

Board Meeting Agenda

Tax Increment Financing Commission

City of Kansas City, Missouri

DATE: December 12, 2023
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

PUBLIC HEARING AGENDA ITEMS

PLATTE COUNTY/PLATTE RIII-PARK HILL

PUBLIC HEARING – 9:00 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) Exhibit x**

Action recommended: CONTINUING THE PUBLIC HEARING TO 9:30 A.M. JANUARY 9, 2024.

JACKSON COUNTY/KCMO

PUBLIC HEARING – 9:40 AM

ROLL CALL

2. **1200 Main/South Loop TIF Plan: Consideration of approval of the 1200 Main/South Loop TIF Plan, and others matters related thereto. (David Leader)**

Action recommended: WITHDRAWN

PUBLIC HEARING – 9:50 AM

ROLL CALL

3. **Brush Creek Corridor TIF Plan: Consideration of a recommendation that the City Council of Kansas City, Missouri terminate the Brush Creek Corridor Tax Increment Financing Plaza Library Project Area, and other matters related thereto. (David Leader) Exhibit 3**

The purpose of this hearing is to consider recommending to the City Council of Kansas City, (A) terminate the designation of Redevelopment Plaza Library Project, (B) declare as surplus all Payments in Lieu of Taxes and Economic Activity Taxes, if any, on deposit in the Special Allocation Fund established in connection with the aforementioned Redevelopment Project Area, and (C) dissolve the Special Allocation Fund established in connection with the aforementioned Redevelopment Project Area.

The City Council (the “City Council”) of the City of Kansas City, Missouri, by the passage of Ordinance No. 990251 on March 11, 1999, approved the Brush Creek Corridor Tax Increment Financing Plan (the “Plan”) and designated an area described by the Plan as a

redevelopment area (the “Redevelopment Area”). The Council approved tax increment financing for the Plaza Library redevelopment project area of the Plan in Ordinance No. 000607 on May 6, 2000.

The Redevelopment Area, as amended, is generally bound by 49th St on the north, 51st St on the south, Mersington Ave on the west, and Elmwood Ave on the east, (the “Redevelopment Area”), all in Kansas City, Jackson County, Missouri.

In accordance with Section 99.830 of the Revised Statutes of Missouri, staff prepared and delivered or published all required notices of this hearing.

The base assessed value was \$0 and currently is assessed at \$26,250,000.

Staff Recommendation: Staff recommends that the TIF Commission adopt a Resolution recommending that the City Council pass an ordinance terminating the designation of the Plaza Library Project.

Actions recommended: (1 of 2) CLOSE THE PUBLIC HEARING.

(2 OF 2) RECOMMEND THAT THE CITY COUNCIL PASS AN ORDINANCE (A) TERMINATING THE DESIGNATION OF THE PLAZA LIBRARY PROJECT, (B) DECLARING ALL PAYMENTS IN LIEU OF TAXES AND ECONOMIC ACTIVITY TAXES ON DEPOSIT IN THE SPECIAL ALLOCATION FUND ESTABLISHED IN CONNECTION WITH THE REDEVELOPMENT PROJECT AREA, IF ANY, AS SURPLUS, AND (C) DISSOLVING THE SPECIAL ALLOCATION FUND ESTABLISHED IN CONNECTION WITH THE PLAZA LIBRARY PROJECT.

PUBLIC HEARING – 10:00 AM

ROLL CALL

4. Hotel Phillips TIF Plan: Consideration of a recommendation that the City Council of Kansas City, Missouri terminate the Hotel Phillips Tax Increment Financing Project Area A, and other matters related thereto. (David Leader) Exhibit 4

The purpose of this hearing is to consider recommending to the City Council of Kansas City, (A) terminate the designation of Redevelopment Project Area A, (B) declare as surplus all Payments in Lieu of Taxes and Economic Activity Taxes, if any, on deposit in the Special Allocation Fund established in connection with the aforementioned Redevelopment Project Area, and (C) dissolve the Special Allocation Fund established in connection with the aforementioned Redevelopment Project Area, if applicable.

