

Board Meeting Agenda

Tax Increment Financing Commission

City of Kansas City, Missouri

DATE: October 12, 2021
TIME: **9:30 a.m.**
PLACE: Economic Development Corporation Board Room, 4th Floor
300 Wyandotte
Kansas City, Missouri

Videoconference

- Do not delete or change any of the following text. -

Join the meeting via Zoom

<https://zoom.us/j/92182348011?pwd=R0FXNGMzRGtnRzB0a0l0OWx3Z0hkdz09>

Meeting ID: **921 8234 8011**

Passcode: **377462**

By Telephone Dial: **1 (312) 626 6799**

Meeting number (access code): **921 8234 8011**

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 September 14, 2021 Platte County/Platte RIII-Park Hill meeting are included for the Commission’s review prior to the meeting.

Action recommended: ACCEPTANCE OF THE SEPTEMBER 14, 2021 PLATTE COUNTY/PLATTE RIII-PARK HILL MINUTES AS PRESENTED.

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

The Consent Agenda items for October 2021 are included in the Commission’s Board Packet for review prior to the meeting. The following items are included:

- Cost Certifications (**Exhibit 2**)

KCI TIF Plan: Consideration of certification of costs totaling \$889,897.77 and other matters related thereto. (Rick DeSimone)

Request from:	City of Kansas City, MO.
Total amount requested:	\$889,897.77
Use of funds:	Tiffany Springs Bridge
Cost certifier:	CHV CPAs
Questioned or disallowed costs:	None
EATs reporting requirement:	86% compliant for the current reporting period (1st half 2021), 1st Half Reports are not due to the Commission until 7-31-2021. Staff is following up with the Developer and Retailers. 96% Compliant for the last reporting period (2nd half 2020).

Notes: Construction Cost Project 4B, the Bridge over Interstate 29 on NW Old Tiffany Springs Road. A portion of this request will be paid from a bond draw—see schedule below.

	Bond Draw Portion	Reimbursable from other Funding Sources	Total Certification
KCI Corridor- City of Kansas City, MO	\$ 690,845.57	\$ 199,034.20	\$ 889,879.77
	\$ 690,845.57	\$ 199,034.20	\$ 889,879.77

Recommendation: Approval of certification of costs totaling \$889,897.77 and payment of related bond draw of \$690,845.57.

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

3. KCI Corridor TIF Plan: Consideration of approval of the Certificate of Completion and Compliance No. 5 in connection with the KCI Corridor TIF Plan and other matters related thereto. (Sandra Rayford) Exhibit 3

This Certificate of Completion issued to the City of Kansas City, Missouri in accordance with Section 11 of the Redevelopment Agreement for all such requirements and obligations in connection with (1) the acquisition of right of way, (2) the mitigation of wetlands necessary to complete certain improvements to Old Tiffany Springs Road, and (3) the construction to 4 lanes described on Exhibit A, attached hereto (the “Partially Completed Public Improvements”).

KCI CORRIDOR TIF PLAN/PROJECT 4B – OLD TIFFANY SPRINGS ROAD:

	<u>Budget</u>	<u>Actual to Date</u>
Total Public Improvements	\$7,012,890	\$6,286,779 ¹
Public Improvement Costs Eligible for Reimbursement	\$7,012,890	\$6,286,779

Redeveloper’s Report: The Redeveloper has provided satisfactory compliance documentation related to the Completed Improvements.

Cost Certification: All costs to date have been certified by the Commission.

Compliance with Policies: The Redeveloper satisfactorily complied with the policies attached to and incorporated within the Redevelopment Agreement, including Ordinance No. 180535, as further amended, and the Commission’s Workforce Policy.

Staff recommends approval of the Certificate of Completion and Compliance.

Action recommended: APPROVAL OF THE CERTIFICATE OF COMPLETION AND COMPLIANCE NO.5 FOR PROJECT 4B OF THE KCI CORRIDOR TIF PLAN AND DIRECT THE CHAIR, VICE-CHAIR, OR EXECUTIVE DIRECTOR TO EXECUTE A RESOLUTION APPROVING THE SAME.

4. **KCI Corridor TIF Plan: Consideration of approval of the appointment of Sabin Yanez as representative of the Northland Regional Chamber of Commerce, and Jenny Johnston as alternate, to the KCI Corridor TIF Advisory Committee, and other matters related thereto. (David Leader)**

The KCI Corridor TIF Plan provided for the appointment of a representative to the Advisory Committee by the Northland Regional Chamber of Commerce. The Chamber has requested the appointment Sabin Yanez to the KCI Corridor TIF Advisory Committee as the representative of the Chamber, replacing Chris Todd, and the appointment of Jenny Johnston as the alternate, replacing Ed Ford.

