agreement was amended on February 15, 2022 (the Tax Contribution Agreement, as amended, shall hereafter be referred to as the “Original Agreement”).

The City Council intends to consider an amendment to the TIF Plan (“Frist Amendment to the TIF Plan”), which shall, in part, increase the amount of sales tax recommended by the Central City Economic Development Board by One Hundred Fifty Thousand Dollars (\$150,000) (the “Proposed TIF Plan Modifications”). The Redeveloper desires to amend the Original Agreement to incorporate the Proposed TIF Plan Modifications.

The Second Amendment to the Tax Contribution Agreement, attached as **Exhibit 21** to the Commission Board Packet, which incorporates the Proposed TIF Plan Modifications, has been prepared by legal counsel and reviewed by staff and it contains the Commission’s most recent policies and procedures. To the extent the Commission finds acceptable the terms of the Second Amendment to the Tax Contribution and Disbursement Agreement, as described in this agenda item and as more particularly set forth on **Exhibit 21**, staff and legal counsel recommend approval, subject to modifications accepted by the Chair, Executive Director and legal counsel and subject to the City Council’s approval of the First Amendment to the TIF Plan.

Action recommended:

APPROVAL OF THE SECOND AMENDMENT TO THE TAX CONTRIBUTION AGREEMENT AMONG THE COMMISSION, THE CITY OF KANSAS CITY, MISSOURI OZ DEVELOPMENT COMPANY, LLC, AND NOVAK BIRKS, PC, IN CONNECTION WITH THE FINANCING OF CERTAIN IMPROVEMENTS CONTEMPLATED BY THE OVERLOOK TIF PLAN, SUBJECT TO MODIFICATIONS ACCEPTED BY THE CHAIR, EXECUTIVE DIRECTOR AND LEGAL AND SUBJECT TO THE CITY COUNCIL’S APPROVAL OF THE FIRST AMENDMENT TO THE OVERLOOK TAX INCREMENT FINANCING PLAN

22. Overlook TIF Plan: Consideration of the Approval of a First Amendment to the Redevelopment Agreement among the TIF Commission, the Planned Industrial Development Authority of Kansas City, Missouri and Oz Development, LLC, in connection with the implementation of the Overlook TIF Plan (*Wesley Fields*) (Exhibit 22)

A plan for redevelopment known as the “Overlook Tax Increment Financing Plan” (the “TIF Plan”) for an area designated therein as the redevelopment area (the “TIF Area”) was approved by the City Council of the City (the “City Council”) by its passage of Ordinance No. 200942 (the “TIF Ordinance”). A plan known as the Overlook PIEA General Development Plan (the “PIEA Plan”) for an area designated therein (the “PIEA Area”) was approved by the Council by its passage of Ordinance No. 200990 (the “PIEA Ordinance”). The PIEA Area and the TIF Area are coterminous (together, the “Redevelopment Area”).

The TIF Plan and PIEA provides for the construction of up to 60,000 square feet of new office building and 185 surface parking spaces, along with interior driveways, and potentially a health fitness trail and public plaza areas associated with the building (the “Project Improvements”), together with the construction or reconstruction of such other public infrastructure improvements such as signage, signaling, sidewalks, storm drainage facilities, utility relocation and upgrades, structured parking facilities, curbs, and such other related public infrastructure improvements that support and enhance the Project Improvements (collectively, the “Public Improvements”).

The TIF Plan further provides that the estimated reimbursable Redevelopment Project Costs related to the implementation of Projects Improvements are approximately \$11,441,676, which include (1) approximately \$2,995,838 of Economic Activity Taxes and (2)(a) approximately \$2,995,838 of Additional City EATs, (b) approximately \$150,000 sales tax approved and allocated by the Public Improvements Advisory Committee (PIAC) and (c) approximately \$5,000,000 in sales tax recommended by the Central City Economic Development Board (collectively, the City’s Additional Tax Contributions”).

On July 9, 2021, the Commission, Oz Development Company, LLC (the “Redeveloper”) and the Planned Industrial Expansion Authority of Kansas City, Missouri (“PIEA”) entered into a Redevelopment Agreement (the “Redevelopment Agreement”), which provides which provides for, among other things, the construction of the Project Improvements and the reimbursement of certain certified redevelopment project costs related to the same.

The City Council intends to consider an amendment to the TIF Plan (“Frist Amendment to the TIF Plan”), which shall (1) increase the amount of sales tax recommended by the Central City Economic Development Board by One Hundred Fifty Thousand Dollars (\$150,000) that shall be used to reimburse certified redevelopment project costs incurred by the Redeveloper and (2) modify the Redevelopment Schedule to extend the date of completing the Project Improvements to 2025 (the “Proposed TIF Plan Modifications”). The Redeveloper desires to amend the Redevelopment Agreement to incorporate the Proposed TIF Plan Modifications.

The First Amendment to the Redevelopment Agreement, attached as **Exhibit 22** to the Commission Board Packet, which incorporates the Proposed TIF Plan Modifications, has been prepared by legal counsel and reviewed by staff and it contains the Commission’s most recent policies and procedures. To the extent the Commission finds acceptable the terms of the First Amendment to the Redevelopment Agreement, as described in this agenda item and as more particularly set forth on **Exhibit 22**, staff and legal counsel recommend approval, subject to modifications accepted by the Chair, Executive Director and legal counsel and subject to the City Council’s approval of the First Amendment to the TIF Plan.