The City Council (the “City Council”) of the City of Kansas City, Missouri, by the passage of Ordinance No. 000382 on April 6, 2000, approved the Hotel Phillips Tax Increment Financing Plan (the “Plan”) and designated an area described by the Plan as a redevelopment area (the “Redevelopment Area”). The Council approved tax increment financing for Project A of the Plan in Ordinance No. 000383 on November 2, 2000.

The Redevelopment Area, as amended, is generally bound by 11th St on the north, Main St on the east, 12th St on the South, and Wyandotte St on the west, (the “Redevelopment Area”), all in Kansas City, Jackson County, Missouri.

In accordance with Section 99.830 of the Revised Statutes of Missouri, staff prepared and delivered or published all required notices of this hearing.

The base assessed value started at \$1,655,200 and currently is assessed at \$6,246,900.

Staff Recommendation: Staff recommends that the TIF Commission adopt a Resolution recommending that the City Council pass an ordinance terminating the designation of Redevelopment Project A.

Actions recommended: (1 of 2) CLOSE THE PUBLIC HEARING.

(2 OF 2) RECOMMEND THAT THE CITY COUNCIL PASS AN ORDINANCE (A) TERMINATING THE DESIGNATION OF PROJECT A, (B) DECLARING ALL PAYMENTS IN LIEU OF TAXES AND ECONOMIC ACTIVITY TAXES ON DEPOSIT IN THE SPECIAL ALLOCATION FUND ESTABLISHED IN CONNECTION WITH THE REDEVELOPMENT PROJECT AREA, IF ANY, AS SURPLUS, AND (C) DISSOLVING THE SPECIAL ALLOCATION FUND ESTABLISHED IN CONNECTION WITH THE REDEVELOPMENT PROJECT AREA.

PUBLIC HEARING – 10:10 AM

ROLL CALL

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

Action recommended: CONTINUING THE PUBLIC HEARING TO 9:40 A.M. JANUARY 9, 2024.

PUBLIC HEARING – 10:15 AM

ROLL CALL

6. **West Bottoms TIF Plan: Consideration of approval of the proposed West Bottoms TIF Plan, and others matters related thereto. (David Leader) Exhibit 6**

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 West Bottoms Tax Increment Financing Plan (the “Redevelopment Plan” or “Plan”).

Redevelopment Plan Area: The Redevelopment Plan contemplates the construction of certain road and infrastructure improvements in an area generally bounded by Union Pacific Train Tracks on the north, Liberty Street and Hickory Street on the west, Santa Fe Street on

the East, and 11th Street and 12th Street on the south, in Kansas City, Jackson County, Missouri.

Notices: Notices regarding the public hearing were sent to all affected taxing jurisdictions by certified mail on August 5, 2023. Notices were published in newspapers of general circulation of the proposed redevelopment, on September 9, 2023, and September 29, 2023.

Staff prepared and delivered notices by certified mail regarding the public hearing on September 29, 2023, to the person or persons in whose names the general taxes for the last preceding year were paid on each lot, block, tract, or parcel of land located within the redevelopment project or plan area, which shall be subject to payments in lieu of taxes and economic activity taxes.

General Description of the West Bottoms TIF Plan: The West Bottoms Tax Increment Financing Plan provides for the construction of public infrastructure improvements, including, without limitation, sanitary and storm sewers, utilities, sidewalks, and any other required or desirable infrastructure that will encourage the construction of approximately 108,000 square feet of office space, 108,300 square feet of retail space, 589 multifamily units, which may include affordable units, and 40 hotel rooms.

Redevelopment Project Costs: The estimated Redevelopment Project Costs to implement the Project Improvements and Public Improvements is \$54,125,000.

