

**REVISED**

**Board Meeting Agenda**  
**Tax Increment Financing Commission**  
City of Kansas City, Missouri

***ANNUAL MEETING***

DATE: April 13, 2021  
TIME: **9:30 a.m.**  
PLACE: Economic Development Corporation Board Room, 4<sup>th</sup> Floor  
300 Wyandotte  
Kansas City, Missouri

**Videoconference**

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

**Join meeting via Zoom**

<https://zoom.us/j/92182348011?pwd=ROFXNGMzRGtnRzB0a0lOOWx3Z0hkdz09>

**Meeting ID: 921 8234 8011**

**Passcode: 377462**

**By Telephone Dial: 312 626 6799**

**Meeting ID: 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 March 9, 2021 Platte County/Platte RIII-Park Hill meeting are included for the Commission’s review prior to the meeting.

*Action recommended:* ACCEPTANCE OF THE MARCH 9, 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 April 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 \$56,507.43, and other matters related thereto. (*Rick DeSimone*)**

Request from:	MD Management, Inc.
Total amount requested:	\$56,507.43.
Use of funds:	Street Improvements and Administrative Cost
Cost certifier:	Ralph Johnson
Questioned or disallowed costs:	None
EATs reporting requirement:	84% compliant for the current reporting period (2nd half 2020) and 97% Compliant for the last reporting period (1st half 2020). Staff has contacted the Developer and Retailers to obtain outstanding EATs Report.

Notes: Street Improvement 17 (Line Creek Parkway), Engineering Cost and related Commission Expenses, Legal Fees and Construction Interest. Approval of certification of costs totaling \$56,507.43 and related bond draw of \$54,558.22.

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

	Bond Draw Portion	Pay As You Go Portion	Total Certification
KCI Corridor			
- MD Management, Inc.	\$ 54,558.22	\$ 1,949.21	\$ 56,507.43

*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 TIF Plan/Project 17: Consideration of approval of the Certificate of Partial Completion and Compliance No. 9 in connection with the KCI Corridor TIF Plan/Public Improvement 17, and other matters related thereto. (Sandra Rayford) Exhibit 3**

This Certificate of Partial Completion and Compliance is issued to MD Management, Inc. (the “Redeveloper”) in accordance with Section 14 of the Agreement, dated March 30, 2006, and as amended from time to time, between the Tax Increment Financing Commission of Kansas City, Missouri (the “Commission”) and the Redeveloper (the “Redevelopment Agreement”) for all such requirements and obligations in connection with the construction of a portion of certain improvements to Line Creek Parkway (the “Partially Completed 17 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 February 28, 2021 by Independent Accountant’s Report (the “Certification Report”) dated March 8, 2021 by Ralph C. Johnson & Company, P.C. (All capitalized terms not defined herein shall have the respective meanings ascribed to them in the Redevelopment Agreement).

This Certificate of Partial Completion and Compliance does not waive or modify any existing rights or obligations the Redeveloper has or may have under the Funding Agreement, dated March 30, 2006, between the Commission and the Redeveloper, as it has been modified, amended or restated from time to time, or the Redevelopment Agreement, including any obligation the Redeveloper may have to complete the construction of the remaining public infrastructure improvements to be undertaken pursuant to the terms and conditions of the Redevelopment Agreement and to provide reports required by the Redevelopment Agreement and any obligation of the Commission arising under the Redevelopment Agreement, including any obligation the Commission may have to reimburse unpaid certified costs.

The Redeveloper has complied with the Commission’s Certification of Costs and Reimbursement Policy, as amended from time to time, and together with the costs to certified pursuant to Certification of Costs Resolution that relate to implementation of the Partially Completed 17 Improvements.

To date, the Redeveloper currently is in compliance with all provisions of the Redevelopment Agreement, including, but not limited to, the policies incorporated therein. 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 FOR THE PARTIAL COMPLETION AND COMPLIANCE OF PUBLIC IMPROVEMENT 17 WITHIN THE KCI CORRIDOR TIF PLAN AND AUTHORIZE AND DIRECT THE CHAIR, VICE-CHAIR OR EXECUTIVE DIRECTOR TO EXECUTE A RESOLUTION APPROVING THE SAME.

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

### ***ROLL CALL***

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

Minutes of the March 9, 2021 Platte-Clay County/Platte RIII meeting are included for the Commission's review prior to the meeting.

*Action recommended:*

ACCEPTANCE OF THE MARCH 9, 2021 PLATTE-CLAY COUNTY/PLATTE RIII MINUTES AS PRESENTED.

**5. Consent Agenda (Cost Certifications): Consideration of the Cost Consent Agenda for Platte-Clay County/Platte RIII, and other matters related thereto. (*Rick DeSimone*) Exhibit 5**

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

- Cost Certifications (**Exhibit 5**)

**Platte Purchase TIF Plan: Consideration of certification of costs totaling \$68,629.80, and other matters related thereto. (*Rick DeSimone*)**

Request from:	MD Management, Inc.
Total amount requested:	\$68,629.80.
Use of funds:	Construction and Street Improvement Cost
Cost certifier:	Ralph Johnson
Questioned or disallowed costs:	None
EATs reporting requirement:	100% compliant for the current reporting period (2nd half 2020), and 100% Compliant for the last reporting period (1st half 2020).

Notes: Cost Includes Commission Expenses, Construction Period Interest, Legal Fees & Street Improvement Cost. Street Improvement Cost includes N Platte Purchase Dr, Line Creek Parkway Sanitary Sewer Professional Services. A portion of this request will be paid from bond draw—see schedule below.

	Bond Draw Portion	Pay As You Go Portion	Total Certification
Platte Purchase			
- MD Management, Inc.	\$ 58,573.39	\$ 10,056.41	\$ 68,629.80

Recommendation: Approval of certification of costs totaling \$68,629.80 and related bond draw of \$58,573.39.

