

# **Board Meeting Agenda**

## **Tax Increment Financing Commission**

**City of Kansas City, Missouri**

DATE: June 13, 2023  
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 9, 2023, Platte County/Platte RIII-Park Hill meeting are included for the Commission's review prior to the meeting.

*Action recommended:* ACCEPTANCE OF THE MAY 9, 2023 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. (*Jennifer Brasher*) Exhibit 2A, 2B, 2C**

The Consent Agenda items for June 2023 are included in the Commission's Board Packet for review prior to the meeting. The following items are included:

- Cost Certifications (**Exhibit 2A, 2B, 2C**)

**KCI TIF Plan: Consideration of certification of costs totaling \$291,886.56, and other matters related thereto. (*Jennifer Brasher*) 2A**

Request from:	MD Management, Inc.
Total amount requested:	\$291,886.56
Use of funds:	Public Improvements, Administrative Cost
Cost certifier:	Ralph Johnson
Questioned or disallowed costs:	None
EATs reporting requirement:	87.3% compliant for the current reporting period (2 <sup>nd</sup> half 2022), prior reporting cycle 87.3% 1st half 2022

Notes: Report 2021 – 17 Street and Public Improvements 17 Line Creek Parkway-soft costs. Project 21 Northland Sports Complex Road Improvements, Sidewalk Improvements, Road Improvements, Sitework and Utilities, Miscellaneous Site Features and Soft Costs. General expenses include Legal Fees and Construction Period Interest for both TIF Administration and Developer Administration.

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

	<b>Bond Draw Portion-</b>		
	<b>Project &amp; Admin Fund</b>	<b>Pay As You Go Portion</b>	<b>Total Certification</b>
KCI Corridor			
MD Management TIF Admin	\$ 1,943.00		\$ 1,943.00
MD Management Project 21	287,264.94		287,264.94
MD Management Project 17		566.72	566.72
MD Management Interest & Legal		2,111.90	2,111.90
	\$ 289,207.94	\$ 2,678.62	\$ 291,886.56

Recommendation: Approval of certification of costs totaling \$291,886.56 and payment of related bond draws of \$289,207.94. Reimbursement is subject to the issuance of a Certificate of Partial Completion.

**KCI TIF Plan: Consideration of certification of costs totaling \$94,189.09, and other matters related thereto. (Jennifer Brasher) 2B**

Request from: MD Management, Inc.  
 Total amount requested: \$94,189.09  
 Use of funds: Public Improvements, Administrative Cost  
 Cost certifier: Ralph Johnson  
 Questioned or disallowed costs: None  
 EATs reporting requirement: 78.9% compliant for the current reporting period (2<sup>nd</sup> half 2022), prior reporting cycle 87.3% 1st half 2022

Notes: Report 2021 – 18 Street and Public Improvements 17 Line Creek Parkway-soft costs. Project 21 Northland Sports Complex Road Improvements and Soft Costs. General expenses include Legal Fees and Construction Period Interest for both TIF Administration and Developer Administration.

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

	<b>Bond Draw Portion-</b>		
	<b>Project &amp; Admin Fund</b>	<b>Pay As You Go Portion</b>	<b>Total Certification</b>
KCI Corridor			
MD Management TIF Admin	\$ 2,974.50		\$ 2,974.50
MD Management Project 21	90,352.22		90,352.22
MD Management Project 17		523.30	523.30
MD Management Interest & Legal		339.07	339.07
	\$ 93,326.72	\$ 862.37	\$ 94,189.09

Recommendation: Approval of certification of costs totaling \$94,189.09 and payment of related bond draws of \$93,326.72. Reimbursement is subject to the issuance of a Certificate of Partial Completion.

**KCI TIF Plan: Consideration of certification of costs totaling \$644,772.71, and other matters related thereto. (Jennifer Brasher) 2C**

Request from: MD Management, Inc.  
 Total amount requested: \$644,772.71  
 Use of funds: Public Improvements, Administrative Cost  
 Cost certifier: Ralph Johnson  
 Questioned or disallowed costs: None  
 EATs reporting requirement: 78.9% compliant for the current reporting period (2<sup>nd</sup> half 2022), prior reporting cycle 87.3% 1st half 2022

Notes: Report 2021 – 19 Street and Public Improvements 17 Line Creek Parkway-soft costs. Project 21 Northland Sports Complex Road Improvements and Soft Costs. General expenses include Legal Fees and Construction Period Interest for both TIF Administration and Developer Administration.

