

# **ANNUAL REPORT of the TAX INCREMENT FINANCING COMMISSION**

**DECEMBER 1989**

---

**TAX INCREMENT  
FINANCING  
COMMISSION OF  
KANSAS CITY,  
MISSOURI**

---

**214 Boatmen's Center  
920 Main  
Kansas City, MO 64105  
(816) 221-0636**

**Richard L. Berkley  
Mayer**

**E.J. Holland, Jr.  
Chairman**

**Mark M. Bunnell  
Executive Director**

**TAX INCREMENT  
FINANCING  
COMMISSION  
OF KANSAS CITY,  
MISSOURI**

Suite 250  
10 Petticoat Lane  
Kansas City, MO 64106  
(816) 221-0636

February 21, 1990

The Honorable Richard L. Berkley, Mayor  
and Members of the City Council  
29th Floor, City Hall  
414 East 12th Street  
Kansas City, Missouri 64106

Dear Mayor Berkley and Council Members:

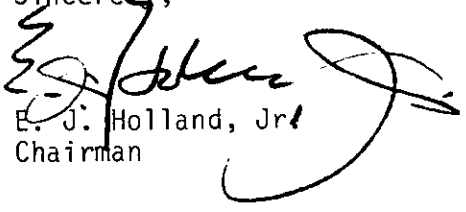
I am pleased to submit this Annual Report of the activities of the Tax Increment Financing Commission of Kansas City, Missouri. As Chairman of the Commission, I believe the City can be proud of our most recent year's activities, and of the important contributions the City Council has made in support of this Commission and in the development of responsible and effective policies.

In partnership with the City, the Universal Tax Increment Financing Plan, approved during the last year, will assist in the construction of a pumping station along the Missouri River, thereby stimulating over \$50,000,000 in construction activity and serving to expand our city's industrial base and employment.

We are particularly pleased to report that the Supreme Court of Missouri, in the case of the Tax Increment Financing Commission of Kansas City, Missouri v. J. E. Dunn Construction, has approved the constitutionality of tax increment financing. As you know, the Commission has awaited this verdict for some time.

The City Council of Kansas City created this Commission, the first Tax Increment Financing Commission to be established in the State of Missouri, in order to improve our community. With your continued support, we will continue this important work in the coming year.

Sincerely,



E. J. Holland, Jr.  
Chairman

jsq

Richard L. Berkley  
Mayor

E. J. Holland, Jr.  
Chairman

Mark M. Bunnell  
Executive Director

## TABLE OF CONTENTS

	<u>Page Number</u>
1. Activity Report	1-3
2. Missouri Supreme Court Decision	4-20
3. Tax Increment Financing Commission	21-23
4. Tax Increment Financing Commission Bylaws	24-28
5. Ordinance and Statute	29-43
6. Current Administration Contract Economic Development Corporation	44-68
7. Policies and Guidelines Standardized Relocation Policy Design Review Process Sunshine Law Request for Records	69-81
8. Annual Reports: TIF Projects 10th & Troost First Revised Walnut Creek Apartments Linwood-Gillham West 46th Street Terrace	82-99
9. Resolutions of the Tax Increment Financing Commission for the Year 1989	100-102
10. Minutes of the Tax Increment Financing Commission for the Year 1989	103-162

**TAX INCREMENT FINANCING COMMISSION**  
**ACTIVITY REPORT**

# ACTIVITY REPORT OF THE TAX INCREMENT FINANCING COMMISSION OF KANSAS CITY, MISSOURI - 1989

## BACKGROUND

In November 1982, the City Council of Kansas City, Missouri, created the Tax Increment Financing Commission (TIFC) of Kansas City, Missouri. Since that time, the TIF Commission has approved five redevelopment projects, specifically the West 46th Street Terrace; 10th and Troost; Linwood-Gillham; Walnut Creek Apartments; and Universal Flood Protection Tax Increment Financing Plans.

Tax increment financing is a mechanism whereby redevelopment project expenses are financed through payments in lieu of taxes. These payments in lieu of taxes are based upon the amount of increased valuation resulting from redevelopment. TIF can be utilized in blighted areas, conservation areas and economic development areas, as they are defined by State Statute. TIF represents another tool for redevelopment and is an alternative to the incentive of tax abatement.