Recommendation: Accept the recommendations from the Northland Regional Chamber of Commerce of the appointment of Sabin Yanez as the regular appointee, with Jenny Johnston as the alternate.

Action recommended: APPROVAL OF THE APPOINTMENT OF SABIN YANEZ REPRESENTING THE NORTHLAND CHAMBER AND JENNY JOHNSTON, ALTERNATE TO THE KCI CORRIDOR TIF ADVISORY COMMITTEE.

5. **KCI Corridor TIF Plan: Consideration of approval of the appointment of Wes Minder to the KCI Corridor TIF Advisory Committee, and other matters related thereto. (David Leader)**

The Mayor has requested the appointment of Wes Minder to the KCI Corridor TIF Advisory Committee.

Action recommended: APPROVAL OF THE REQUEST OF THE MAYOR APPOINTING WES MINDER TO THE KCI CORRIDOR TIF ADVISORY COMMITTEE.

PLATTE-CLAY COUNTY/PLATTE RIII AGENDA ITEMS

ROLL CALL

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

Minutes of the September 14, 2021 Platte-Clay County/Platte RIII meeting are included for the Commission's review prior to the meeting.

Action recommended: ACCEPTANCE OF THE SEPTEMBER 14, 2021 PLATTE-CLAY COUNTY/PLATTE RIII MINUTES AS PRESENTED.

7. **Consent Agenda (Cost Certifications): Consideration of the Cost Consent Agenda for Platte-Clay County/Platte RIII, and other matters related thereto. (Rick DeSimone) Exhibit 7**

The Consent Agenda items for October 2021 are included in the Commission’s Board Packet for review prior to the meeting. The following items are included:

- Cost Certifications (**Exhibit 7**)

Platte Purchase Development Plan: Consideration of bond draw totaling \$4,855.68, and other matters related thereto. (Rick DeSimone)

Request from: Olsson
 Total amount requested: \$4,855.68.
 Use of funds: Professional Services for work completed on Platte Purchase Project 6 - MO Route 152 and Platte Purchase Interchange.

Olsson	Date	Bond Draw Portion	Pay As You Go Portion	Total
Invoice No. 399284	9/28/2021	4,855.68	-	4,855.68
		<u>\$ 4,855.68</u>	<u>\$ -</u>	<u>\$ 4,855.68</u>

Notes: The draw is for \$4,855.68 for Professional Service payable from the Platte Purchase Project Bond Fund, related to the Platte Purchase TIF Plan. Bond Request #33.

Recommendation: Approval of payment of bond draw totaling \$4,855.68.

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

8. **Platte Purchase Development Plan: Consideration of approval of the appointment of Martin Rucker as representative of the Northland Regional Chamber of Commerce to the Platte Purchase Development Plan Advisory Committee, and other matters related thereto. (David Leader)**

The Northland Chamber has requested the appointment of Martin Rucker to the Platte Purchase Development Plan Advisory Committee as representative of the Chamber, replacing Chris Todd. Ed Ford will remain as the alternate.

Action recommended: APPROVAL OF THE APPOINTMENT OF MARTIN RUCKER REPRESENTING THE NORTHLAND REGIONAL CHAMBER OF COMMERCE TO THE PLATTE PURCHASE DEVELOPMENT PLAN ADVISORY COMMITTEE.

9. **Platte Purchase Development Plan: Consideration of approval of the appointment of Wes Minder representing the City Manager to the Platte Purchase Development Plan Advisory Committee, and other matters related thereto. (David Leader)**

The City Manager has requested the appointment of Wes Minder to the Platte Purchase Development Plan Advisory Committee as the representative of the City Manager.

Action recommended: APPROVAL OF THE APPOINTMENT OF WES MINDER REPRESENTING THE CITY MANAGER TO THE PLATTE PURCHASE DEVELOPMENT PLAN ADVISORY COMMITTEE.

10. **Platte Purchase Development Plan: Consideration of acceptance of the recommendations of the Platte Purchase Advisory Committee to the Platte Purchase Development Plan, and other matters related thereto. (Heather Brown)**

The Platte Purchase Development Plan Advisory Committee (the “Advisory Committee”) met on September 15, 2021 to discuss the funding of certain public infrastructure improvements contemplated by the Platte Purchase Development Plan (the “Platte Purchase TIF Plan”) that may be funded with economic activity taxes generated within the Redevelopment Area described by the Platte Purchase TIF Plan.