Projections and Application of Payments in Lieu of Taxes and Economic Activity Taxes: The Private Developer, as defined herein, has been granted benefits under The Planned Industrial Expansion Law, which would exempt real property taxes within the Redevelopment Area. The requested PIEA Benefits provide for 90% ad valorem tax abatement for ten (10) years, to be followed by a 75% ad valorem tax abatement for ten (10) years on real property located in each Redevelopment Project Area designated by an Ordinance where certain of the Project Improvements are commenced before December 31, 2029; and a 75% ad valorem tax abatement for ten (10) years, to be followed by a 30% on real property located in each Redevelopment Project Area designated by an Ordinance where certain Project Improvements are commenced after December 31, 2029. It is anticipated that no Payments in Lieu of Taxes generated from real property within the Redevelopment Project Areas will be utilized to pay for any Reimbursable Project Costs.

Anticipated Sources of Funds and Evidence of Commitments to Finance: Developer has submitted evidence of financing commitments.

Initial Equalized Assessed Value: The total initial equalized assessed valuation of the property within the Redevelopment Area, which is to be subjected to Payments in Lieu of Taxes and Economic Activity Taxes, according to the 2023 tax records at the Jackson County Assessor's Office, is approximately \$1,475,520. Following the completion of the Project Improvements, it is estimated that the assessed value of the real property within the Redevelopment Area will increase to approximately \$20,700,683.

Statutory Findings: It is Staff’s recommendation that the West Bottoms Tax Increment Financing Plan meets each of the required statutory findings identified by the TIF Act Statute. Specifically,

- **Economic Development Area:** The Plan Redevelopment Area on the whole, based upon the report attached to the Plan, 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 without the adoption of tax increment financing.
- **But-For Analysis:** Affidavit signed by City Manager, Brian Platt.
- **Tax-Impact Analysis:** Staff have prepared a Tax-Impact Analysis. It is attached to the plan.
- **Finding the Area Conforms to the City’s Comprehensive Plan:** The Redevelopment Plan conforms to the City’s KC Spirit Playbook and the applicable Area Plan.
- **Redevelopment Schedule:** The Redevelopment Plan provides that the estimated date of completion of any redevelopment project described by the Plan and retirement of obligations incurred to finance redevelopment project costs identified by the Plan shall not occur later than twenty-three (23) years after such redevelopment project is approved by ordinance.
- **Relocation Plan:** The Redevelopment Plan contains a relocation assistance plan. The Plan does not contemplate the relocation of any businesses or residents.
- **Gambling Establishment:** The Redevelopment Plan does not include development or redevelopment of any gambling establishment.
- **Acquisition by Eminent Domain:** The Redevelopment Plan 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 Redevelopment Plan does not provide for the adoption of an Ordinance approving any Redevelopment Project later than ten (10) years from the adoption of the Plan.

Action recommended: **(1 of 2)**
 (2 of 2)

PUBLIC HEARING – 10:20 AM

ROLL CALL

7. **Historic Northeast TIF Plan: Consideration of approval of the proposed Historic Northeast TIF Plan, and others matters related thereto. (David Leader) Exhibit 7, 7A**

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 Historic Northeast Tax Increment Financing Plan (the “Redevelopment Plan” or “Plan”).

Redevelopment Plan Area: The Redevelopment Plan contemplates the construction of certain road and infrastructure improvements in an area generally bounded by Union Pacific

Train Tracks on the north, Liberty Street and Hickory Street on the west, Santa Fe Street on the East, and 11th Street and 12th Street on the south, in Kansas City, Jackson County, Missouri.

Notices: Notices regarding the public hearing were sent to all affected taxing jurisdictions by certified mail on August 5, 2023. Notices were published in newspapers of general circulation of the proposed redevelopment, on September 9, 2023, and September 29, 2023.

Staff prepared and delivered notices by certified mail regarding the public hearing on December 1, 2023, to the person or persons in whose names the general taxes for the last preceding year were paid on each lot, block, tract or parcel of land located within the redevelopment project or plan area, which shall be subject to payments in lieu of taxes and economic activity taxes.

General Description of the Historic Northeast TIF Plan: The Historic Northeast Tax Increment Financing Plan provides for the construction of (1) 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 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.

Redevelopment Project Costs: The estimated Redevelopment Project Costs to implement the Project Improvements and Public Improvements is \$178,931,655, of which \$2,563,925 is identified as estimated financing costs.

