

Board Meeting Agenda

Tax Increment Financing Commission

City of Kansas City, Missouri

DATE: January 9, 2024
TIME: **9:30 am.**
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

PUBLIC HEARING AGENDA ITEMS

PLATTE COUNTY/PLATTE RIII-PARK HILL

PUBLIC HEARING – 9:30 AM

ROLL CALL

1. **I-29 & I-435 TIF Plan: Consideration of approval of the proposed I-29 & I-435 TIF Plan, and others matters related thereto. (David Leader)**

Action recommended: CONTINUING THE PUBLIC HEARING TO 9:40 AM FEBRUARY 13, 2024.

JACKSON COUNTY/HICKMAN MILLS

PUBLIC HEARING – 9:40 AM

ROLL CALL

2. **Pioneer Plaza – 1st Amendment TIF Plan: Consideration of approval of the First Amendment of the Pioneer Plaza TIF Plan and other matters related thereto. (David Leader)**

Action recommended: CONTINUING THE PUBLIC HEARING TO 9:40 AM FEBRUARY 13, 2024.

JACKSON COUNTY/KCMO

PUBLIC HEARING – 9:45 AM

ROLL CALL

3. **1200 Main/South Loop TIF Plan: Consideration of approval of the 1200 Main/South Loop TIF Plan, and other matters related thereto. (David Leader)**

Action recommended: WITHDRAWN

CLAY/PLATTE RIII

PUBLIC HEARING – 9:50 AM

ROLL CALL

- 4. **Platte Purchase Development – 9th Amendment: Consideration of approval of the Ninth Amendment of the Platte Purchase Development Plan, and other matters related thereto. (David Leader)**

Action recommended: CONTINUING THE PUBLIC HEARING TO 9:50 AM FEBRUARY 13, 2024.

PUBLIC HEARING – 10:00 AM

ROLL CALL

- 5. **Platte Purchase Development – 10th Amendment: Consideration of approval of the Tenth Amendment of the Platte Purchase Development Plan, and other matters related thereto. (David Leader)**

Action recommended: CONTINUING THE PUBLIC HEARING TO 9:55 AM FEBRUARY 13, 2024.

JACKSON COUNTY/KCMO

PUBLIC HEARING – 10:10 AM

ROLL CALL

- 6. **14th & Wyandotte TIF Plan: Consideration of approval of the 14th & Wyandotte TIF Plan, and other matters related thereto. (David Leader)**

Action recommended: CONTINUING THE PUBLIC HEARING TO 10:00 AM FEBRUARY 13, 2024.

ADMINISTRATIVE TIF COMMISSION AGENDA ITEMS

MINUTES

- 7. **Consideration of acceptance of Minutes of the following Administrative and Counties/School Districts and other matters related thereto. (La’Sherry Banks) Exhibit 7 & 7A**

Minutes of the December 12 and December 27, 2023, meetings are included for the Commission’s review prior to the meeting.

Action recommended: ACCEPTANCE OF THE ADMINISTRATIVE COMMISSION AND RELATED COUNTIES/SCHOOL DISTRICTS MINUTES AS PRESENTED.

COST CONSENT ITEMS RELATED TO SPECIFIC TIF PLANS

8. Cost Consent Agenda: Consideration of approval of the Cost Consent Agenda and other matters related thereto. (Gloria Garrison) Exhibit 8

The Cost Consent Agenda items for January 2024 are included in the Commission’s Board Packets for review prior to the meeting. The following items are included:

- Cost Certifications (Exhibit 8)

Chouteau: Consideration of certification of costs totaling \$700,000, and other matters related thereto. (Gloria Garrison)

Request from:	City of Kansas City, Mo.
Total amount requested:	\$700,000
Use of funds:	Searcy Creek Trail
Cost certifier:	Hood & Associates CPAs PC
Questioned or disallowed costs:	None
EATs reporting requirement:	89% compliant for the current reporting period (1 st Half 2023), prior reporting cycle 87% 2nd half 2022.

Notes: Public Improvement No. 4, Draw 1

Recommendation: Approval of certification of costs totaling \$700,000. Reimbursement is subject to the issuance of a Certificate of Partial Completion.

Platte Purchase TIF Plan: Consideration of certification of costs totaling \$6,781.32 and other matters related thereto. (Gloria Garrison)

Request from:	Hunt Midwest
Total amount requested:	\$6,781.32
Use of funds:	Project 7C
Cost certifier:	Ralph Johnson
Questioned or disallowed costs:	None
EATs reporting requirement:	100% compliant for the current reporting period (1 st Half 2023); prior reporting cycle 100% 2nd half 2022.

Notes: Certification Report 2017-57 for costs related Project 7C. A portion of this request will be paid from a bond draw—see schedule below.