**Platte Purchase TIF Plan: Consideration of bond draw totaling \$201,378.36, and other matters related thereto. (Rick DeSimone)**

Request from: Olsson  
 Total amount requested: \$201,378.36.  
 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. 376424	12/23/2020	198,681.02	-	198,681.02
Invoice No. 383333	3/31/2021	2,697.34	-	2,697.34
		<u>\$ 201,378.36</u>	<u>\$ -</u>	<u>\$ 201,378.36</u>

Notes: The draw is for \$201,378.36 for Professional Service payable from the Platte Purchase Project Bond Fund, related to the Platte Purchase TIF Plan. Bond Request #24.

Recommendation: Approval of a bond draw totaling \$201,378.36.

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

**6. Platte Purchase TIF Plan/Public Improvements 3/4/7A/10, NW, TSR. M152 & N Platte Purchase Interchange, N Platte Purchase, Line Creek Parkway, Sanitary Sewer: Consideration of approval of the Certificate of Completion and Compliance No. 7 in connection with the Platte Purchase TIF Plan and other matters related thereto. (Sandra L. Rayford) Exhibit 6**

This Certificate of Partial Completion and Compliance is issued to MD Management, Inc. (the “Redeveloper”) in accordance with the Agreement (the “Redevelopment Agreement”), dated July 21, 2016, as it has been and may be amended from time to time, between the Tax Increment Financing Commission of Kansas City, Missouri (the “Commission”) and the

Redeveloper, for the implementation of certain public infrastructure improvements described by the Platte Purchase Development Plan, as amended (the “TIF Plan”).

This Certificate of Partial Completion is issued to the Redeveloper in accordance with Section 19 of the Redevelopment Agreement for all such requirements and obligations in connection with the construction of a portion of certain Public Infrastructure Improvements described on Exhibit B and Exhibit C, attached hereto (the “Partially Completed Public Improvements”), and for which costs through February 28, 2021 were submitted and certified by Ralph C. Johnson & Company, P.C. Independent Accountant’s Report (the “Cost Certification Report”), dated March 8, 2021 and Commission Resolution No. 4-\_-21 (the “Certification of Costs Resolution”), as contemplated by the TIF Plan. (All capitalized terms not defined herein shall have the respective meanings ascribed to them in the Redevelopment Agreement).

This Certificate of Partial Completion and Compliance does not waive or modify any rights or obligations Redeveloper has or may have under the Funding Agreement, dated June 30, 2016, between the Commission and the Redeveloper or the Redevelopment Agreement, including any obligation the Redeveloper may have to complete the remaining public infrastructure improvements described by the TIF Plan and the Redevelopment Agreement and to provide reports required by the Redevelopment Agreement and any obligation the Commission may have under the Redevelopment Agreement, including the obligation to reimburse unpaid certified Redevelopment Project Costs.

The TIF Plan, which was approved by City Council on July 28, 2016 and which has been amended thereafter by a series of Ordinances passed by the City Council, provides for the implementation of several public infrastructure improvements, including the street improvements, traffic signalization, trails, sanitary sewer lines and related improvements to support commercial development within the Development Plan Area.

The Redeveloper has complied with the Commission’s Certification of Costs and Reimbursement Policy, as amended from time to time, and the Commission, pursuant to the Certification of Costs Resolution, has certified all Redevelopment Project Costs incurred that are eligible for reimbursement that relate to implementation of the Partially Completed Public Improvements.

To date, the Redeveloper currently is in compliance with all provisions of the Redevelopment Agreement, including, but not limited to, the policies incorporated therein. 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 FOR THE PARTIAL COMPLETION AND COMPLIANCE OF PUBLIC IMPROVEMENTS 3/4/7A/10, NW, TSR. M152 & N PLATTE PURCHASE INTERCHANGE, N PLATTE PURCHASE, LINE CREEK PARKWAY, SANITARY SEWER WITHIN THE PLATTE PURCHASE DEVELOPMENT PLAN

## ***CLAY COUNTY/LIBERTY-NKC AGENDA ITEMS***

### ***ROLL CALL***

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

Minutes of the March 9, 2021 Clay County/Liberty-NKC meeting are included for the Commission’s review prior to the meeting.

*Action recommended:* ACCEPTANCE OF THE MARCH 9, 2021 CLAY COUNTY/LIBERTY-NKC MINUTES AS PRESENTED.

8. **Shoal Creek Parkway TIF Plan: Consideration of the approval of a Funding Agreement among the Commission, Star Development Corp and the City of Kansas City, Missouri. for the financing of the installation of traffic signals at the intersection of NE 108<sup>th</sup> Street and NE Cookingham Drive, as provided for by the Shoal Creek Parkway TIF Plan, and other matters related thereto. (Wesley Fields) Exhibit 8**

On November 10, 1994, the City Council (the “City Council”) of the City of Kansas City, Missouri (the “City”), upon the recommendation of the Commission, approved the Shoal Creek Parkway Tax Increment Financing Plan (the “Shoal Creek TIF Plan”) by Ordinance No. 941443 and designated the area described therein as a redevelopment area (the “Redevelopment Area”). The Shoal Creek TIF Plan has been subsequently amended, pursuant to a series of ordinances passed by the City Council.

The Shoal Creek Plan provides, among other things, for the design and construction of roadways and other public infrastructure improvements within and adjacent to the Redevelopment Area, including the installation of traffic signals at the intersection of NE 108<sup>th</sup> Street and NE Cookingham Drive (the “Traffic Signal Installation Project”).

The City of Kansas City, Missouri (the “City”) intends to enter into a Cost Share Agreement (the “Cost Share Agreement”) with the Missouri Highways and Transportation (“MODOT”), which shall provide that the City shall contribute approximately One Hundred One Thousand Dollars (\$101,000) (the “Local Portion”) and MODOT shall contribute approximately One Hundred One Thousand Dollars (the “MODOT Portion”) toward the cost of the Traffic Signal Installation Project.

The City has requested that the Commission contribute \$72,500 (the “Commission’s Contribution”) to the City for the purpose of paying a portion of the City’s Local Portion under the Cost Share Agreement. The City has requested that Star Development contribute \$28,500 (“Star’s Contribution”) to the City for the purpose of paying a portion of the City’s Local Portion under the Cost Share Agreement.