Projections and Application of Payments in Lieu of Taxes and Economic Activity Taxes: The Redeveloper intends to seek benefits under The Planned Industrial Expansion Law which shall provide that sales tax exemption on construction materials, along with an exemption on real property taxes, for a portion of the Redevelopment Area containing approximately 22 acres and is generally bounded by Independence Avenue on the north, Hardesty Avenue on the west, East 9th Street on the South, and the Kansas City Terminal Railroad on the east, all in Kansas City, Jackson County, Missouri. The requested PIEA Benefits provide for 100% ad valorem tax abatement for twenty-five (25) years on the real property located in the PIEA Area. All Payments in Lieu of Taxes generated from real property within the Redevelopment Project Area and deposited into the Special Allocation Fund shall be declared surplus and shall be remitted to the affected Taxing Districts in accordance with the Act.

Anticipated Sources of Funds and Evidence of Commitments to Finance: Developer has submitted evidence of financing commitments.

Initial Equalized Assessed Value: The total initial equalized assessed valuation of the Redevelopment Area, according to 2023 tax records at the Jackson County Assessor’s Office, is approximately \$116,260,812. The 2023 calendar year combined ad valorem property tax levy is \$7.8179 per \$100 assessed valuation for residential property and \$9.2549 per \$100 assessed valuation for commercial property. The total initial equalized assessed valuation of

the Redevelopment Area will be determined prior to the time the Redevelopment Project is approved by Ordinance.

Statutory Findings: It is Staff’s recommendation that the Historic Northeast Tax Increment Financing Plan meets each of the required statutory findings identified by the TIF Act Statute. Specifically,

- **Economic Development Area:** The Plan Redevelopment Area on the whole, based upon the report attached to the Plan, 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 without the adoption of tax increment financing.
- **But-For Analysis:** Affidavit signed by City Manager, Brian Platt.
- **Tax-Impact Analysis:** Staff has prepared a Tax-Impact Analysis. It is attached to the plan.
- **Finding the Area Conforms to the City’s Comprehensive Plan:** The Redevelopment Plan conforms to the City’s KC Spirit Playbook and the applicable Area Plan.
- **Redevelopment Schedule:** The Redevelopment Plan provides that the estimated date of completion of any redevelopment project described by the Plan and retirement of obligations incurred to finance redevelopment project costs identified by the Plan shall not occur later than twenty-three (23) years after such redevelopment project is approved by ordinance.
- **Relocation Plan:** The Redevelopment Plan contains a relocation assistance plan. The Plan does not contemplate the relocation of any businesses or residents.
- **Gambling Establishment:** The Redevelopment Plan does not include development or redevelopment of any gambling establishment.
- **Acquisition by Eminent Domain:** The Redevelopment Plan 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 Redevelopment Plan does not provide for the adoption of an Ordinance approving any Redevelopment Project later than ten (10) years from the adoption of the Plan.

Action recommended: **(1 of 2)**
 (2 of 2)

CLAY/PLATTE RIII

PUBLIC HEARING – 10:30 AM

ROLL CALL

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

Action recommended: CONTINUING THE PUBLIC HEARING TO 9:50 A.M. JANUARY 9, 2024.

PUBLIC HEARING – 10:35 AM

ROLL CALL

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

Action recommended: CONTINUING THE PUBLIC HEARING TO 10:00 A.M. JANUARY 9, 2024.

JACKSON COUNTY/KCMO

PUBLIC HEARING – 10:40 AM

ROLL CALL

10. **14th & Wyandotte TIF Plan:** Consideration of approval of the 14th & Wyandotte TIF Plan, and others matters related thereto. *(David Leader)*

Action recommended: CONTINUING THE PUBLIC HEARING TO 10:10 A.M. JANUARY 9, 2024.