	Bond Draw Portion-			
	Project & Admin	Pay As You Go	Total	
	Fund	Portion	Certification	
Platte Purchase				
Hunt Midwest	\$ 6,781.32		\$ 6,781.32	
	\$ 6,781.32	\$ -	\$ 6,781.32	

Recommendation: Approval of certification of costs totaling \$6,781.32. Reimbursement is subject to the issuance of a Certificate of Partial Completion.

Platte Purchase TIF Plan: Consideration of certification of costs totaling \$71,869.42 and other matters related thereto. (Gloria Garrison)

Request from: Hunt Midwest
 Total amount requested: \$71,869.42
 Use of funds: Project 7C
 Cost certifier: Ralph Johnson
 Questioned or disallowed costs: None
 EATs reporting requirement: 100% compliant for the current reporting period (1st Half 2023); prior reporting cycle 100% 2nd half 2022.

Notes: Certification Report 2017-58 for costs related project 7C. A portion of this request will be paid from a bond draw—see schedule below.

	Bond Draw Portion-			
	Project & Admin	Pay As You Go	Total	
	Fund	Portion	Certification	
Platte Purchase				
Hunt Midwest	\$ 71,869.42		\$ 71,869.42	
	\$ 71,869.42	\$ -	\$ 71,869.42	

Recommendation: Approval of certification of costs totaling \$71,869.42. Reimbursement is subject to the issuance of a Certificate of Partial Completion.

Platte Purchase TIF Plan: Consideration of certification of costs totaling \$850,124.37 and other matters related thereto. (Gloria Garrison)

Request from: Ashlar Homes
 Total amount requested: \$850,124.37
 Use of funds: Project 10
 Cost certifier: Ralph Johnson
 Questioned or disallowed costs: None
 EATs reporting requirement: 100% compliant for the current reporting period (1st Half 2023); prior reporting cycle 100% 2nd half 2022.

Notes: Certification Report 2017-59 for costs related Project 10. This request will be paid from future TIF or bond funds.

	Future Funds	Total Certification
Platte Purchase		
Ashlar Homes	\$ 850,124.37	\$ 850,124.37
	\$ 850,124.37	\$ 850,124.37
	\$ -	\$ -
	\$ 850,124.37	\$ 850,124.37

Recommendation: Approval of certification of costs totaling \$850,124.37. Reimbursement is subject to the issuance of a Certificate of Partial Completion.

Platte Purchase TIF Plan: Consideration of certification of costs totaling \$1,004,769.45 and other matters related thereto. (Gloria Garrison)

Request from: Hunt Midwest
 Total amount requested: \$1,004,769.45
 Use of funds: Project 7C
 Cost certifier: Ralph Johnson
 Questioned or disallowed costs: None
 EATs reporting requirement: 100% compliant for the current reporting period (1st Half 2023); prior reporting cycle 100% 2nd half 2022.

Notes: Certification Report 2017-60 for costs related Project 7C. These costs were paid by private sources, nothing reimbursable from TIF. They spent \$705,859.45 over the budgeted amount of \$298,870.

Recommendation: Approval of certification of costs totaling \$1,004,769.45.

Shoal Creek TIF Plan: Consideration of certification of costs totaling \$45,000 and other matters related thereto. (Gloria Garrison)

Request from: City of Kansas City, Mo
 Total amount requested: \$45,000
 Use of funds: Project V; N. Sherman Street Lights
 Cost certifier: Hood & Associates CPAs PC
 Questioned or disallowed costs: None
 EATs reporting requirement: 87% compliant for the current reporting period (1st Half 2023); prior reporting cycle 100% 2nd half 2022.

Notes: Certification Report through November 30, 2023; Draw 1. Costs for Project V, N Sherman – Street Lights between NE Cookingham Drive and NE 116th Street.

Recommendation: Approval of certification of costs totaling \$45,000.

22nd & Main TIF Plan: Consideration of certification of costs totaling \$3,952,400 and other matters related thereto. (Gloria Garrison)

Request from: Milhaus Development
Total amount requested: \$3,952,400
Use of funds: District Wide Improvement – Parking Structure
Tracks 215
Cost certifier: Ralph Johnson
Questioned or disallowed costs: None
EATs reporting requirement: 95% compliant for the current reporting period (1st Half 2023); prior reporting cycle 98% 2nd half 2022.

Notes: Certification Report dated December 26, 2023; Costs for Parking Structure/ Tracks 215.

Recommendation: Approval of certification of costs totaling \$3,952,400.