Attached as **Exhibit 8** to the Board Packet is a Funding Agreement, which provides, in part, that the Commission shall contribute the Commission’s Contribution to City and that Star Development Corp shall contribute Star’s Contribution to the City and, upon the City’s receipt of the Commission’s Contribution and Star’s Contribution, the City shall deposit such amounts into separate segregated account, which shall be utilized to pay the Local Portion of the Redevelopment Project Costs, as required by the Cost Share Agreement.

To the extent the Commission finds acceptable the terms of the Funding Agreement, attached to the Board Packet as **Exhibit 8**, staff and legal counsel recommend its approval, subject to modifications accepted by the Chair, Executive Director and legal counsel.

*Action recommended:*

APPROVAL OF THE FUNDING AGREEMENT AMONG THE CITY OF KANSAS CITY, MISSOURI, STAR DEVELOPMENT CORP AND THE CITY OF KANSAS CITY, MISSOURI FOR THE FINANCING OF THE INSTALLATION OF TRAFFIC SIGNALS AT THE INTERSECTION OF NE 108<sup>TH</sup> STREET AND NE COOKINGHAM DRIVE, AS CONTEMPLATED BY THE SHOAL CREEK PARKWAY TIF PLAN, SUBJECT TO MODIFICATIONS ACCEPTED BY THE CHAIR, THE EXECUTIVE DIRECTOR AND LEGAL COUNSEL.

## ***CLAY COUNTY/NKC AGENDA ITEMS***

### ***ROLL CALL***

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

Minutes of the March 9, 2021 Clay County/NKC meeting are included for the Commission's review prior to the meeting.

*Action recommended:*

ACCEPTANCE OF THE MARCH 9, 2021 CLAY COUNTY/NKC MINUTES AS PRESENTED.

**10. Consent Agenda (Cost Certifications): Consideration of the Cost Consent Agenda for Clay County/NKC, and other matters related thereto. (*Rick DeSimone*) Exhibit 10**

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

**Cost Certifications (Exhibit 10)**

**Arlington Road Link TIF Plan: Consideration of certification of costs totaling \$351,536.00, and other matters related thereto. (*Rick DeSimone*)**

Request from:	Hunt Midwest
Total amount requested:	\$351,536.00
Use of funds:	Street Improvements & Project Expenses
Cost certifier:	Novak Birks
Questioned or disallowed costs:	None
EATs reporting requirement:	100% compliant for the current reporting period (2nd half 2020), and 100% Compliant for the last reporting period (1st half 2020).

Notes: Street Improvement Project Cost (Project 1), Project Management Expenses and GC Fees. Pay Application #14.

Recommendation: Approval of certification of costs totaling \$351,536.00.

**North Oak TIF Plan: Consideration of bond draw totaling \$11,500.00, and other matters related thereto. (*Rick DeSimone*)**

Request from: Northland Neighborhoods  
 Total amount requested: \$11,500.00  
 Use of funds: Administrative fees and Contractor reimbursement in connection with the Encore Housing Program.

	Bond Draw Portion	Project Funds Portion	Total
<u>North Oak TIF Plan</u>			
- Administrative Fee M. Cavin - Inv 73	1,500.00	-	1,500.00
- Home Performance Services - Inv 2879	7,260.00	-	7,260.00
- Home Performance Services - Inv 2879-1	2,740.00	-	2,740.00
	<u>\$ 11,500.00</u>	<u>\$ -</u>	<u>\$ 11,500.00</u>

Notes: The draw is for \$1,500.00 Administrative Fees and \$10,000.00 subcontractor's reimbursement as part of the Encore Housing Program and payable from the project account of the bonds related to the North Oak TIF Plan. Bond Request #54.

Recommendation: Approval of a bond draw totaling \$11,500.00.

**North Oak TIF Plan: Consideration of bond draw totaling \$9,441.50, and other matters related thereto. (Rick DeSimone)**

Request from: Northland Neighborhoods  
 Total amount requested: \$9,441.50  
 Use of funds: Administrative fees and Contractor reimbursement in connection with the Encore Housing Program.

	Bond Draw Portion	Project Funds Portion	Total
<u>North Oak TIF Plan</u>			
- Administrative Fee J. Martino - Inv 74	1,231.50	-	1,231.50
- Construction Management Group- Inv 1116113	8,210.00	-	8,210.00
	<u>\$ 9,441.50</u>	<u>\$ -</u>	<u>\$ 9,441.50</u>

Notes: The draw is for \$1,231.50 Administrative Fees and \$8,210.00 subcontractor's reimbursement as part of the Encore Housing Program and payable from the project account of the bonds related to the North Oak TIF Plan. Bond Request #55.

Recommendation: Approval of a bond draw totaling \$9,441.50.

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

# ***ADMINISTRATIVE TIF COMMISSION AGENDA ITEMS***

## ***ANNUAL MEETING***

### ***ROLL CALL***

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

Minutes of the March 9, 2021 Administrative TIFC meeting are included for the Commission's review prior to the meeting.

*Action recommended:* ACCEPTANCE OF THE MARCH 9, 2021 ADMINISTRATIVE TIFC MINUTES AS PRESENTED.

**12. Election of Officers – The following slate of officers are nominated for election until such person's successor has been duly elected and qualified, or until such time of such person's resignation, death or removal.**

Alissia Canady	Chair
Ryana Parks-Shaw	Vice Chair
Tammy Queen	Treasurer
Michael Keenan	Asst Treasurer
Heather Brown	Secretary
La'Sherry Banks	Assistant Secretary

*Action recommended:* ELECTION OF THE OFFICERS AS PRESENTED

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

The most current Economic Activity Taxes Report is included for the Commission's review prior to the meeting:

- EATs Report

*Action recommended:* NONE; INFORMATION ONLY

**14. Affirmative Action and Contract Compliance Subcommittee Reports: Consideration of acceptance of the Affirmative Action and Contract Compliance Reports, and other matters related thereto. (Dion Lewis) Exhibit 14**

The Affirmative Action/Contract Compliance Committee did not meet in March 2021.

Enclosed with your Board Packets are copies of the MBE/WBE expenditure reports for activity through February 28, 2021. These reports will be reviewed in detail by the Committee at the April 19, 2021 Committee meeting.