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

	<b>Bond Draw Portion-</b>		
	<b>Project &amp; Admin Fund</b>	<b>Pay As You Go Portion</b>	<b>Total Certification</b>
<b>KCI Corridor</b>			
MD Management Project 21	\$ 643,411.73		\$ 643,411.73
MD Management Project 17		1,046.68	1,046.68
MD Management Interest & Legal		314.30	314.30
	\$ 643,411.73	\$ 1,360.98	\$ 644,772.71

Recommendation: Approval of certification of costs totaling \$644,772.71 and payment of related bond draws of \$643,411.73. 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 appointment of Scott Fricker as representative of the Platte County Commission, and Dagmar Wood and Brian Johanning as alternates, to the KCI Corridor TIF Advisory Committee, and other matters related thereto. (David Leader) Exhibit 3A, 3B, 3C**

The KCI Corridor TIF Plan provided for the appointment of a representative to the Advisory Committee by the Platte County Commission. The Platte County Commission has requested the appointment of Scott Fricker to the KCI Corridor TIF Advisory Committee as the representative of the Commission, and the appointment of Dagmar Wood and Brian Johanning as the alternates.

**Recommendation:** Accept the recommendations from the Platte County Commission of the appointment of Scott Fricker as the regular appointee, with Dagmar Wood and Brian Johannig as the alternates.

*Action recommended:* APPROVAL OF THE APPOINTMENT OF SCOTT FRICKER REPRESENTING THE PLATTE COUNTY COMMISSION, AND DAGMAR WOOD AND BRIAN JOHANNING AS ALTERNATES, TO THE KCI CORRIDOR TIF ADVISORY COMMITTEE.

4. **KCI Corridor TIF Plan: Consideration of a Fourteenth Amendment to the Redevelopment Agreement between the TIF Commission and MD Management regarding the design and construction of certain public infrastructure improvements contemplated by the KCI Corridor TIF Plan, and other matters related thereto. (Wesley Fields) Exhibit 4**

On March 11, 1999, the City Council (the “Council”) of Kansas City, Missouri (the “City”), by way of Ordinance No. 990256, approved the KCI Corridor Tax Increment Financing 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 “Redevelopment Area”).

The TIF Plan provides, among other things, for the design and the construction of certain roadways and other public infrastructure improvements within and adjacent to the Redevelopment Area. On March 30, 2006, the Commission and the MD Management, Inc. (the “Redeveloper”) entered into a Redevelopment Agreement (the “MD Redevelopment Agreement”), which provides for the implementation of certain public infrastructure improvements contemplated by the TIF Plan, including (A) “Public Improvement 17”, which provides for the construction of Line Creek Parkway from current terminus of Line Creek Parkway at Old Tiffany Springs Road to the proposed entrance of the Platte County R-III School District complex and (B) “Public Improvement 7D” , which provides for the construction of Old Tiffany Springs Road, between Line Creek Parkway and Genesis Trail Subdivision.

Upon the recommendation of the KCI Corridor Advisory Committee, the Commission, by Resolution No. 5-2-23, approved and recommended that the Council approve the 22<sup>nd</sup> Amendment to the TIF Plan, which provides for (1) certain modifications to the Budget of Redevelopment Project Costs identified by the TIF Plan, including an increase of reimbursable project costs related to Public Improvement 17 by \$60,000 and an increase of reimbursable project costs related to Public Improvement 7D by \$250,000 , (2) certain modifications to the Sources of Funds for all estimated Redevelopment Project Costs identified by the TIF Plan, and (3) the inclusion of all conforming changes within the Exhibits to the TIF Plan that are in furtherance of the foregoing modifications (the “22<sup>nd</sup> Amendment Modifications”).

Attached to the Commission’s Board Packet as **Exhibit 4** is a Fourteenth Amendment to the MD Management Redevelopment Agreement, which incorporates the 22<sup>nd</sup> Amendment Modifications and which has been prepared by legal counsel and reviewed by staff.