The Advisory recommends that the TIF Commission

- A. Take all steps necessary to amend the Platte Purchase TIF Plan to modify the Budget of Redevelopment Project Costs and the Sources and Uses to provide that the City shall fund \$1,400,000 (the “City Contribution”) of the costs related to the design and construction of Platte Purchase Drive from NE 108th Street/Shoal Creek Parkway to Platte Purchase Park entrance (Public Improvement 7c); and
- B. Take all necessary steps to approve and recommend that the City Council of Kansas City, Missouri approve a Funding Agreement, which shall provide that (1) the City shall remit the City Contribution to the Commission for the purpose of paying costs related to the design and construction of Public Improvement 7c and (2) the Commission shall modify its Redevelopment Agreement with Hunt Midwest Real Estate Development Company to provide that a portion of the costs related to Public Improvement 7c shall be funded with the City Contribution.

Staff recommends acceptance and approval of the recommendations as presented above.

Action recommended: APPROVAL OF THE RECOMMENDATIONS PRESENTED BY THE PLATTE PURCHASE DEVELOPMENT PLAN ADVISORY COMMITTEE.

CLAY COUNTY/LIBERTY-NKC AGENDA ITEMS

ROLL CALL

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

Minutes of the September 14, 2021 Clay County/Liberty-NKC meeting are included for the Commission's review prior to the meeting.

Action recommended: ACCEPTANCE OF THE SEPTEMBER 14, 2021 CLAY COUNTY/LIBERTY-NKC MINUTES AS PRESENTED.

12. Consent Agenda (Cost Certifications): Consideration of the Cost Consent Agenda for Clay County/Liberty-NKC, and other matters related thereto. (Rick DeSimone) Exhibit 12

The Consent Agenda items for October 2021 are included in the Commission's Board Packet for review prior to the meeting. The following items are included:

- Cost Certifications (**Exhibit 12**)

Shoal Creek Parkway TIF Plan: Consideration of certification of costs totaling \$2,115,574.92, and other matters related thereto. (Rick DeSimone)

Request from:	The City of Kansas City, MO
Total amount requested:	\$2,115,574.92
Use of funds:	North Brighton Ave. St. Improvement Project G-6
Cost certifier:	CHV CPAs
Questioned or disallowed costs:	None
EATs reporting requirement:	86% compliant for the current reporting period (1st half 2021), 99% Compliant for the last reporting period (2nd half 2020). Staff has contacted the Developer and Retailers to obtain outstanding EATs Reports.

Notes: Street Improvements Project G-6, Northeast 58th Street to Pleasant Valley Road. Pay Request #4.

Recommendation: Approval of certification of costs totaling \$2,115,574.92.

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

13. **Shoal Creek Parkway TIF Plan: Consideration of (1) certification of costs totaling \$1,983,976.88, and (2) a request for waiver of the requirement that certification be requested within 18 months of the cost being incurred. (Rick DeSimone) Exhibit 13**

Request from: The City of Kansas City, MO
 Total amount requested: \$1,983,976.88
 Use of funds: Street Improvement Project
 Cost certifier: CHV CPAs
 Questioned or disallowed costs: \$938,924.28 – Cost Incurred over 18 months
 EATs reporting requirement: 86% compliant for the current reporting period (1st half 2021), 99% Compliant for the last reporting period (2nd half 2020). Staff has contacted the Developer and Retailers to obtain outstanding EATs Reports.

Notes: Street Improvements Project K, Northeast 104th Street from MO 291 to A Highway. Street Improvements a half mile east of MO 291 to the Liberty/Kansas City, MO City limits. Pay Request #4 and Pay Request #5.

Recommendation: Approval of certification of costs totaling \$1,983,976.88.

Action recommended: GRANT A WAIVER OF THE REQUIREMENT THAT COST BE SUBMITTED FOR REIMBURSEMENT WITHIN 18 MONTHS OF BEING INCURRED AND APPROVAL OF THE CERTIFICATION OF COST TOTALING \$1,983,976.88 FOR STREET IMPROVEMENT COST AND AUTHORIZE 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 the Certificate of Partial Completion and Compliance No. 3 for NE 104th Street within the Shoal Creek Parkway TIF Plan, and other matters related thereto. (Sandra Rayford) Exhibit 14**

This Certificate of Partial Completion is issued to the City of Kansas City, Missouri in accordance with Section 11 of the Redevelopment Agreement for all such requirements and obligations in connection with the acquisition of right-of-way and the construction of 104th Street/Public Improvement K2 that are identified on Exhibit A to the Certificate attached hereto.