*Action recommended:* NONE; INFORMATION ONLY

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

The Governance, Finance and Audit Subcommittee met on April 5, 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

- Budget for FY 22

*Action recommended:* ACCEPTANCE OF THE BUDGET FOR FY 222

- Adoption of Annual Budget - Consideration of action to require the adoption of an annual budget by the Commission.

*Action recommended:* APPROVAL OF A RESOLUTION TO ADOPT AN ANNUAL BUDGET.

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

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

*Action recommended:* NONE; INFORMATION ONLY.

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

*Action recommended:* NONE; INFORMATION ONLY.

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

*Action recommended:* NONE; INFORMATION ONLY.

# JACKSON COUNTY/KCMO AGENDA ITEMS

## PUBLIC HEARING – 9:40 AM

### ROLL CALL

19. **River Market TIF Plan Tenth Amendment: Consideration of approval of the Tenth Amendment to the River Market TIF Plan, and other matters related thereto.** (*Heather A. Brown*) Exhibit 19

The River Market Tax Increment Financing Plan was approved by Ordinance No. 991556, and subsequently amended by nine times (collectively the “Plan”).

**Redevelopment Area:** The redevelopment area is generally bordered by the Missouri River on the north, the Heart of America bridge/Missouri Hwy 9 on the east, I-35/70 on the south, and Broadway Boulevard on the west (the “Redevelopment Area”) in Kansas City, Jackson County, Missouri (the “City”).

**Notices:** All notices were provided as required under the Missouri Real Property Tax Increment Allocation Redevelopment Act.

**Project Description:** The Tenth Amendment proposes, upon the provision for payment of all reimbursable redevelopment project costs identified by the Plan and approved for payment by the Commission, including costs and expenses incurred by the Commission, that the remaining amounts in the Special Allocation Funds established in connection with such Redevelopment Project Areas 1-17 (the “Special Allocation Funds”) shall be declared surplus and shall be remitted to the affected taxing districts in accordance with the Real Property Tax Increment Allocation Act and, upon the actual payment of such reimbursable project costs identified by the Plan, including costs and expenses incurred by the Commission, the City shall proceed with (1) the termination of the designation of Redevelopment Project Areas 1-17, (2) the declaration as surplus of all amounts remaining in the Special Allocation Funds and distribution of such amounts to the affected taxing districts in accordance with the Real Property Tax Increment Allocation Act and (3) the dissolution of such Special Allocation Funds.

#### **Required Statutory Findings:**

In connection with the approval of consideration of the Tenth Amendment to the River Market TIF Plan, staff recommends that the TIF Commission make the following statutory findings:

#### **Blighted Area**

This Tenth Amendment does not alter the City’s previous finding that the Redevelopment Area, on the whole, is a Blighted area.

#### **Expectations for Development**

This Tenth 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

This Tenth Amendment does not alter the City's previous finding that the Plan conforms to the City's comprehensive plan.

Date to Adopt Redevelopment Project

This Tenth 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 Complete Redevelopment

This Tenth Amendment does not alter estimated dates to complete the Redevelopment Projects, which each is scheduled to be completed not more than twenty-three (23) years from the adoption of any Ordinance approving the Redevelopment Project.

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 approved by the City Council from which TIF Revenue is utilized to pay principal and interest on such Obligations.

Acquisition by Eminent Domain

This Tenth 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.

Relocation Assistance

This Tenth Amendment does not contemplate the relocation of any resident or business pursuant to the City's relocation policy.

Cost-Benefit Analysis

This Tenth 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

This Tenth Amendment does not include the initial development or redevelopment of any gambling establishment as defined in the Act.

Recommendation: Staff recommends approval of the proposed Tenth Amendment.

*Action recommended:*

**[1 of 2] CLOSING THE PUBLIC HEARING.**

**[2 of 2] APPROVAL OF THE TENTH AMENDMENT TO THE RIVER MARKET TIF PLAN AND FORWARDING IT TO CITY COUNCIL WITH A RECOMMENDATION OF APPROVAL.**

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

Minutes of the March 9, 2021 Jackson County/KCMO meeting are included for the Commission’s review prior to the meeting.

*Action recommended:* ACCEPTANCE OF THE MARCH 9, 2021 JACKSON COUNTY/KCMO MINUTES AS PRESENTED.

**21. Consent Agenda (Cost Certifications): Consideration of the Cost Consent Agenda for Jackson County/KCMO, and other matters related thereto. (Rick DeSimone) Exhibit 21**

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

- Cost Certifications (Exhibit 21)

**Country Club Plaza NID Plan: Consideration of certification of costs totaling \$75,467.00, and other matters related thereto. (Rick DeSimone)**

Request from:	Kirkwood Realty Company LLC
Total amount requested:	\$75,467.00
Use of funds:	Cost of Carry Interest
Cost certifier:	Ralph Johnson
Questioned or disallowed costs:	None
EATs reporting requirement:	76% compliant for the current reporting period (2nd half 2020) and 94% Compliant for the last reporting period (1st half 2020). Staff has contacted the Developer and Retailers to obtain outstanding EATs Report.

Recommendation: Approval of certification of costs totaling \$75,467.00.

**Linwood Shopping Center TIF Plan: Consideration of certification of costs totaling \$141,069.00, and other matters related thereto. (Rick DeSimone)**

Request from:	Linwood Shopping Center Redevelopment Co
Total amount requested:	\$214,829.00
Use of funds:	Project 4 & 5 Redevelopment Cost
Cost certifier:	CHV CPAs
Questioned or disallowed costs:	\$73,760.00
EATs reporting requirement:	Initial Reporting Period Pending Project Completion.

Source of Funds	Draw 11 Request	Add: Current Retainage		Deduct: Retainage Released	Current Cost Request for Certification	Less: Questioned Cost	Current Costs Examined Draw 11
		Withheld Not Included in Draw Request					
Central City EDI	\$ 180,362.00	\$ -		\$ (147,325.00)	\$ 33,037.00	\$ -	\$ 33,037.00
Pace Reimbursabl	50,213.00	-		(50,213.00)	-	-	-
TIF Reimbursable	356,278.00	-		(174,486.00)	181,792.00	(73,760.00)	108,032.00
	<u>\$ 586,853.00</u>	<u>\$ -</u>		<u>\$ (372,024.00)</u>	<u>\$ 214,829.00</u>	<u>\$ (73,760.00)</u>	<u>\$ 141,069.00</u>

Notes: Redevelopment Project Costs include Construction Cost, General Contractor Expenses and Remodeling Costs and TIF Commission Administrative Cost.  
Draw Request #11.