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

CERTIFICATES OF COMPLETION & COMPLIANCE RELATED TO SPECIFIC TIF PLANS

9. KCI Corridor TIF Plan: Consideration of Approval of a Certificate of Partial Completion and Compliance in Connection with Public Improvements within the KCI Corridor TIF Plan, and other matters related thereto. (Sandra L. Rayford) Exhibit 9

This Certificate of Partial Compliance is issued to MD Management, Inc. (the “Redeveloper”) in accordance with Section 14 of the Agreement dated March 30, 2006, which has been amended several times, 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 certain road and public infrastructure improvements (the “Partially Completed Public 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 October 31, 2023. by Independent Accountant’s Report (the “Certification Report”) dated November 2, 2023 by Ralph C. Johnson & Company, P.C.

The KCI Corridor Tax Increment Financing Plan, which was approved by City Council on March 11, 1999 and which has been amended several times thereafter by a series of Ordinances passed by the City Council (the “TIF Plan”), provides for the design and construction of roadways and other public infrastructure within and adjacent to the Redevelopment Area, including the Partially Completed Public Improvements described on Exhibit A.

Redevelopment Project Costs

	Budget	Actual
Public Improvement 7D Reimbursable Soft Costs	\$1,950,000	\$198,108
Total Public Improvement 7D Reimbursable Costs	\$1,950,000	\$198,108

The Redeveloper has complied with the Commission’s Certification of Costs and Reimbursement Policy, and the Commission, pursuant to the Cost Certification Resolution, has certified all Project and Public Improvements Reimbursable Project Costs incurred that relate to Partially Completed Project and Infrastructure Improvements. Staff recommends approval of the Certificate of Partial Completion and Compliance.

Action recommended: APPROVAL OF THE CERTIFICATE OF PARTIAL COMPLETION AND COMPLIANCE TO MD MANAGEMENT, INC FOR COSTS RELATED TO PARTIALLY COMPLETED PROJECT AND PUBLIC IMPROVEMENTS AND DIRECT THE CHAIR, VICE-CHAIR, OR EXECUTIVE DIRECTOR TO EXECUTE A RESOLUTION APPROVING THE SAME.

10. Parvin Road Corridor TIF Plan: Consideration of Approval of a Certificate of Partial Completion and Compliance in Connection with Project and Public Improvements within the KCI Corridor TIF Plan, and other matters related thereto. (Sandra L. Rayford) Exhibit 10

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 , April 1, 2022 and October 17, 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 were requested by the Redeveloper as of November15, 2023 and thereafter submitted and certified, pursuant to the Novak Birks, P.C.’s Independent Accountant’s Report, dated November 27, 2023 (the “Cost Certifier Report”) and Commission Resolution No. 12-1-23 (the “Certification of Costs Resolution”).

The TIF Plan, which was approved by City Council on December 14, 2000 and which has been amended several times thereafter by a series of Ordinances passed by the City Council, provides for design of, expansion, and improvement of the public infrastructure within the Redevelopment Area necessary to accommodate an expansion of the existing above-ground industrial park and the underground industrial and commercial complex known as the SubTropolis, together with all appurtenances necessary to adequately address the existing conditions qualifying the Redevelopment Area as an Economic Development Area. The proposed infrastructure improvements include constructing and/or improving roadways, curbing, traffic signals, storm sewers, water lines, utilities, and related items necessary to adequately serve the expansion of the development complex. Certain expenses have been incurred by the Redeveloper and certified by the Cost Certifier Report, in connection with the Partially Completed Public Improvements described on **Exhibit A**, attached hereto.

REDEVELOPMENT PROJECT COSTS:

	Budget	Actual
Total Public Improvements	\$92,304,980	\$48,208,524
Public Improvement Costs Eligible for Reimbursement	\$67,805,614	\$48,208,524

The Redeveloper has complied with the Commission’s Certification of Costs and Reimbursement Policy, and the Commission, pursuant to the Cost Certification Resolution, has certified all Project and Public Improvements Reimbursable Project Costs incurred that relate to Partially Completed Project

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

Action recommended:

APPROVAL OF THE CERTIFICATE OF PARTIAL COMPLETION AND COMPLIANCE TO HUNT MIDWEST REAL ESTATE DEVELOPMENT, INC. FOR COSTS RELATED TO PARTIALLY COMPLETED PROJECT AND PUBLIC IMPROVEMENTS AND DIRECT THE CHAIR, VICE-CHAIR, OR EXECUTIVE DIRECTOR TO EXECUTE A RESOLUTION APPROVING THE SAME.