SHOAL CREEK PARKWAY TIF PLAN:

	<u>Budget</u>	<u>Actual to Date</u>
Public Improvement Costs	\$10,900,000	\$4,663,714 ¹
Eligible Reimbursement Costs	\$10,900,000	\$4,663,714

Redeveloper’s Report: The Redeveloper has provided satisfactory compliance documentation related to the Partially Completed Improvements.

Cost Certification: All costs to date have been certified by the Commission.

Compliance with Policies: The Redeveloper satisfactorily complied with the policies attached to and incorporated within the Redevelopment Agreement, including the TIF Commission’s Certification of Costs and Reimbursement Policy and Ordinance 180535, as further amended.

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

Action recommended: APPROVAL OF THE CERTIFICATE OF PARTIAL COMPLETION AND COMPLIANCE FOR NE 104TH STREET OF THE SHOAL CREEK PARKWAY TIF PLAN AND AUTHORIZE AND DIRECT THE CHAIR, VICE-CHAIR, OR EXECUTIVE DIRECTOR TO EXECUTE A RESOLUTION APPROVING THE SAME.

15. Shoal Creek Parkway TIF Plan: Consideration of approval of the Certificate of Partial Completion and Compliance No. 2 for Project G6 - N.E. 58th Street of the Shoal Creek Parkway TIF Plan, and other matters related thereto. (Sandra Rayford) Exhibit 15

This Certificate of Partial Completion is issued to the City of Kansas City, Missouri in accordance with Section 11 of the Redevelopment Agreement for all such requirements and obligations in connection with the design and construction of a portion of the roadways and other public infrastructure within and adjacent to the Redevelopment Area, including the construction of certain improvements to North Brighton Road, beginning at NE 58th Street and continuing to Pleasant Valley Road (the “North Brighton Improvements – (G6)” and including the intersection at N. Brighton and Pleasant Valley Road (the “Pleasant Valley Intersection – “M1”) (the “Partially Completed Improvements”) that are identified on Exhibit A to the Shoal Creek Parkway TIF Plan and Exhibit A to the Certificate attached hereto (the “Partially Completed Public Improvements”).

SHOAL CREEK PARKWAY TIF PLAN:

	<u>Budget</u>	<u>Actual to Date</u>
Public Improvement Costs	\$10,900,000	\$4,663,714 ²
Eligible Reimbursement Costs	\$10,900,000	\$4,663,714

Redeveloper’s Report: The Redeveloper has provided satisfactory compliance documentation related to the Partially Completed Improvements.

Cost Certification: All costs to date have been certified by the Commission.

Compliance with Policies: The Redeveloper satisfactorily complied with the policies attached to and incorporated within the Redevelopment Agreement, including the TIF

Commission's Certification of Costs and Reimbursement Policy and Ordinance 180535, as further amended.

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

Action recommended: APPROVAL OF THE CERTIFICATE OF PARTIAL COMPLETION AND COMPLIANCE FOR PROJECT G6 – N.E. 58TH STREET OF THE SHOAL CREEK PARKWAY TIF PLAN AND AUTHORIZE AND DIRECT THE CHAIR, VICE-CHAIR, OR EXECUTIVE DIRECTOR TO EXECUTE A RESOLUTION APPROVING THE SAME.

16. Shoal Creek Parkway TIF Plan: Consideration of approval of the appointment of Carol Macken representing the Northland Regional Chamber of Commerce as a regular member of the Shoal Creek Parkway TIF Advisory Committee, and other matters related thereto. (David Leader)

The Northland Regional Chamber of Commerce has requested the appointment of Carol Macken to the Shoal Creek Parkway TIF Advisory Committee, replacing Matt Dority.

Action recommended: APPROVAL OF THE APPOINTMENT OF CAROL MACKEN REPRESENTING THE NORTHLAND REGIONAL CHAMBER OF COMMERCE TO THE SHOAL CREEK PARKWAY TIF ADVISORY COMMITTEE.

17. Shoal Creek Parkway TIF Plan: Consideration of the approval of a Cooperative Agreement between the TIF Commission and Valley View Community Improvement District in connection with financing redevelopment project costs identified by the Shoal Creek Parkway TIF Plan, and other matters related thereto. (Wesley Fields) Exhibit 17

On November 4, 1994, the City Council (the "Council") of Kansas City, Missouri (the "City"), by way of Committee Substitute for Ordinance No. 941443, approved the Shoal Creek Parkway TIF Plan, (the "TIF Plan") for an area designated therein as the redevelopment area (the "Redevelopment Area").