Recommendation: Approval of certification of costs totaling \$141,069.00.

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

**22. 22<sup>nd</sup> & Main TIF Plan: Consideration of approval of an Assignment & Assumption Agreement among the Commission, Tracks 215, LLC and 22<sup>nd</sup> & Wyandotte, LLC in connection with the implementation of certain district wide improvements contemplated by the 22<sup>nd</sup> & Main TIF Plan, and other matters related thereto. (Wesley Fields) Exhibit 22**

On February 11, 1998, the Commission, by Resolution No. 2-5-98, recommended to the Council that it approve the 22nd & Main Tax Increment Financing Plan (the “Original Plan”) and on August 26, 1999, the Council adopted Ordinance No. 980230, which accepted the recommendation of the Commission, approved the Original Plan, and designated the initial redevelopment area described by the Original Plan, pursuant to the authority granted the Council by the Act. The Original Plan was subsequently amended several times pursuant to a series of ordinances adopted by the Council (the Original Plan, together with all amendments thereto, shall hereafter be referred to as the “Plan”). The Twentieth Amendment to the Plan provides, among other things for the design and construction of an approximately 270-stall parking facility and an apartment complex containing approximately 200 residential units (collectively, the “District Wide Improvements”).

Tracks 215, LLC (“Tracks 215”) and the Commission entered into (1) a redevelopment agreement, dated February 10, 2021 (the “Tracks 215 Redevelopment Agreement”) governing implementation of the District Wide Improvements contemplated by Plan and the utilization of certain of the Plan’s economic activity taxes (“EATS”) and payments in lieu of taxes (“PILOTS”) (collectively, “TIF Revenue”) to reimburse certified and unpaid eligible Redevelopment Project Costs that the Assignor is entitled to receive pursuant to the Tracks 215 Redevelopment Agreement, and (2) a funding agreement, dated January 8, 2019 (the “Tracks 215 Funding Agreement”), governing the Commission’s administration of the Plan as it relates to the District Wide Improvements.

Tracks 215 desires to convey to 22<sup>nd</sup> & Wyandotte all of Tracks 215's rights, duties, interests and obligations under the Tracks 215 Redevelopment Agreement and the Tracks 215 Funding Agreement and 22<sup>nd</sup> & Wyandotte has agreed to assume and perform all of Tracks 215's rights, duties, interests and obligations under the Tracks 215 Redevelopment Agreement and the Tracks 215 Funding Agreement. However, the Tracks 215 Redevelopment Agreement provides that there shall be no assignment of the Assignor's rights under the Tracks 215 Redevelopment Agreement, except upon terms and conditions agreeable to the Commission.

Attached as **Exhibit 22** to the Commission Board Packet is an Assignment and Assumption Agreement among the Commission, Tracks 215 and 22<sup>nd</sup> & Wyandotte, LLC, which provides for Tracks 215's assignment and 22<sup>nd</sup> & Wyandotte LLC's assumption of Tracks 215's rights, interest, duties and obligations under the Tracks 215 Redevelopment Agreement; provided however, such assignment is subject to (i) 22<sup>nd</sup> & Wyandotte, LLC entering into a separate or an amended redevelopment agreement with the Commission for the implementation of the District Wide Improvements and (ii) a Funding Agreement with the Commission to pay for all Commission costs and expenses related to the administration of the Plan, as it relates to the District Wide Improvements, if the Commission is without a source to pay such costs and expenses.

The Assignment and Assumption Agreement has been reviewed and negotiated by staff and legal counsel, it contains the Commission's most recent policies and procedures and, to the extent the Commission finds its terms acceptable, we recommend it's approval, subject to modifications approved by the Chair, the Executive Director and legal counsel.

*Action recommended:* APPROVAL OF THE ASSIGNMENT AND ASSUMPTION AGREEMENT AMONG THE COMMISSION, TRACKS 215, LLC AND 22<sup>ND</sup> & WYANDOTTE, LLC IN CONNECTION WITH THE IMPLEMENTATION OF CERTAIN DISTRICT WIDE IMPROVEMENTS CONTEMPLATED BY THE 22<sup>ND</sup> & MAIN TIF PLAN, SUBJECT TO MODIFICATIONS ACCEPTED BY THE CHAIR, VICE-CHAIR OR EXECUTIVE DIRECTOR TO EXECUTE A RESOLUTION APPROVING THE SAME.

**23. 22<sup>nd</sup> & Main TIF Plan: Consideration of the approval of a Funding Agreement between the Commission and 22<sup>nd</sup> & Wyandotte, LLC, in connection with certain district wide improvements contemplated by the 22<sup>nd</sup> & Main TIF Plan and other matters related thereto. (Jon Otto) Exhibit 23**

On February 11, 1998, the Commission, by Resolution No. 2-5-98, recommended to the Council that it approve the 22<sup>nd</sup> & Main Tax Increment Financing Plan (the "Original Plan") and on August 26, 1999, the Council adopted Ordinance No. 980230, which accepted the recommendation of the Commission, approved the Original Plan, and designated the initial redevelopment area described by the Original Plan, pursuant to the authority granted the Council by the Act. The Original Plan was subsequently amended several times pursuant to a series of ordinances adopted by the Council (the Original Plan, together with all amendments thereto, shall hereafter be referred to as the "Plan"). The Twentieth Amendment to the Plan provides, among other things, for the design and construction of an approximately 270-stall parking facility and an apartment complex containing approximately 200 residential units (collectively, the "District Wide Improvements").