ADMINISTRATIVE TIF COMMISSION AGENDA ITEMS

MINUTES

11. **Consideration of acceptance of Minutes of the following Administrative and Counties/School Districts, and other matters related thereto. *(La’Sherry Banks)* Exhibit 11, 11A**

Minutes of November 14, and November 21, 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

12. **Cost Consent Agenda:** Consideration of approval of the Cost Consent Agenda, and other matters related thereto. *(Jennifer Brasher)* Exhibit 12

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

- Cost Certifications (**Exhibit 12**)

KCI Corridor TIF Plan: Consideration of certification of costs totaling \$134,377.38, and other matters related thereto. (Jennifer Brasher)

Request from: MD Management, Inc.
 Total amount requested: \$134,377.38
 Use of funds: Public Improvements, Administrative Cost
 Cost certifier: Ralph Johnson
 Questioned or disallowed costs: None
 EATs reporting requirement: 82% compliant for the current reporting period (1st Half 2023), prior reporting cycle 87% 2nd half 2022.

Notes: Report 2021 - 23. Project 7D Construction and Soft Costs. General expenses include Legal Fees.

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

KCI Corridor			
MD Management Admin	\$	3,461.78	\$ 3,461.78
MD Manangement Project 7D		130,915.60	130,915.60
	\$	134,377.38	\$ - \$ 134,377.38

Recommendation: Approval of certification of costs totaling \$134,377.38 and payment of related bond draws of \$134,377.38. Reimbursement is subject to the issuance of a Certificate of Partial Completion.

KCI Corridor TIF Plan: Consideration of certification of costs totaling \$94,886.45, and other matters related thereto. (Jennifer Brasher)

Request from: MD Management, Inc.
 Total amount requested: \$94,886.45
 Use of funds: 7D, 21, 17 and Developer Admin Fees
 Cost certifier: Ralph Johnson
 Questioned or disallowed costs: None
 EATs reporting requirement: 82% compliant for the current reporting period (1st Half 2023), prior reporting cycle 87% 2nd half 2022.

Notes: Report 2021 - 24. Project 7D, 17, and 21 Construction and Soft Costs. General expenses include Legal Fees.

Notes: 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
KCI Corridor			
MD Management Admin	\$ 22,735.04		\$ 22,735.04
MD Manangement Project 7D	70,487.78		70,487.78
MD Manangement Project 21	39.95		39.95
MD Management Project 17	1,623.68		1,623.68
	\$ 94,886.45	\$ -	\$ 94,886.45

Recommendation: Approval of certification of costs totaling \$94,886.45 and payment of related bond draws of \$94,886.45. Reimbursement is subject to the issuance of a Certificate of Partial Completion.

KCI Corridor TIF Plan: Consideration of certification of costs totaling \$144,460.42, and other matters related thereto. (Jennifer Brasher)

Request from: MD Management, Inc.
 Total amount requested: \$144,460.42
 Use of funds: 7D, 17, 21 and Developer Admin Fees
 Cost certifier: Ralph Johnson
 Questioned or disallowed costs: None
 EATs reporting requirement: 82% compliant for the current reporting period (1st Half 2023), prior reporting cycle 87% 2nd half 2022.

Notes: Report 2021 - 25. Project 7D, 17, and 21 Construction and Soft Costs. General expenses include Legal Fees.

Notes: 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
KCI Corridor			
MD Management Admin	\$ 1,079.81		\$ 1,079.81
MD Manangement Project 7D	142,887.84		142,887.84
MD Manangement Project 21	11.83		11.83
MD Management Project 17	480.94		480.94
	\$ 144,460.42	\$ -	\$ 144,460.42

Recommendation: Approval of certification of costs totaling \$144,460.42 and payment of related bond draws of \$144,460.42. Reimbursement is subject to the issuance of a Certificate of Partial Completion.

Briarcliff West TIF Plan: Consideration of certification of costs totaling \$353,311, and other matters related thereto. (Jennifer Brasher)

Request from: Briarcliff Development Company
Total amount requested: \$353,311
Use of funds: Developer Bond and Financing Costs and TIF Admin Fees
Cost certifier: Novak Birks
Questioned or disallowed costs: None
EATs reporting requirement: 91% compliant for the current reporting period (1st half 2023). 93% Compliant for the last reporting period (2nd half 2022).

Notes: Costs include Developer Bond & Financing Cost and TIF Administration Expenses for 2022.