On October 12, 2017, the City Council passed Ordinance No. 170797, which approved the petition establishing the Valley View Community Improvement District (the "CID"). The boundaries of the CID are included within the Redevelopment Area. The board of directors of the CID authorized the imposition of 1.00% sales and use tax of retail sales occurring within the boundaries of the CID (the "CID Sales Tax").

The CID acknowledges and agrees that the CID Sales Tax is an "economic activity tax," as such term is defined by the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865, inclusive, of the Revised Statutes of Missouri, 1982, as amended (the "TIF Act") and 50% of such CID Sales Tax (the "TIF Portion of the CID Sales Tax") is subject to redirection, as contemplated by the TIF Act, for the purpose of paying certain eligible redevelopment project costs permitted by the TIF Act and identified by the TIF Plan.

The CID desires to enter into a Cooperative Agreement with the Commission, which shall provide that the CID shall transfer the TIF Portion of the CID Sales Tax to the Commission and the Commission shall thereafter deposit such TIF Portion of the CID Sales Tax in the Special Allocation Fund established for each such Redevelopment Project Area (the “SAF”). Specifically, the TIF Portion of the CID Sales Tax generated within each Redevelopment Project Area described by the Plan shall be transferred by the CID to the Commission within thirty (30) days of each calendar quarter ending on March 31, June 30, September 30, December 31 and the Commission, within five (5) days receipt of the same shall deposit the TIF Portion of the CID Sales Tax in the Special Allocation Fund established for each Redevelopment Project Area (the “SAF”). The Commission shall utilize the TIF Portion of the CID Sales Tax, except for five percent (5%) of such amount, which shall be used to fund the Commission’s administrative expenses, to reimburse or pay eligible reimbursable Redevelopment Project Costs identified by the TIF Plan.

Attached to the Commission Board Packet as **Exhibit 17** is a Cooperative Agreement, which contains the aforementioned terms.

To the extent the Commission finds acceptable the terms of the Cooperative Agreement, staff and legal counsel recommend approval, subject to modifications accepted by the Chair, Executive Director, and legal counsel.

Action recommended: APPROVAL OF THE COOPERATIVE AGREEMENT BETWEEN VALLEY VIEW COMMUNITY IMPROVEMENT DISTRICT AND THE TAX INCREMENT FINANCING COMMISSION OF KANSAS CITY, MISSOURI RELATIVE TO THE SHOAL CREEK PARKWAY TIF PLAN, SUBJECT TO ANY MODIFICATIONS APPROVED BY THE CHAIR, THE EXECUTIVE DIRECTOR, AND LEGAL COUNSEL.

CLAY COUNTY/NKC AGENDA ITEMS

PUBLIC HEARING – 10:00 AM

ROLL CALL

18. **North Oak TIF Plan – Twelfth Amendment: Consideration of approval of the Twelfth Amendment of the North Oak TIF Plan, and other matters related thereto. (Heather Brown)**

Action recommended: CONTINUING THE PUBLIC HEARING TO 10:00 AM NOVEMBER 9, 2021.

PUBLIC HEARING – 10:15 AM

ROLL CALL

19. **Arlington Road TIF Plan – Sixth Amendment: Consideration of approval of the proposed Sixth Amendment to the Arlington Road Tax Increment Financing Plan, and the approval of Redevelopment Project G2, and other matters related thereto. (Heather Brown) Exhibit 19**

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 Sixth Amendment to the Arlington Road Tax Increment Financing Plan (the “TIF Plan” or “Redevelopment Plan”), and the approval of Redevelopment Project G2.

Redevelopment Plan Area: The redevelopment area described by the Plan is generally bounded by Claycomo city limits on the north and on the east, Parvin Road on the south, and Worlds of Fun Avenue on the west in Kansas City, Clay County, Missouri (the “Redevelopment Area”).

Development Program: The TIF Plan provides for public infrastructure improvements. The public infrastructure improvements consist of road improvements, signage, signaling, sidewalks, curbs, sewer improvements, and other related public infrastructure improvements that will encourage construction of above and below ground development.

Notices: Staff delivered notice by certified mail on September 24, 2020 to the taxing districts from which taxable property is included in the Redevelopment Area and such notice contained an invitation to each such taxing district to submit comments to the TIF Commission concerning the Sixth Amendment to the TIF Plan prior to the date of this hearing.