AGREEMENTS RELATED TO SPECIFIC TIF PLANS

11. Historic Northeast TIF Plan: Consideration of a Redevelopment Agreement between the TIF Commission and Historic Northeast Lofts, LLC regarding certain improvements contemplated by the Historic Northeast TIF Plan and other matters related thereto. (Wesley Fields) Exhibit 11

On December 19, 2023, the TIF Commission adopted Resolution No. 12-19-23, attached hereto, recommending that the City Council of Kansas City, Missouri (the “Council”) approve the Historic Northeast Tax Increment Financing Plan (the “Plan”).

The Plan provides for (1) the construction approximately 389 multi-family residential units, of which 322 shall be reserved as “affordable housing” for tenants who earn less than 80% of the Kansas City, Missouri median household income, approximately 13,000 square feet of retail space, an approximately 30,000 square foot daycare center and after school program space, and approximately 500 parking spaces (the “Project Improvements”) and (2) the construction or reconstruction of public infrastructure improvements, including, but not limited to sanitary and storm sewer, utilities, sidewalks, and any other required or desired infrastructure, that support and enhance the Project Improvements (collectively, the “Public Improvements”) by August 2025 within an area generally bound by Parretta Drive on the north, Van Brunt Boulevard on the west, East 23rd Street on the south, and I-435 on the east, all in Kansas City, Jackson County, Missouri (the “Redevelopment Area”).

Pursuant to the Plan, the estimated Redevelopment Project Costs to implement the Project Improvements and Public Improvements is \$178,931,655. It is anticipated that the Redevelopment Project Costs will be funded from the following sources: (A) Economic Activity Taxes and Additional City EATs generated and collected within the Redevelopment Area in the amount of \$46,433,000, (C) a monetary contribution from the Kansas City Affordable Housing Trust Fund in the amount of \$1,575,000, (D) a loan from Kansas City Brownfield Revolving loan fund of \$7,000,000, (E) energy rebates in the amount \$350,000, (F) private debt in the approximate amount of \$32,803,211, (G) and tax credit equity in the amount of \$82,562,470, and (H) deferred fees in the approximate amount of \$8,207,874.

Historic Northeast Lofts, LLC (the “Redeveloper”) desires to enter into a Redevelopment Agreement with the Commission, in a form substantially similar to **Exhibit 11** (the “Redevelopment Agreement”), which shall provide, in part, that (A) the Redeveloper shall cause the construction of the Project Improvements and the Public Improvements to be completed by August 2025, in accordance with the terms and conditions of the Redevelopment Agreement and that the Commission, subject to the terms and conditions of the Redevelopment Agreement, shall reimburse Redeveloper, up to \$46,433,000 from Economic Activity Taxes and Additional City EATs generated and collected within the Redevelopment Area.

To the extent, the Commission finds the terms and conditions of the Redevelopment Agreement to be acceptable, staff and legal counsel recommend its approval, subject to the City Council's approval of the Historic Northeast TIF Plan, as recommended by the Commission, pursuant to Resolution No. 12-20-23.

Action recommended: *Approval of the Redevelopment Agreement between the TIF Commission and Historic Northeast Lofts, LLC, in a form substantially similar to **Exhibit 11** attached to the Commission Board Packet, subject to modifications approved by the Chair, Executive Director and Legal Counsel and subject to the City Council's approval of the Historic Northeast IF Plan, as recommended by the TIF Commission*

ADMINISTRATIVE MATTERS NOT RELATED TO SPECIFIC PLANS

12. Economic Activity Taxes: Consideration of the Economic Activity Taxes Report, and other matters related thereto. Exhibit 12

Action recommended: NONE; INFORMATION ONLY.

13. Affirmative Action and Contract Compliance Subcommittee Reports: Consideration of acceptance of the Affirmative Action Reports and Contract Compliance Reports and other matters related thereto. (Sandra L. Rayford) Exhibit 13

The Affirmative Action/Contract Compliance Committee did not meet during the month of December 2023. Enclosed with the board packet is a copy of the MBE/WBE for November 2023 for your review. Developers have until January 15 to input their payment activity through December 31, 2023.

Action recommended: NONE; INFORMATION ONLY.

14. Governance, Finance, and Audit Subcommittee: Consideration of Governance, Finance and Audit Reports and other matters related thereto. Exhibit 14

The Governance, Finance, and Audit Subcommittee did not meet in January to consider the following items:

- Monthly Financial as prepared by Hood & Associates
(Michael Keenan of Hood & Associates)

Action recommended: ACCEPTANCE OF THE FINANCIAL REPORT.

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

Action recommended: NONE; INFORMATION ONLY.

16. Chair's Report: Consideration of the Chair's Report and other matters related thereto.

Action recommended: NONE; INFORMATION ONLY.

17. **Administrative:** Consideration of the Executive Director's Report and other matters related thereto.

Action recommended: NONE; INFORMATION ONLY.

EXECUTIVE SESSION

18. 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

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