Tracks 215, LLC (“Tracks 215”) and the Commission entered into (1) a redevelopment agreement, dated February 10, 2021 (the “Tracks 215 Redevelopment Agreement”) governing implementation of the District Wide Improvements contemplated by Plan and the utilization of certain of the Plan’s economic activity taxes (“EATS”) and payments in lieu of taxes (“PILOTS”) (collectively, “TIF Revenue”) to reimburse certified and unpaid eligible Redevelopment Project Costs that the Assignor is entitled to receive pursuant to the Tracks 215 Redevelopment Agreement, and (2) a funding agreement, dated January 8, 2019 (the “Tracks 215 Funding Agreement”), governing the Commission’s administration of the Plan as it relates to the District Wide Improvements.

Tracks 215 desires to convey to 22<sup>nd</sup> & Wyandotte all of Tracks 215’s rights, duties, interests and obligations under the Tracks 215 Redevelopment Agreement and the Tracks 215 Funding Agreement and 22<sup>nd</sup> & Wyandotte has agreed to assume and perform all of Tracks 215’s rights, duties, interests and obligations under the Tracks 215 Redevelopment Agreement and the Tracks 215 Funding Agreement. However, the Tracks 215 Redevelopment Agreement provides that there shall be no assignment of the Assignor’s rights under the Tracks 215 Redevelopment Agreement, except upon terms and conditions agreeable to the Commission.

One of the conditions to the proposed Assignment & Assumption Agreement is that 22<sup>nd</sup> & Wyandotte, LLC enter into a Funding Agreement with the Commission to pay for all Commission costs and expenses related to the administration of the Plan, as it relates to the District Wide Improvements, if the Commission is without a source to pay such costs and expenses.

Enclosed in the Commission’s Packet, as **Exhibit 23** is a Funding Agreement by and between the Commission and 22<sup>nd</sup> & Wyandotte, LLC. The Funding Agreement contains the Commission’s most recent policies and procedures, including provisions that obligate 22<sup>nd</sup> & Wyandotte, LLC to pay all of the Commission’s costs and expenses in connection with (1) preparing and negotiating a redevelopment agreement and any and all agreements, instruments and certificates and take all action that may be necessary or reasonable to administer the implementation of the District Wide Improvements, including, but not limited to, the performance of its obligations under a funding agreement and a redevelopment agreement, and (2) reimbursing 22<sup>nd</sup> & Wyandotte, LLC for all eligible certified redevelopment project costs incurred by 22<sup>nd</sup> & Wyandotte, LLC, permitted by Real Property Tax Increment Allocation Act and identified by the Plan (collectively, the TIF Commission Services”).

The Funding Agreement, attached to the Board Packet has been reviewed and negotiated by staff and legal counsel and we recommend its approval, subject to modifications accepted by the Chair, Executive Director and legal counsel.

*Action recommended:* APPROVAL OF THE FUNDING AGREEMENT BETWEEN THE COMMISSION AND 22<sup>ND</sup> & WYANDOTTE, LLC, IN CONNECTION WITH THE 22<sup>ND</sup> & MAIN TIF PLAN, SUBJECT TO MODIFICATIONS ACCEPTED BY THE CHAIR, VICE-CHAIR OR EXECUTIVE DIRECTOR TO EXECUTE A RESOLUTION APPROVING THE SAME.

24. **22<sup>nd</sup> & Main TIF Plan: Consideration of the Approval of a Redevelopment Agreement between the Commission and 22<sup>nd</sup> & Wyandotte, LLC, in connection with certain district wide improvements contemplated by the 22<sup>nd</sup> & Main TIF Plan and other matters related thereto. (Jon Otto) Exhibit 24**

On February 11, 1998, the Commission, by Resolution No. 2-5-98, recommended to the Council that it approve the 22nd & Main Tax Increment Financing Plan (the “Original Plan”) and on August 26, 1999, the Council adopted Ordinance No. 980230, which accepted the recommendation of the Commission, approved the Original Plan, and designated the initial redevelopment area described by the Original Plan, pursuant to the authority granted the Council by the Act. The Original Plan was subsequently amended several times pursuant to a series of ordinances adopted by the Council (the Original Plan, together with all amendments thereto, shall hereafter be referred to as the “Plan”). The Twentieth Amendment to the Plan provides, among other things for the design and construction of an approximately 270-stall parking facility and an apartment complex containing approximately 200 residential units (collectively, the “District Wide Improvements”).

Tracks 215, LLC (“Tracks 215”) and the Commission entered into (1) a redevelopment agreement, dated February 10, 2021 (the “Tracks 215 Redevelopment Agreement”) governing implementation of the District Wide Improvements contemplated by Plan and the utilization of certain of the Plan’s economic activity taxes (“EATS”) and payments in lieu of taxes (“PILOTS”) (collectively, “TIF Revenue”) to reimburse certified and unpaid eligible Redevelopment Project Costs that the Assignor is entitled to receive pursuant to the Tracks 215 Redevelopment Agreement, and (2) a funding agreement, dated January 8, 2019 (the “Tracks 215 Funding Agreement”), governing the Commission’s administration of the Plan as it relates to the District Wide Improvements.

Tracks 215 desires to convey to 22<sup>nd</sup> & Wyandotte, LLC all of Tracks 215’s rights, duties, interests and obligations under the Tracks 215 Redevelopment Agreement and the Tracks 215 Funding Agreement and 22<sup>nd</sup> & Wyandotte, LLC has agreed to assume and perform all of Tracks 215’s rights, duties, interests and obligations under the Tracks 215 Redevelopment Agreement and the Tracks 215 Funding Agreement. However, the Tracks 215 Redevelopment Agreement provides that there shall be no assignment of the Assignor's rights under the Tracks 215 Redevelopment Agreement, except upon terms and conditions agreeable to the Commission.

One of the conditions to the proposed Assignment & Assumption Agreement is that 22<sup>nd</sup> & Wyandotte, LLC shall enter into a Redevelopment Agreement with the Commission to implement the District Wide Improvements in accordance with the Plan.