Staff prepared and published notices in Kansas City Star on October 12, 2020 and November 2, 2020.

Staff prepared and delivered notices on October 29, 2020 by certified mail 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 Area, which shall be subjected to payments in lieu of taxes and economic activity taxes.

General Description of the Sixth Amendment to the Arlington Road Tax Increment Financing: The Sixth Amendment to Plan provides for (1) the addition of legal descriptions for Redevelopment Project Area G2; (2) certain modifications to the Site Maps, (3) certain modifications to the description of the public improvements to be implemented pursuant to the Plan, (4) certain modifications to the Budget Redevelopment Project Costs identified by the Plan, (5) certain modifications to the Redevelopment Schedule and (6) the inclusion of all conforming changes within the Exhibits to the Plan that are in furtherance of the foregoing modifications.

Statutory Findings: It is Staff’s recommendation that the Sixth Amendment to Arlington Road Tax Increment Financing Plan meets each of the required statutory findings identified by the TIF Act. Specifically:

- **Economic Development Area:** The Sixth 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 Sixth 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 Sixth 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 Sixth 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 Sixth 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 Sixth Amendment does not 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.
- **Gambling Establishment:** The Sixth Amendment does not include the initial development or redevelopment of any gambling establishment as defined in the Act.

Recommendation: Staff recommends approval of the Sixth Amendment to the Arlington Road Tax Increment Financing Plan.

Action recommended:

(1 of 3) CLOSING OF THE PUBLIC HEARING.

(2 of 3) APPROVAL OF THE PROPOSED SIXTH AMENDMENT TO THE ARLINGTON ROAD TAX INCREMENT FINANCING PLAN, AND FORWARDING THE RECOMMENDATIONS TO THE CITY COUNCIL FOR APPROVAL.

(3 of 3) APPROVAL OF REDEVELOPMENT PROJECT AREA G2 OF THE ARLINGTON ROAD TAX INCREMENT FINANCING PLAN, AND FORWARDING THE RECOMMENDATIONS TO THE CITY COUNCIL FOR APPROVAL.

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

Minutes of the September 14, 2021 Clay County/NKC meeting are included for the Commission's review prior to the meeting.

Action recommended: ACCEPTANCE OF THE SEPTEMBER 14, 2021 CLAY COUNTY/NKC MINUTES AS PRESENTED.

21. North Oak TIF Plan: Consideration of approval of the appointment of Jenny Johnston representing The Northland Regional Chamber of Commerce as a member of the North Oak TIF Advisory Committee, and other matters related thereto. (David Leader)

The Northland Regional Chamber of Commerce has requested the appointment of Jenny Johnston to the North Oak TIF Advisory Committee, replacing Dave Mecklenburg.

Action recommended: APPROVAL OF THE APPOINTMENT OF JENNY JOHNSTON REPRESENTING THE NORTHLAND REGIONAL CHAMBER OF COMMERCE TO THE NORTH OAK TIF ADVISORY COMMITTEE.

22. Arlington Road TIF Plan Consideration of approval of a First Amendment to the Second Amended and Restated Redevelopment Agreement with Hunt Midwest Real Estate Development, Inc. in connection with certain public improvements contemplated by the Arlington Road TIF Plan, and other matters thereto. (Jon Otto) Exhibit 22

On November 6, 2014, the City Council of Kansas City, Missouri (the "Council") passed Committee Substitute for Ordinance No. 140916, which approved the Arlington Road Tax Increment Financing Plan and which has been amended from time to time (the "Plan"). The Plan provides for the construction of certain road and infrastructure improvements (the "Public Improvements") in areas generally bounded by Claycomo City limits on the north and on the east, Parvin Road on the south and Worlds of Fun Avenue on the west in Clay County, Missouri.

On June 22, 2018, the Commission and Hunt Midwest Real Estate Development, Inc. ("Hunt Midwest") entered into a Second Amended and Restated Redevelopment Agreement (the "Original Agreement") to implement the public infrastructure improvements contemplated by the Plan (the "Public Improvements"), which provides, in part, that (i) Hunt Midwest will cause the Public Improvements to be constructed and (ii) the Commission, subject to the terms and conditions of the Redevelopment Agreement, will reimburse Hunt Midwest for certified costs Hunt Midwest has incurred in connection with constructing the Public Improvements, up to an amount not in excess of \$93,947,864, from available payments in lieu of taxes and economic activity taxes on deposit within the special allocation fund established in connection with each redevelopment project of the Plan and, to the extent available, contributions from the City of Kansas City, Missouri for the widening of NE 48th Street and the construction of Arlington Road.