To the extent the Commission finds the terms of the Fourteenth Amendment to the MD Management Redevelopment Agreement, as outlined by this agenda item and as more particularly detailed on **Exhibit 4** to the Commission Board Packet, to be acceptable, staff and legal counsel recommend the approval of such Fourteenth Amendment to the MD Management Redevelopment Agreement, subject to modifications accepted by the Chair, Executive Director and legal counsel and subject to the City Council's approval the 22<sup>nd</sup> Amendment to the TIF Plan.

*Action recommended:*

APPROVAL OF THE FOURTEENTH 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 IMPLEMENTATION OF CERTAIN ROAD IMPROVEMENTS CONTEMPLATED BY THE KCI CORRIDOR TIF PLAN, SUBJECT TO ANY MODIFICATIONS APPROVED BY THE CHAIR, EXECUTIVE DIRECTOR, AND LEGAL COUNSEL AND SUBJECT TO THE CITY COUNCIL APPROVING THE 22<sup>ND</sup> AMENDMENT TO KCI CORRIDOR TIF PLAN, AS RECOMMENDED BY THE TAX INCREMENT FINANCING COMMISSION.

5. **KCI Corridor TIF Plan: Consideration of a First Amendment to the Fourth Amended and Restated Reimbursement Prioritization Agreement among the TIF Commission, the City of Kansas City, Missouri, Hunt Midwest Real Estate Development, Inc., and MD Management, Inc. regarding the reimbursement of costs related to certain improvements contemplated by the KCI Corridor TIF Plan and other matters related thereto. (Wesley Fields) Exhibit 5**

On March 11, 1999, the City Council (the "Council") of Kansas City, Missouri (the "City"), by way of Ordinance No. 990256, approved the KCI Corridor Tax Increment 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 "Redevelopment Area").

The TIF Plan provides, among other things, for the improvement of certain roadways within and adjacent to the Redevelopment Area, including (1) improvements to Skyview Avenue, between Tiffany Springs Road and Ambassador Drive (the "Skyview Improvements"), (2) design and construction of an overpass on Old Tiffany Springs Road, beginning 500 linear feet east of Congress and continuing to Skyview Avenue (the "Tiffany Springs Bridge Improvements"), (3) the design and construction of Line Creek Parkway, between the current terminus of Line Creek Parkway at Old Tiffany Springs Road to the proposed entrance of the Platte County R-III School District Complex (the "Line Creek Improvements"), (4) the design and construction of certain infrastructure improvements relating to a new sports complex, (the "Sports Complex Infrastructure Improvements"), (5) the design and construction of Old Tiffany Springs Road from Line Creek Parkway west to Genesis Trails subdivision (the "Old Tiffany Springs Road Improvements") and (6) the design of certain improvements to 108<sup>th</sup> Street/Shoal Creek Parkway between N. Platte Purchase Drive and N. Green Hills Road (the "108<sup>th</sup> Street/Shoal Creek Design" and together with the Skyview Improvements, Tiffany Springs Bridge Improvements, the Line Creek Improvements, the Old Tiffany Springs Road

Improvements and the Sports Complex infrastructure Improvements, collectively, the “Prioritized Improvements”).

The Commission, the City, MD Management, Inc. and the Hunt Midwest Real Estate Development, Inc. entered into a Reimbursement Prioritization Agreement, dated June 19, 2018, which was amended on December 18, 2018, May 9, 2019 and April 26, 2020 and May 24, 2022 (the “Amended Prioritization Agreement”) and which provides, in part, for the prioritization of reimbursement of redevelopment project costs with respect to each of the Prioritized Improvements.

On March 7, 2023 the KCI Corridor Advisory Committee convened and recommended that the Commission amend the TIF Plan and any agreements related thereto regarding certain modifications to the Budget of Redevelopment Project Costs identified by the TIF Plan, including (1) an increase of reimbursable project costs related to Public Improvement 17 by \$60,000, (2) an increase of reimbursable project costs related to Public Improvement 7D by \$250,000, and (3) an increase of reimbursable project costs related to Public Improvement 20A by \$100,000 (the “22<sup>nd</sup> Amendment Modifications”).

The Commission, by Resolution No. 5-2-23, approved the recommendations of the KCI Corridor Advisory Committee. Pursuant to the KCI Corridor Advisory Committee recommendations, attached to the Commission Board Packet as **Exhibit 5** is a First Amendment to the Fourth Amended and Restated Reimbursement Prioritization Agreement, which has been prepared by legal counsel and reviewed by staff and which incorporates the 22<sup>nd</sup> Amendment Modifications as to the prioritized amounts to reimburse the parties thereto. To the extent the Commission finds acceptable the terms of the First Amendment to the Fourth Amended and Restated Reimbursement Prioritization Agreement, 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 22<sup>nd</sup> Amendment to the KCI Corridor Tax Increment Financing Plan.