Enclosed in the Commission’s Packet, as **Exhibit 24** is a Redevelopment Agreement by and between the Commission and 22<sup>nd</sup> & Wyandotte, LLC. The Redevelopment Agreement contains the Commission’s most recent policies and procedures, including provisions that obligate 22<sup>nd</sup> & Wyandotte, LLC to implement the District Wide Improvements in accordance with the Commission’s existing policies and procedures. The Redevelopment Agreement, attached to the Board Packet, has been reviewed and negotiated by staff and legal counsel and we recommend its approval, subject to modifications accepted by the Chair, Executive Director and legal counsel

*Action recommended:*

APPROVAL OF THE REDEVELOPMENT AGREEMENT BETWEEN THE COMMISSION AND 22<sup>ND</sup> & WYANDOTTE, LLC, IN CONNECTION WITH THE 22<sup>ND</sup> & MAIN TIF PLAN, SUBJECT TO MODIFICATIONS ACCEPTED BY THE CHAIR, VICE-CHAIR OR EXECUTIVE DIRECTOR TO EXECUTE A RESOLUTION APPROVING THE SAME.

25. **Brush Creek TIF Plan: Approval of an Amended and Restated Financing Agreement with the City of Kansas City, Missouri, Community Builders of Kansas City and the Trustee named in connection with the issuance of the City of Kansas City, Missouri's Series 2021B Special Obligation Refunding Bonds relative to the Brush Creek TIF Plan, and other matters related thereto. (Wesley Fields) Exhibit 25**

On March 11, 1999, the City Council (the "City Council") of the City of Kansas City, Missouri (the "City"), by Ordinance No. 990251, approved the Brush Creek Corridor Tax Increment Financing Plan, which was subsequently by Ordinance No. 000606, Ordinance No. 001378, Ordinance No. 031298, Ordinance No. 040101, Ordinance No. 040483, Ordinance No. 051325, Ordinance No. 060610 and Ordinance No. 120732 (collectively, the "Plan").

Generally, the Plan provides for the redevelopment of commercial and institutional properties within and adjacent to redevelopment project areas; revitalization of residential neighborhoods; construction of the cultural walk, parkland enhancements and creation of design imaging which will continue the high-quality design already established along the creek west of Main Street; together with the necessary utilities and street improvements and blight remediation activities.

The City Council passed Ordinance Nos. 990253 and 990254, respectively, on July 14, 2004 which approved Redevelopment Projects B and C, respectively, designated Redevelopment Project Areas B and C, respectively, and authorized tax increment financing within Redevelopment Projects B and C, respectively, pursuant to the Redevelopment Plan and as permitted by the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended (the "TIF Act") .

The City, the Commission and Swope Community Builders, a Missouri nonprofit corporation, now known as Community Builders of Kansas City (the "Redeveloper") previously entered into a Cooperative Agreement, dated as of July 1, 2004 (the "Cooperative Agreement"), setting forth certain rights and responsibilities in connection with the implementation of the Plan.

The Commission previously issued \$15,570,000 principal amount of Tax Increment Revenue Bonds (Blue Parkway Town Center Project) Series 2004 (the "Series 2004 Bonds") under the TIF Act for the purpose of providing funds (a) to pay a portion of certain redevelopment project costs in connection with the implementation of the improvements contemplated by the Redevelopment Projects B and C (b) to fund a debt service reserve fund for the Series 2004 Bonds; and (c) to pay costs related to the issuance of the Series 2004 Bonds. The City previously refunded the Series 2004 Bonds (the "Series 2004 Refunded Bonds") in advance of their scheduled maturity and effected an optional redemption of the Series 2004 Refunded Bonds with a portion of the proceeds of the City's Special Obligation Refunding and Improvement Bonds (Kansas City, Missouri Projects), Series 2013B (the "Series 2013B Bonds").

In connection with the portion of the Series 2013B Bonds issued to refund the Refunded Series 2004 Bonds that financed the Blue Parkway Project, the City, the Commission, the Redeveloper and Commerce Bank, which has been succeeded by UMB Bank, N.A. as trustee for the Series 2013B Bonds, entered into a Financing Agreement dated as of October 1, 2013 (the "Original Financing Agreement") to provide that the applicable tax increment revenues under the Cooperative Agreement for the Blue Parkway Project would be paid to the

Series 2013B Trustee, and in addition First Bank of Missouri as trustee for the Series 2004 Bonds (the “Series 2004 Trustee”) assigned to the Series 2013B Trustee a Cooperative Agreement among the Commission, the City, the Series 2004 Trustee and the Shops of Blue Parkway Community Improvement District (the “CID Cooperative Agreement”) relating to certain revenues (the “CID Revenues”) received for the Blue Parkway Project pursuant to the Community Improvement District Act, Sections 67.1401 through 67.1571 of the Revised Statutes of Missouri, as amended (the “CID Act”),

The Commission has been advised that the City intends to refund a portion of the outstanding Series 2013B Bonds in advance of their stated maturity (the “Series 2013B Refunded Bonds”) by the issuance of the City’s Taxable Special Obligation Refunding and Improvement Bonds, Series 2021B (the “Series 2021B Bonds”) and a portion of the proceeds of which will be used to refund the Series 2013B Refunded Bonds. The Commission has been further advised that the Series 2013B Bonds maturing on August 1 in the years 2021 and 2022 are not being refunded (the “Unrefunded Series 2013B Bonds”). The debt service on that portion of the Unrefunded Series 2013B Bonds allocable to the refunding of the Series 2004 Bonds that financed the Blue Parkway Project consists of \$870,000 principal amount of the Unrefunded Series 2013B Bonds maturing August 1, 2021 and \$930,000 principal amount of the Unrefunded Series 2013B Bonds maturing August 1, 2022 (the “Unrefunded Blue Parkway Series 2013B Bonds”), plus interest thereon (the “Blue Parkway Portion of Debt Service on the Unrefunded Series 2013B Bonds”).

The City desires to retain the provisions of the Original Financing Agreement securing the Unrefunded Series 2013B Bonds and the transfer of revenues to the Series 2013B Trustee for payment of the Blue Parkway Portion of Debt Service on the Unrefunded Series 2013B Bonds prior to August 1, 2022, and thereafter to have such revenues secure the Series 2021B Bonds. The City has requested that the Commission assist in the refunding of the Series 2013B Refunded Bonds through the issuance of the Series 2021B Bonds, in such principal amount as may be determined upon the sale of such Series 2021B Bonds, and in the modification of the Original Financing Agreement pursuant to an Amended and Restated Financing Agreement to be entered upon the sale of the Series 2021B Bonds for the purpose of securing the Unrefunded Blue Parkway Series 2013B Bonds and the Series 2021B Bonds.