Recommendation: Approval of certification of costs totaling \$353,311

Parvin Road Corridor TIF Plan: Consideration of certification of costs totaling \$1,962,149 and other matters related thereto. (Jennifer Brasher)

Request from: Hunt Midwest
Total amount requested: \$1,962,149
Use of funds: Projects 1,3 and 4
Cost certifier: Novak Birks
Questioned or disallowed costs: None
EATs reporting requirement: 93% compliant for the current reporting period (1st half 2023), 97.% Compliant for the last reporting period (2nd half 2022).

Notes: Project 1, TIF Admin and Construction Period Interest and Project 3 Construction Period Interest and Project 4 Construction Costs, Project Management and Construction Period Interest expense. Pay Application 139.

Recommendation: Approval of certification costs totaling \$1,962,149.

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

13. **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 Parvin Road Corridor TIF Plan, and other matters related thereto. (Sandra L. Rayford) Exhibit 13**

This Certificate of Partial Completion and Compliance is issued to Hunt Midwest Real Estate Development, Inc. (the “Redeveloper”), in accordance with Section 19 of the Amended and Restated Redevelopment Agreement (the “Redevelopment Agreement”), dated June 8, 2013 and amended on March 16, 2018 , 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 on September 15, 2023 and thereafter submitted and certified, pursuant to the Novak Birks, P.C.’s Independent Accountant’s Report, dated September 26, 2023 (the “Cost Certifier Report”) and Commission Resolution No. 10-1-23 (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	\$46,246,375
Public Improvement Costs Eligible for Reimbursement	\$68,155,614	\$46,246,375

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 WITHIN THE PARVIN ROAD CORRIDOR TIF PLAN AND DIRECT THE CHAIR, VICE-CHAIR, OR EXECUTIVE DIRECTOR TO EXECUTE A RESOLUTION APPROVING THE SAME.

14. **Shoal Creek Parkway TIF Plan: Consideration of approval of a Certificate of Partial Completion and Compliance in Connection with Public Improvements within the Shoal Creek Parkway TIF Plan, and other matters related thereto. (Sandra L. Rayford) Exhibit 14**

This Certificate of Partial Completion and Compliance is issued to Hunt Midwest Real Estate Development, Inc. (the “Redeveloper”) in accordance with Section 14 of the Agreement, dated May 10, 2021, between the Tax Increment Financing Commission of Kansas City, Missouri (the “Commission”) and the Redeveloper, as it may be modified, amended or restated from time to time (the “Redevelopment Agreement”) for the construction of certain improvements to Maplewoods Parkway between Shoal Creek Parkway and NE 112th Street (the “Partially Completed Improvements”) that are identified on **Exhibit B** to the Shoal Creek Parkway TIF Plan Schedule of Project Costs Submitted and Certified for Reimbursement as of August 15, 2023 with Independent Accountant’s Report (the “Certification Report”) dated August 31, 2023 by Hood & Associates CPAs., P.C.

The Shoal Creek Parkway TIF Plan, which was approved by City Council on November 10, 1994 by its passage of Ordinance No. 941443 and which has been amended several times thereafter by a series of Ordinances passed by the City Council, provides for the design and construction of roadways and other public infrastructure within and adjacent to the Redevelopment Area, including the construction of certain improvements to Maplewoods Parkway between Shoal Creek Parkway and NE 112th Street (“Public Improvement W”), including the Partially Completed Improvements.

	Budget	Actual
Public Improvement Costs	\$3,234,000	\$2,691,148
Eligible Reimbursement Costs	\$3,234,000	\$2,691,148

The Redeveloper has complied with the Commission’s Certification of Costs and Reimbursement Policy and the Commission has certified all Redevelopment Project Costs incurred that are eligible for reimbursement that relate to the Partially Completed Improvements described on **Exhibit A**. Staff recommends approval of this 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 PUBLIC IMPROVEMENTS WITHIN THE SHOAL CREEK PARKWAY TIF PLAN AND DIRECT THE CHAIR, VICE-CHAIR, OR EXECUTIVE DIRECTOR TO EXECUTE A RESOLUTION APPROVING THE SAME.