*Action recommended:*

APPROVAL OF THE FIRST AMENDMENT TO THE FOURTH AMENDED AND RESTATED REIMBURSEMENT PRIORITIZATION AGREEMENT BY AND AMONG THE TAX INCREMENT FINANCING COMMISSION OF KANSAS CITY, MISSOURI, THE CITY OF KANSAS CIY, MISSOURI, MD MANAGEMENT, INC. AND HUNT MIDWEST REAL ESTATE DEVELOPMENT COMPANY, INC., IN CONNECTION WITH THE KCI CORRIDOR TIF PLAN, SUBJECT TO ANY MODIFICATIONS APPROVED BY THE CHAIR, EXECUTIVE DIRECTOR AND LEGAL COUNSEL AND SUBJECT TO THE CITY COUNCIL APPROVING THE 22<sup>ND</sup> AMENDMENT TO KCI CORRIDOR TIF PLAN, AS RECOMMENDED BY THE TAX INCREMENT FINANCING COMMISSION.

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

**ROLL CALL**

**PUBLIC HEARING – 9:45 AM**

6. **Platte Purchase Development Plan - Ninth Amendment: Consideration of approval of the Ninth Amendment of the Platte Purchase Development Plan, and other matters related thereto. (David Leader)**

*Action recommended:* CONTINUE THE PUBLIC HEARING TO 9:50 AM JULY 11, 2023.

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

Minutes of May 9, 2023, Platte-Clay County/Platte RIII meeting are included for the Commission’s review prior to the meeting.

*Action recommended:* ACCEPTANCE OF MAY 9, 2023, PLATTE-CLAY COUNTY/PLATTE RIII MINUTES AS PRESENTED.

***ADMINISTRATIVE TIF COMMISSION AGENDA ITEMS***

**ROLL CALL**

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

Minutes of the May 9, 2023, Administrative TIFC meeting are included for the Commission’s review prior to the meeting.

*Action recommended:* ACCEPTANCE OF THE MAY 9, 2023, ADMINISTRATIVE TIFC MINUTES AS PRESENTED.

9. **Economic Activity Taxes: Consideration of acceptance of the Economic Activity Taxes Report, and other matters related thereto. (Jennifer Brasher) Exhibit 9**

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

10. **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 10 & 10A**



The Affirmative Action/Contract Compliance Committee did not meet in May 2023. However, please find enclosed with your board packet is a copy of the April 2023 MBE/WBE Professional and Construction Services Compliance Summary Spreadsheet and the detailed narrative regarding highlighted projects for your information. Developers have until the 15<sup>th</sup> of the month to report prior month activity, so expenditure activity through May 2023 will be made available to the Committee at the June 2023 meeting.

*Action recommended:* NONE; INFORMATION ONLY

**11. Governance, Finance and Audit Subcommittee: Consideration of acceptance of the Governance, Finance and Audit Reports, and other matters related thereto. (Tammy Queen) Exhibit 11A & 11B**

The Governance, Finance and Audit Subcommittee met on June 5, 2023, to consider the following item:

- Monthly Financials as prepared by Hood & Associates – Exhibit 11A  
(Michael Keenen of Hood & Associates)
- Investment Report presented by Cory Adrian – Exhibit 11B

*Action recommended:* ACCEPTANCE OF THE FINANCIAL AND INVESTMENT REPORTS.

**12. Neighborhood & Housing Subcommittee: Consideration of the Neighborhood & Housing Report, and other matters related thereto. (Ryana Parks-Shaw) Exhibit 12**

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

*Action recommended:* NONE; INFORMATION ONLY.

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

*Action recommended:* NONE; INFORMATION ONLY.

**14. 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 – 10:15 AM**

### ***ROLL CALL***

15. **SouthPointe TIF Plan – First Amendment: Consideration of approval of the proposed First Amendment to the SouthPointe Tax Increment Financing Plan, and other matters related thereto. (David Leader) Exhibit 15**

**Purpose:** The purpose of this hearing is for the TIF Commission to consider recommending to the City Council of Kansas City, Missouri approval of the First Amendment to the SouthPointe Tax Increment Financing Plan.