The Sixth Amendment to the Plan, as proposed by Hunt Midwest, provides, in part, for (1) certain modifications to the description of the public improvements to be implemented pursuant to the Plan, (2) certain modifications to the Budget Redevelopment Project Costs

identified by the Plan and (3) certain modifications to the Redevelopment Schedule (the “Sixth Amendment Modifications”).

Attached, as **Exhibit 22**, is a First Amendment to the Second Amended and Restated Redevelopment Agreement between Hunt Midwest and the TIF Commission that has been prepared by legal counsel and reviewed and approved by staff and which contains the Sixth Amendment Modifications and certain modifications to incorporate the Commission’s most recent policies and procedures. To the extent the Commission finds acceptable the terms of the First Amendment to the Second Amended and Restated Redevelopment Agreement, attached hereto as **Exhibit 22**, staff and legal counsel recommend approval of the same, subject to modifications accepted by the Chair, Executive Director, and legal counsel and subject to the City Council’s approval of the Sixth Amendment to the Plan.

Action recommended: APPROVAL OF THE FIRST AMENDMENT TO THE SECOND AMENDED AND RESTATED REDEVELOPMENT AGREEMENT BETWEEN HUNT MIDWEST REAL ESTATE DEVELOPMENT, INC. AND THE TAX INCREMENT FINANCING COMMISSION OF KANSAS CITY, MISSOURI, SUBJECT TO ANY MODIFICATIONS APPROVED BY THE CHAIR, THE EXECUTIVE DIRECTOR, AND LEGAL COUNSEL; PROVIDED, HOWEVER, THE FIRST AMENDMENT TO THE SECOND AMENDED AND RESTATED REDEVELOPMENT AGREEMENT SHALL NOT BE EXECUTED AND RELEASED UNTIL THE CITY COUNCIL APPROVES THE SIXTH AMENDMENT TO THE ARLINGTON ROAD TAX INCREMENT FINANCING PLAN.

ADMINISTRATIVE TIF COMMISSION AGENDA ITEMS

ROLL CALL

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

Minutes of the September 14, 2021 Administrative TIFC meeting are included for the Commission’s review prior to the meeting.

Action recommended: ACCEPTANCE OF THE SEPTEMBER 14, 2021 ADMINISTRATIVE TIFC MINUTES AS PRESENTED.

24. Economic Activity Taxes: Consideration of acceptance of the Economic Activity Taxes Report, and other matters related thereto. (*Rick DeSimone*) Exhibit 24

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

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

The Affirmative Action/Contract Compliance Committee met on September 20, 2021. The Committee members in attendance were Commissioner, Jeffrey Williams and Councilman Lee Barnes, Commission Ryana Parks-Shaw, Heather Brown, TIF Executive Director, and Commission Staff Sandra Rayford, TIF Legal Counsels Wesley Fields, and Jon Otto.

The Committee reviewed two Five-Year Progress Reports, one of which was held until the next Committee meeting and one for 811 Main TIF Plan which is being presented under Jackson County agenda items.

The next Contract Compliance Committee meeting will be held at 3:30 p.m. on October 18, 2021 via Zoom.

Action recommended: NONE; INFORMATION ONLY

26. **Governance, Finance and Audit Subcommittee: Consideration of acceptance of the Governance, Finance and Audit Reports, and other matters related thereto. (Tammy Queen) Exhibit 26**

The Governance, Finance and Audit Subcommittee met on October 4, 2021 to consider the following item:

- Monthly Financials as prepared by Cochran Head
(Michael Keenen of Cochran Head)

Action recommended: ACCEPTANCE OF THE FINANCIAL REPORT

27. **Neighborhood & Housing Subcommittee: Consideration of the Neighborhood & Housing Report, and other matters related thereto. (Ryana Parks-Shaw) Exhibit 27**

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

Action recommended: NONE; INFORMATION ONLY.

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

Action recommended: NONE; INFORMATION ONLY.

29. **Administrative: Consideration of the Executive Director's Report, and other matters related thereto. (Heather Brown)**

Action recommended: NONE; INFORMATION ONLY.

JACKSON COUNTY/KCMO AGENDA ITEMS

ROLL CALL

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

Minutes of the September 14, 2021 Jackson County/KCMO meeting are included for the Commission's review prior to the meeting.

Action recommended: ACCEPTANCE OF THE SEPTEMBER 14, 2021 JACKSON COUNTY/KCMO MINUTES AS PRESENTED.