Action Recommended:

APPROVAL OF THE FIRST AMENDMENT TO THE REDEVELOPMENT AGREEMENT AMONG THE COMMISSION, OZ DEVELOPMENT COMPANY, LLC, THE PLANNED INDUSTRIAL EXPANSION AUTHORITY OF KANSAS CITY, MISSOURI, IN CONNECTION WITH THE IMPLEMENTATION OF CERTAIN IMPROVEMENTS CONTEMPLATED BY THE OVERLOOK TIF PLAN, SUBJECT TO MODIFICATIONS ACCEPTED BY THE CHAIR, EXECUTIVE DIRECTOR AND LEGAL AND SUBJECT TO THE CITY COUNCIL’S APPROVAL OF THE FIRST AMENDMENT TO THE OVERLOOK TAX INCREMENT FINANCING PLAN.

23. River Market TIF Plan: Consideration of Approval of the Certificate of Partial Completion and Compliance in connection with Public Infrastructure Improvements within the River market TIF Plan, and other matters related thereto. (Sandra L. Rayford) Exhibit 23

This Certificate of Partial Completion and Compliance is issued to the River Market Community Improvement District (the “Redeveloper”), in accordance with Section 13 of the Cooperative Agreement, dated February 9, 2012, between the Tax Increment Financing

Commission of Kansas City, Missouri and the Redeveloper (the “Agreement”) for the implementation of the design and construction of certain public infrastructure improvements, as more particularly described on Exhibit A, attached hereto (the “Partially Completed Improvements”), and identified by the River Market Tax Increment Financing Plan, as amended (the “TIF Plan”) and for which Redevelopment Project Costs were submitted and certified, pursuant to the Ralph C. Johnson & Company, P.C. Independent Accountant’s Report (the “Certification of Costs Report”), dated November 18, 2021, and Commission Resolution No. 12-13-21 (the “Certification of Costs Resolution”).

	<u>Budget</u>	<u>Actual</u>
Total Public Improvements Costs	\$825,000	\$619,682
Public Improvement Costs Eligible for Reimbursement	\$825,000	\$619,682

The Redeveloper has complied with the Commission’s Certification of Costs and Reimbursement Policy, as amended from time to time, including the certification of costs related to the Partially Completed Public Infrastructure Improvements. Staff recommends approval of this Certificate of Partial Completion and Compliance.

Action recommended: APPROVAL OF THE CERTIFICATE OF PARTIAL COMPLETION AND COMPLIANCE TO RIVER MARKET COMMUNITY IMPROVEMENT DISTRICT FOR THE PARTIALLY COMPLETED PUBLIC 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

- 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 October 11, 2022 Jackson County/Hickman Mills meeting are included for the Commission’s review prior to the meeting.

Action recommended: ACCEPTANCE OF THE OCTOBER 11, 2022 JACKSON COUNTY/HICKMAN MILLS MINUTES AS PRESENTED.

- 25. Pioneer Plaza TIF Plan: Consideration of Approval of the Certificate of Partial Completion and Compliance in connection with Private and Public Improvements within the Pioneer Plaza TIF Plan, and other matters related thereto. (Sandra L. Rayford) Exhibit 25**

This Certificate of Partial Completion and Compliance is issued to LR-Kansas City I, LLC. (the “Redeveloper”), in accordance with Section 16 of the Amended and Restated Redevelopment Agreement (the “Redevelopment Agreement”), dated September 25, 2020, between the Tax Increment Financing Commission of Kansas City, Missouri (the

“Commission”) and the Redeveloper for the implementation of the project improvements described on **Exhibit A**, attached hereto (the “Partially Completed Project Improvements”), and identified by the Pioneer Plaza Tax Increment Financing Plan, (the “TIF Plan”) and for which Redevelopment Project Costs as of May 2, 2022 were submitted and certified, pursuant to the Novak Birks, P.C.’s Independent Accountant’s Report, dated September 16, 2022 (the “Cost Certifier Report”) and Commission Resolution No. 10-12-22 (the “Certification of Costs Resolution”).

	Budget	Actual
Total Public Improvements	\$24,283,397	\$13,270,339
Public Improvement Costs Eligible for Reimbursement	\$14,927,572	\$ 1,725,094

The Redeveloper has complied with the Commission’s Certification of Costs and Reimbursement Policy, as amended from time to time, including the certification of costs related to the Partially Completed Public Infrastructure Improvements. Staff recommends approval of this Certificate of Partial Completion and Compliance.

Action recommended: APPROVAL OF THE CERTIFICATE OF PARTIAL COMPLETION AND COMPLIANCE FOR PIONEER PLAZA TO LR-KANSAS CITY I, LLC FOR THE PARTIALLY COMPLETED PUBLIC AND PRIVATE IMPROVEMENTS COSTS AND DIRECT THE CHAIR, VICE-CHAIR, OR EXECUTIVE DIRECTOR TO EXECUTE A RESOLUTION APPROVING THE SAME

JACKSON COUNTY/RAYTOWN AGENDA ITEMS

ROLL CALL

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

Minutes of the September 8, 2020 Jackson County/Raytown meeting are included for the Commission’s review prior to the meeting.

Action recommended: ACCEPTANCE OF THE SEPTEMBER 8, 2020 JACKSON COUNTY/RAYTOWN MINUTES AS PRESENTED.

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

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

- Cost Certifications (**Exhibit 27**)

40 Highway and Noland Rd: Consideration of certification of costs totaling \$1,875,000, and other matters related thereto. (Gloria Garrison)

Request from:	Blue Heron, LLC
Total amount requested:	\$1,875,000
Use of funds:	Acquisition & Soft Costs
Cost certifier:	Novak Birks
Questioned or disallowed costs:	None
EATs reporting requirement:	Not yet reporting

Notes: Costs related to acquisition and soft costs, certification #1.

Recommendation: Approval of certification of costs totaling \$1,875,000. Reimbursement is subject to the issuance of a Certificate of Partial Completion.

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

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. **Adjournment**

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