**Redevelopment Plan Area:** The Redevelopment Plan contemplates the construction of certain road and infrastructure improvements in an area generally bounded by 59th Street on the north, 63<sup>rd</sup> Street on the south, Bruce R. Watkins Highway on the east, and Brooklyn Avenue on the west, all in Jackson County, Kansas City, Missouri.

**Development Program:** The SouthPointe Tax Increment Financing 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 in the Redevelopment Area.

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

**General Description of the First Amendment to the SouthPointe Tax Increment Financing Plan:** The First Amendment to the Plan provides for (1) modifications to Redevelopment Project 1, (2) modifications to the Potential Projects, (3) modifications to the Project Improvements, (4) modifications to the Potential Project Improvements, (4) modifications to the Development Schedule, (5) modifications to the Specific Objectives of the Plan, (6) modifications to the Site Map, (7) modifications to the Estimated Construction and Employment Information, (8) modifications to the Budget of Redevelopment Project Costs, (9) modifications to the Tax Projections, (10) modifications to the Anticipated Sources of Funds, (11) modifications to the Cost-Benefit Analysis and (12) the inclusion of all conforming changes within the Exhibits to the Plan that are in furtherance of the foregoing modifications.

Specifically: The Plan is being modified by reallocating some of the development areas from Redevelopment Project Area 1 to Redevelopment Project Area 2.

**Statutory Findings:** Staff recommends that the First Amendment to the SouthPointe Tax Increment Financing Plan meets each of the required statutory findings identified by the TIF Act.

- **Economic Development Area:** The First Amendment does not alter the City's previous finding that the Redevelopment Area, on the whole, is an Economic Development area.

- **Expectations for Development:** The First Amendment does not alter the City’s previous finding that the Redevelopment Area, on the whole, has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of tax increment financing.
- **Conforms to Comprehensive Plan of City:** The First Amendment does not alter the City’s previous finding that the Plan conforms to the City’s comprehensive plan.
- **Date to Adopt Redevelopment Project:** The First 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.
- **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.
- **Acquisition by Eminent Domain:** The First 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.
- **Cost-Benefit Analysis:** The First Amendment does alter the previous cost-benefit analysis 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. The revised cost-benefit analysis is included in the amendment as Exhibit 9.
- **Gambling Establishment:** The First Amendment does not include the initial development or redevelopment of any gambling establishment as defined in the Act.

Recommendation: Staff recommend approval of the First Amendment to the SouthPointe Tax Increment Financing Plan.

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

(2 OF 2) APPROVAL OF THE PROPOSED FIRST AMENDMENT TO THE SOUTHPOINTE TAX INCREMENT FINANCING PLAN AND FORWARDING THE RECOMMENDATIONS TO THE CITY COUNCIL FOR APPROVAL.

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

Minutes of the May 9, 2023, Jackson County/KCMO meeting are included for the Commission’s review prior to the meeting.

*Action recommended:* ACCEPTANCE OF THE MAY 9, 2023, JACKSON COUNTY/KCMO MINUTES AS PRESENTED.

**17. Consent Agenda (Cost Certifications): Consideration of approval of the Cost Consent Agenda for Jackson County/KCMO, and other matters related thereto. (Jennifer Brasher) Exhibit 17**

The Consent Agenda items for June 2023 are included in the Commission’s Board Packet for review prior to the meeting. The following items are included:

- Cost Certifications (Exhibit 17)

**Pershing Road TIF Plan: Consideration of certification of costs totaling \$5,482,384.12, and other matters related thereto. (Jennifer Brasher) (Exhibit 17)**

Request from:	Pershing Road Development Company
Total amount requested:	\$5,482,384.12
Use of funds:	Cost of Carry Interest on Construction Cost
Cost certifier:	Ralph C. Johnson
Questioned or disallowed costs:	None
EATs reporting requirement:	94.7% Compliant for the current reporting period (2nd half 2022), prior reporting cycle 94.7% (1st half 2022).

Notes: Cost of Carry Interest

Recommendation: Approval of certification of costs totaling \$5,482,384.12.