AGREEMENTS RELATED TO SPECIFIC TIF PLANS

- 15. **Southpointe TIF Plan: Consideration of a Second Amendment to Development Agreement among the Commission, UA KC Southpointe, LLC and the City of Kansas City, Missouri, Consent and Assignment to Development Agreement, Approval of Conveyance of Subdivision 1-A Property and other matters related thereto. (Wesley Fields) Exhibits 15A, 15B, and 15C**

In December 2012, Commission approved the terms of a Settlement Agreement, which provided, in part, that in connection with City's settlement of various lawsuits with Citadel Plaza, LLC ("Citadel"), its parent company, the Community Development Corporation of Kansas City, Missouri (CDCKC), and several creditors of Citadel and CDCKC, the Commission agreed to (1) terminate certain development and financing agreements related to the implementation of Redevelopment Project G of the Southtown Corridor/31st & Baltimore TIF Plan (the "Southtown TIF Plan"), (2) execute a release as to all claims against the City, Citadel and the CDCKC and (3) accept title to certain parcels of property (the "Project Properties") located within Redevelopment Project Area G, as described by Southtown TIF Plan (the "Commission's Covenants").

In consideration of the Commission's Covenants listed above, the City agreed to (1) terminate certain development and financing agreements related to the implementation of Redevelopment Project G of the Southtown Corridor/31st & Baltimore TIF Plan (the "Southtown TIF Plan"), (2) execute a release as to all claims against the Commission, Citadel and the CDCKC, (3) transfer title to the Commission the Project Properties and (4) execute and deliver to the Commission a Ground Lease, which shall provide that the Commission shall lease the Project Properties to the City for one Dollar (\$1), plus, in connection with such lease, the City shall pay such amounts that are necessary to remove any environmentally hazardous material from the Project Properties, and shall provide, at its own expense: insurance, necessary fencing and security, staffing, and maintenance of the Project Properties until such Project Properties are disposed of for development purposes (the "City's Covenants").

Pursuant to the Commission's Covenants and the City's Covenants, the City and the Commission, on February 29, 2012, entered into a Ground Lease. The City has indicated that it has selected UA KC Southpointe, LLC (the "Developer") as the developer of the Project Properties. The City has also determined that the Project Properties to be developed by the Developer will serve a predominantly public municipal purpose because, without limitation, vertical development will (1) enhance the tax base of Subject Property and surrounding area; (2) retain and generate jobs; (3) promote economic development in the area of the City in which the Subject Property is located; (4) result in generation of tax revenues to the City from the conduct of business and other activities in the City that would not otherwise occur; (5) serve as a catalyst for additional investment in and further redevelopment and rehabilitate the area of the City in which the Subject Property is located; (6) further the City's policy of encouraging economic stability and growth; and (7) preserve and enhance public parking in a strategic area of the City.

On February 4, 2022, the City, the Commission and the Developer entered into a Development Agreement, which provides, in part, that the Commission shall transfer the Project Property in six separate phases or Subdivisions to the Developer, upon the Developer's exercise of six separate options, with each option be subject to the satisfaction of certain conditions, including the completion of certain predevelopment due diligence such as producing a general development plan, a proposed land use plan, proposed zoning changes, a development schedule, a market study and a financing plan. On July 31, 2023, the City, Commission and the Developer entered into a First Amendment to the Development Agreement, which (1) modified the description of Subdivision 1 and Subdivision 2, (2) modified the description of certain documentation required to be submitted by the Developer to the City prior to the transfer of any Project Properties and the dates that such

documentation shall be provided and (3) modified the dates when the options must be exercised.

The Developer now desires to further amend the Development Agreement (1) to extend the date for the completion of the improvements contemplated by Subdivision 1-A and 1-B to thirty (30) months after the Developer acquires title to the same and (2) to modify the time frame (A) for when construction of the improvements in Subdivision 1-A must commence to sixty (60) days after acquiring title to Subdivision 1-A and (B) for when construction of the improvements in Subdivision 1-B must commence to thirty (30) days after acquiring title to Subdivision 1-B (collectively, the “Second Amendment Modifications”). Attached to the Board Packet as **Exhibit 15A**, is a Second Amendment to the Development Agreement, which incorporates the Second Amendment Modifications.