Attached to the Board Packet as **Exhibit 25** is an Amended and Restated Financing Agreement (the “Financing Agreement”) among the City, the Commission, the Redeveloper and the Trustee named therein, which provides, in part, for the Commission (A) to pledge and transfer prior to August 1, 2022, all Economic Activity Taxes received by the Commission and PILOTS, if any, to the Series 2013B Trustee for deposit in the Revenue Fund established under the Series 2013B Bonds Indenture to be applied to the payment of debt service on the Blue Parkway Portion of Debt Service on the Unrefunded Series 2013B Bonds and (B) on and after August 1, 2022, transfer all Economic Activity Taxes received by the Commission and PILOTS, if any, to the Trustee for deposit in the Revenue Fund established under the Indenture to be applied to the payment of debt service on the Blue Parkway Portion of Debt Service on the Series 2021B Bonds.

To the extent the Commission finds the terms and conditions of the Amended and Restated Financing Agreement to be acceptable, we recommend it’s approval, subject to modifications approved by the Chair, the Executive Director and legal counsel.

*Action recommended:*

APPROVAL OF THE AMENDED AND RESTATED FINANCING AGREEMENT AMONG THE CITY OF KANSAS CITY, MISSOURI, THE COMMISSION, COMMUNITY BUILDERS OF KANSAS CITY AND THE TRUSTEE NAMED IN CONNECTION WITH THE CITY OF KANSAS CITY, MISSOURI'S SERIES 2021B SPECIAL OBLIGATION REFUNDING BONDS, SUBJECT TO MODIFICATIONS ACCEPTED BY THE CHAIR, VICE-CHAIR OR EXECUTIVE DIRECTOR TO EXECUTE A RESOLUTION APPROVING THE SAME.

**26. Grand Boulevard TIF Plan: Consideration of the Approval of a Funding Agreement between the Commission and WSHI, LLC, in connection with the implementation of Redevelopment Projects K1 and LI, as contemplated by the Grand Boulevard TIF Plan (Wesley Fields) Exhibit 26**

On June 9, 2010, WSHI, LLC (the “Redeveloper”) and the Commission entered into a Funding Agreement (the “Original Funding Agreement”), which provides, in part, for (A) the Commission (1) to participate in the negotiation and preparation of a Purchaser Assumption Agreement and Commission Consent with respect to certain improvements contemplated by Redevelopment Projects K1 and L1 (the “Redevelopment Projects”) , as described by the Grand Boulevard Corridor Tax Increment Financing Plan, as amended (the “Plan”), (2) to prepare and negotiate an amendment to a redevelopment agreement for the implementation of the Redevelopment Projects, (3) to participate in the negotiation and preparation of an amendment to a pledge agreement and (4) to administer the Plan, as it relates to the Redevelopment Projects, and the reimbursement of certain costs related to the implementation of the Redevelopment Projects (the “Commission Services”) and (B) the Redeveloper to pay for Commission costs and expenses related to Commission Services for which the Commission is without a source of funds to pay such costs.

The Redeveloper desires to amend, restate and replace the Original Funding Agreement to clarify the intent of the Original Funding Agreement and to confirm the existing policy and procedure of the Commission to utilize funds available and on deposit within the special allocation fund established in connection with the Redevelopment Projects (“Special Allocation Fund”) to pay Commission costs and expenses and if, and only if, there are insufficient available funds on deposit within the Special Allocation Fund, to cause the Redeveloper pay for such Commission costs and expenses.

Attached to the Commission Board Packet, as Exhibit 26, is an Amended and Restated Funding Agreement between the Commission and the Redeveloper, which amends, restates and replaces the Original Funding Agreement, to clarify the intent of the Original Funding Agreement and to incorporate the Commission’s most recent policies and procedures, including the Commission’s intent to utilize revenue on deposit in the Special Allocation to pay Commission costs and expenses, as they become due, and if, and only if, there are insufficient available funds on deposit within the Special Allocation Fund, to cause the Redeveloper to pay such Commission costs and expenses.

To the extent the Commission finds the terms and conditions of the Amended and Restated Financing Agreement to be acceptable, we recommend it’s approval, subject to modifications approved by the Chair, the Executive Director and legal counsel.

*Action recommended:* APPROVAL OF THE AMENDED AND RESTATED FINANCING AGREEMENT BETWEEN THE COMMISSION AND WSHI, LLC, SUBJECT TO MODIFICATIONS ACCEPTED BY THE CHAIR, VICE-CHAIR, OR EXECUTIVE DIRECTOR TO EXECUTE A RESOLUTION APPROVING THE SAME.

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

### ***ROLL CALL***

- 27. Consideration of acceptance of the Jackson County/Center TIFC Minutes, and other matters related thereto. (La'Sherry Banks) Exhibit 27**

Minutes of the February 9, 2021 Jackson County/Center meeting are included for the Commission's review prior to the meeting.

*Action recommended:* ACCEPTANCE OF THE FEBRUARY 9, 2021 JACKSON COUNTY/CENTER MINUTES AS PRESENTED.

- 28. Consent Agenda (Cost Certifications): Consideration of the Cost Consent Agenda for Jackson County/Center, and other matters related thereto. (Rick DeSimone) Exhibit 28**

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

#### Cost Certifications (Exhibit 28)

**Bannister & Wornall Road TIF Plan: Consideration of certification of costs totaling \$898,666.55, and other matters related thereto. (Rick DeSimone)**

Request from:	9400 Wornall, LLC
Total amount requested:	\$898,666.55
Use of funds:	Permanent Finance Cost
Cost certifier:	Ralph C. Johnson & Company
Questioned or disallowed costs:	None
EATs reporting requirement:	100% compliant for the current reporting period (2nd half 2020), and 100% Compliant for the last reporting period (1st half 2020).

Recommendation: Approval of certification of costs totaling \$898,666.55.

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

## **EXECUTIVE SESSION**

29. **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**

30. **Adjournment**

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