*Action recommended:* APPROVAL OF THE CERTIFICATION OF COST TOTALING \$5,482,384.12 AND AUTHORIZE AND DIRECT THE CHAIR, VICE-CHAIR, OR EXECUTIVE DIRECTOR TO EXECUTE A RESOLUTION APPROVING THE SAME.

**18. Overlook TIF Plan: Consideration of the Certification of Redevelopment Project Costs #19 (Heather Brown) Exhibit 18**

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 in sales tax approved and allocated by the Public Improvements Advisory Committee (PIAC) and (c) approximately \$5,150,000 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, and on December 15<sup>th</sup>, 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 #19 May 25, 2023 (the “Cost Certifier Report”), which, with the consent of the City, the Redeveloper requested \$231,476 in costs and the Certifier certified \$231,476 of redevelopment project costs related to Landscaping, Concrete, General Contractor, Miscellaneous Metals and Contingency for reimbursement from CCEDI. 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 approve certification of \$231,476 of redevelopment project costs funded with Central City Sales Tax.

*Action recommended:* APPROVAL OF THE CERTIFICATION OF \$231,476 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.

**19. Overlook TIF Plan: Consideration of the Approval of a Fourth Amendment to the Tax Contribution and Disbursement 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 19**

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, 49<sup>th</sup> 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 \$5,150,000 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, December 15, 2022, and May 10, 2022 (the Tax Contribution Agreement, as amended, shall hereafter be referred to as the “Original Agreement”). The Original Agreement provides that with no fewer than ten (10) days’ written notice to each party to the Original Agreement, the Redeveloper, with the written consent of the Commission and the City, may amend the amounts of individual line items in the budget related to the improvements to be funded with sales tax recommended by the Central City Economic Development Board, as set forth on Exhibit A to the Original Agreement (the “CCED Budget”), provided that no individual line item fluctuates by no more than ten percent (10%), and further provided that the total CCED Budget for the CCED Improvements does not exceed \$5,150,000.

The Redeveloper desires to further amend the Original Agreement to provide that, in connection with amendments requested by the Redeveloper to the CCED Budget, which do not cause any individual line item to fluctuate by no more than ten percent (10%), or cause the total CCED Budget for the CCED Improvements to exceed \$5,150,000 (each, an “Administrative CCED Budget Amendment”) such Administrative CCED Budget Amendments may be approved administratively by the City and the Commission.

The Fourth Amendment to the Tax Contribution Agreement, attached as **Exhibit 19** to the Commission Board Packet 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 Fourth Amendment to the Tax Contribution Agreement, as described in this agenda item and as more particularly set forth on **Exhibit 19**, staff and legal counsel recommend approval, subject to modifications accepted by the Chair, Executive Director, and legal counsel.

*Action recommended:*

APPROVAL OF THE FOURTH 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 COUNSEL.

## ***JACKSON COUNTY/CENTER AGENDA ITEMS***

### ***ROLL CALL***

**20. Consideration of acceptance of the Jackson County/Center TIFC Minutes, and other matters related thereto. (*La’Sherry Banks*) Exhibit 20**

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

*Action recommended:*

ACCEPTANCE OF SEPTEMBER 13, 2022, JACKSON COUNTY/CENTER MINUTES AS PRESENTED.

**21. Bannister & Wornall TIF Plan: Consideration of Approval of the Certificate of Completion and Compliance in connection with Project Improvement B within the Bannister & Wornall TIF Plan, and other matters related thereto. (*Sandra L. Rayford*) Exhibit 21**

This Certificate of Completion and Compliance is issued to Burns & McDonnell Engineering Company, Inc. (the “Redeveloper”), in accordance with Section 18 of the Redevelopment Agreement, dated October 8, 2014, as amended March 6, 2018 (the “Redevelopment Agreement”), between the Tax Increment Financing Commission of Kansas City, Missouri (the “Commission”) and the Redeveloper for all such requirements and obligations in connection with the completion of the improvements contemplated by Redevelopment Project B of the Bannister & Wornall Tax Increment Financing Plan, as amended (the “TIF Plan”), as more particularly described on Exhibit A, attached hereto (the “Completed Improvements”), and for which Redevelopment Project Costs were submitted and certified, pursuant to Ralph C. Johnson & Company, P.C.’s Revised Independent Accountant’s Report dated May 17, 2023 (the “Cost Certifier Report”),