The Development Agreement, as amended, provides, in part, that no party shall assign the Development Agreement without the prior written consent of the Commission. The Commission has reviewed that certain Land Disposition and Development Participation Agreement, which contemplates that CRJ Development Partners, LC desires to partner with and participate in the financing and development of the Subdivision 1-A property, pursuant to the terms and conditions therein, which include the formation of a new joint venture entity to pursue the financing and development of the Subdivision 1-A property. The new joint venture entity is SouthPointe LLC. The Developer now desires and requests that the Commission consent to its assignment its rights, interests and obligations under the Development Agreement to implement the Subdivision 1-A property to SouthPointe LLC. Attached to the Board Packet as **Exhibit 15B**, is a Consent and Assignment of the Development Agreement, which provides for the Commission’s consent to the assignment of the Developer’s rights, interests and obligations under the Development Agreement to implement the Subdivision 1-A property to SouthPointe LLC.

Developer has recently exercised its option and desires to acquire the Subdivision 1-A Property. Provided the Developer satisfies each of its obligations under the Development Agreement to close on the sale of the Subdivision 1-A Property, including the payment of all outstanding costs and expenses due and owing to the Commission, staff and legal counsel recommend the execution, delivery and recording of the Quit-Claim Deed attached to the Board Packet as **Exhibit 15C**.

To the extent the Commission finds acceptable the Second Amendment to Development Agreement, the Consent and Assignment to the Development Agreement and the form of the Quit-Claim Deed attached to the Board Packet, staff and legal counsel recommend approval, subject to modifications accepted by the Chair, Executive Director, and legal counsel.

Action recommended:

APPROVAL OF THE SECOND AMENDMENT DEVELOPMENT AGREEMENT AMONG THE COMMISSION, UA KC SOUTHPOINTE, LLC AND THE CITY OF KANSAS CITY, MISSOURI, SUBJECT TO MODIFICATIONS ACCEPTED BY THE CHAIR, EXECUTIVE DIRECTOR, AND LEGAL COUNSEL.

APPROVAL OF THE CONSENT AND ASSIGNMENT TO DEVELOPMENT AGREEMENT, SUBJECT TO MODIFICATIONS ACCEPTED BY THE CHAIR, EXECUTIVE DIRECTOR, AND LEGAL COUNSEL.

APPROVAL OF THE QUIT-CLAIM DEED, SUBJECT TO MODIFICATIONS ACCEPTED BY THE CHAIR, EXECUTIVE DIRECTOR, AND LEGAL COUNSEL.

ADMINISTRATIVE MATTERS NOT RELATED TO SPECIFIC PLANS

16. Economic Activity Taxes: Consideration of the Economic Activity Taxes Report, and other matters related thereto. Exhibit 16

Action recommended: NONE; INFORMATION ONLY.

17. 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 17

The Affirmative Action/Contract Compliance Committee did not meet during the month of October 2023. Enclosed with the board packet is a copy of the MBE/WBE the month ending October 2023 for your review.

Action recommended: NONE; INFORMATION ONLY.

18. Governance, Finance and Audit Subcommittee: Consideration of Governance, Finance and Audit Reports, and other matters related thereto. (Tammy Queen) Exhibit 18, 18A

The Governance, Finance and Audit Subcommittee met on December 4, 2023, to consider the following item:

- Monthly Financials as prepared by Hood & Associates - (*Michael Keenen of Hood & Associates*)
- TIF Investment Report - (*Cory Adrian, KCMO*)

Action recommended: ACCEPTANCE OF THE FINANCIAL REPORT AND INVESTMENT REPORT.

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

Action recommended: NONE; INFORMATION ONLY.

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

Action recommended: NONE; INFORMATION ONLY.

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

Action recommended: NONE; INFORMATION ONLY.

EXECUTIVE SESSION

22. **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

23. **Adjournment**

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