- 31. 811 Main TIF Plan: Consideration of Approval of the 15 Year Progress Report in connection with Project 1 Improvements in the 811 Main TIF Plan and other matters related thereto. (Sandra L. Rayford) Exhibit 31**

The 811 Main Tax Increment Financing Plan was approved by the City Council on January 5, 2006 by Ordinance No. 051527 for the rehabilitation and renovation of the twelve-story 811 Main building and parking garage, upgrading electrical, mechanical, plumbing, and roofing systems, and improving computing, security, and communication systems. The Tax Increment Financing Commission entered into an Agreement with Commerce Bank, N.A. (the "Redeveloper") for the implementation of the Project Improvements contemplated within the 811 Main TIF Plan.

A Certificate of Completion and Compliance was issued to the Redeveloper on January 11, 2017. Redevelopment Project Costs were budgeted at \$24,723,000 with final rehabilitation costs of \$18,925,353. Projected retained jobs were projected to be 727 employees and to date, there are 779 employees. Eligible reimburse costs were \$6,331,400 and \$4,744,912 have been disbursed to date. Eight years are remaining before the TIF Plan expires.

Enclosed with your board packets is a PowerPoint for your review and discussion.

Action recommended: APPROVAL OFF THE 15-YEAR PROGRESS REPORT FOR THE 811 MAIN TIF PLAN.

JACKSON COUNTY/HICKMAN MILLS AGENDA ITEMS

ROLL CALL

- 32. Consideration of acceptance of the Jackson County/Hickman Mills TIFC Minutes, and other matters related thereto. (La'Sherry Banks) Exhibit 32**

Minutes of the August 10, 2021 Jackson County/Hickman Mills meeting are included for the Commission's review prior to the meeting.

Action recommended: ACCEPTANCE OF THE AUGUST 10, 2021 JACKSON COUNTY/HICKMAN MILLS MINUTES AS PRESENTED.

33. **Consent Agenda (Cost Certifications): Consideration of the Cost Consent Agenda for Jackson County/Hickman Mills, and other matters related thereto. (Rick DeSimone) Exhibit 33**

The Consent Agenda items for October 2021 are included in the Commission’s Board Packet for review prior to the meeting. The following items are included:

Cost Certifications (**Exhibit 33**)

Bannister & I-435 TIF Plan: Consideration of request for certification of costs totaling \$12,574,270 and request for reimbursement reduction of \$1,284,736, and other matters related thereto. (Rick DeSimone)

Request from:	Cerner Property Development, Inc.
Current amount requested for Certification:	\$12,574,270
Current amount requested for Reimbursement Reduction	\$1,284,736
Use of funds:	Developer Cost (Submission # 12)
Cost certifier:	Novak Birks
Questioned or disallowed costs:	None
EATs reporting requirement:	100% Compliant

Notes: All Bannister & I-435 project costs are submitted for certification and include Building Construction, Tenant Improvements, Onsite and Offsite Improvements, TIF Commission Fees, General Development Cost, Design Cost, Legal Fees, Personal Property, and Construction Period Interest. The Developer requested certification for certain permanent financing interest amounts as provided by the TIF Plan. Pursuant to the Interest Policy of the TIF Commission, the developer has requested reimbursement of Permanent Financing Interest for Phases 1 and 2 of the TIF Plan after obtaining a Certificate of Completion and Compliance for both Phases 1 and 2, which aggregated to \$2,082,093 of costs requested for certification as provided by the Schedules. The Developer has requested to reclassify \$1,284, 736 of previously certified permanent financing costs (the "Previously Certified Costs") for which reimbursement was requested from the TIF Commission to a request for \$1,284, 736 of such Previously Certified Costs to be reimbursed with the State Supplemental TIF.

Recommendation: Approval of request for Cost Certification of costs totaling \$12,574,270 and reduction of reimbursable cost as shown on the schedule below:

	Total Costs Certified	Reimbursement Request
Site Summary #1 TIF	11,596,016	(1,284,736)
Site Summary #2 STIF	387,316	-
Site Summary #3 State	590,938	-
	12,574,270	(1,284,736)

Action recommended:

APPROVAL OF CERTIFICATION OF COST TOTALING \$12,574,270 AND REQUEST FOR REDUCTION OF REIMBURSABLE COST OF \$1,284,736 AND AUTHORIZE AND DIRECT THE CHAIR, VICE-CHAIR, OR EXECUTIVE DIRECTOR TO EXECUTE A RESOLUTION APPROVING THE SAME.

EXECUTIVE SESSION

34. **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

35. **Adjournment**

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