**REDEVELOPMENT PROJECT COSTS:**

	<u><b>Budget</b></u>	<u><b>Actual</b></u>
Total Cost of Project Improvement	\$47,809,985	\$39,451,532
Project Costs Eligible for Reimbursement	\$ 5,302,130	\$ 5,283,009

The Completed Improvements contemplated by the TIF Plan include the design and construction of a 142,304 gross square foot, four (4) level office building and a five hundred and fifty (550) stall expansion to the structured parking garage on Lot 1 and project administration required that are specifically described on Exhibit A and for which Redevelopment Project Costs have been certified, pursuant to the Certification of Costs

Resolution. The Redeveloper has provided compliance documentation with respect to all applicable provisions of the Redevelopment Agreement, including the policies incorporated therein, in connection with the completion of the Completed Improvements identified by the Certification of Costs Resolution. As of the date of this certificate, the Redeveloper is in compliance with all provisions of the Redevelopment Agreement, including the policies attached to and incorporated within the Redevelopment Agreement.

The Redeveloper has complied with the Commission's Certification of Costs and Reimbursement Policy, as amended from time to time, and the Commission pursuant to the Certification of Costs Resolution has certified all Redevelopment Project Costs incurred that are eligible for reimbursement that relate to the implementation of the Completed Improvements. Staff recommends approval of this Certificate of Completion and Compliance.

*Action recommended:* APPROVAL OF THE CERTIFICATE OF COMPLETION AND COMPLIANCE TO BURNS & MCDONNELL ENGINEERING COMPANY, INC. FOR THE COMPLETED PROJECT IMPROVEMENT B 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***

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

Minutes of the May 9, 2023, Jackson County/Hickman Mills meeting are included for the Commission's review prior to the meeting.

*Action recommended:* ACCEPTANCE OF THE MAY 9, 2023 JACKSON COUNTY/HICKMAN MILLS MINUTES AS PRESENTED.

**23. Consent Agenda (Cost Certifications): Consideration of approval of the Cost Consent Agenda for Jackson County/Hickman Mills, and other matters related thereto. (Jennifer Brasher) Exhibit 23**

The Consent Agenda items for June 2023 are included in the Commission's Board Packet for review prior to the meeting. The following items are included:

**Cost Certifications (Exhibit 23)**

**Bannister & I-435 TIF Plan: Consideration of request for certification of costs totaling \$14,923,089 and request for reimbursement of \$3,946,530, and other matters related thereto.**

Request from:	Cerner Property Development, Inc.
Current amount requested for Certification:	\$14,923,089
Current amount requested for Reimbursement	\$3,946,530



Use of funds:	Developer Cost (Submission # 13)
Cost certifier:	Novak Birks
Questioned or disallowed costs:	None
EATs reporting requirement:	66.7% compliant for the current reporting period (2 <sup>nd</sup> half 2022), 2 <sup>nd</sup> half reports due 1-31-2023 (prior reporting cycle 87.3% 1st half 2022)

Notes: All Bannister & I-435 project costs are submitted for certification and include Building Construction, Onsite and Offsite Improvements, General Development Costs, Design Costs, Legal Fees, Personal Property, Construction Period Interest, and Permanent Financing/ Interest Costs. The amount requested for reimbursement is for Permanent Financing/ Interest Costs.

Recommendation: Approval of request for reimbursement of costs totaling \$3,946,530 as shown on the schedule below:

	<b>Total Costs Certified</b>	<b>Reimbursement Request</b>
<b>Site Summary #1 TIF</b>	\$ 13,108,184	\$ 2,131,625
<b>Site Summary #2 STIF</b>	739,715	739,715
<b>Site Summary #3 State</b>	1,075,190	1,075,190
	<u>\$ 14,923,089</u>	<u>\$ 3,946,530</u>

*Action recommended:* APPROVAL OF THE CERTIFICATION OF COST TOTALING \$14,923,089 AND REQUEST FOR REIMBURSEMENT OF \$3,946,530 PER THE REDEVELOPMENT AGREEMENT AND COST CONSENT AGENDA FOR JACKSON COUNTY/HICKMAN MILLS AND AUTHORIZE AND DIRECT THE CHAIR, VICE-CHAIR, OR EXECUTIVE DIRECTOR TO EXECUTE A RESOLUTION APPROVING THE SAME.

## EXECUTIVE SESSION

24. 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

25. Adjournment

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