The attractiveness of TIF is that it is a financing vehicle for redevelopment costs which is available to local communities at a time when federal and state funding for such needed programs is being reduced. Under the State Statute, the locality can issue bonds to finance these costs which are to be repaid by the payment in lieu of taxes by the redevelopment project.

## 1989 - A YEAR OF PROGRESS

The Tax Increment Financing Commission of Kansas City, Missouri, is proud of the past year's accomplishments and believes that the coming years will prove out our belief that TIF is the most responsible and effective tool for the elimination of blight, and the implementation of this community's redevelopment and economic development objectives.

During 1989, the TIF Commission approved one new TIF Plan, the Universal Flood Protection Tax Increment Plan, and amended another existing TIF Plan, the Walnut Creek Apartments Tax Increment Plan. Two other redevelopment proposals were reviewed by the TIF Commission and its staff, and were not pursued because the Commission had concerns that the projects did not meet the statutory test that the areas proposed had "not been subject to growth and development through private enterprise and would not reasonably be anticipated to be developed with the adoption of the redevelopment plan".

In addition to carefully reviewing projects to insure that they are eligible under the Statute, and working with effected taxing jurisdictions to explain the TIF program in Kansas City, the TIF

## MISSOURI SUPREME COURT DECISION



# Supreme Court of Missouri

en banc

DUPLICATE  
OF FILING ON

DEC 12 1989

IN OFFICE OF  
CLERK SUPREME COURT

TAX INCREMENT FINANCING COMMISSION  
OF KANSAS CITY, MISSOURI,

Respondent,

v.

J. E. DUNN CONSTRUCTION CO., INC.,

Appellant.

No. 71318

## APPEAL FROM THE CIRCUIT COURT OF JACKSON COUNTY Honorable William Mauer, Judge

Appellant J. E. Dunn Construction Company ("Dunn") challenges the constitutionality of the Missouri Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865, RSMo 1986 ("the Act"). The trial court upheld the constitutionality of the Act, ordered Dunn's property condemned, and awarded Dunn damages. Because Dunn questions the constitutionality of the Act, we have original appellate jurisdiction. Mo. Const. art. V, § 3. The judgment is affirmed.

I.

A.

The Act permits a municipality to create a tax increment financing commission, the actions of which are subject to the final approval of the

redevelopment area. Thus, each year that the post - plan assessed value of the taxable real property within the redevelopment project area exceeds the pre - plan assessed value, taxes on the **increase** in assessed value are abated. In place of taxes, the taxpayer makes payments in lieu of taxes (PILOTS). The PILOT is equal to the amount of tax that would have been collected on the increased assessed valuation of the property after improvements. The PILOTS are paid into the special allocation fund which is pledged as security for the bonds issued by the municipality. Section 99.835.1.

Surplus funds in the special allocation fund are distributed annually to the taxing districts in the redevelopment project area. Ad valorem taxes collected on the pre - plan assessed value of the project property are paid to the respective taxing districts. When the bonds are retired, the entirety of the post - plan assessed valuation of the property is "levied, collected, and distributed in the manner applicable in the absence of the adoption of tax increment financing." Section 99.850(2).

## B.

The City of Kansas City, Missouri (the "City"), created its Tax Increment Financing Commission (the "Commission") by ordinance on November 24, 1982. The property in dispute in this case is part of a tax increment financing district (the "District") designated in the Tenth and Troost Tax Increment Finance Plan (the "Plan") adopted by the Commission on November 14, 1986. The entire District is composed of 57,750 square feet of property. The Plan calls for the rehabilitation of two existing buildings and the construction of a new structure within the District, all for office/warehouse uses. The Plan provides, and the City authorized, the issuance of \$85,000 in bonds. To date \$35,000 of these bonds have been sold, the proceeds from the sale of which were deposited into the general revenue of the Commission for the purpose of underwriting the project costs.



constitutional. *State ex rel. Missouri State Board of Registration for Healing Arts v. Southworth*, 704 S.W.2d 219, 223 (Mo. banc 1986).

A.

Dunn first argues that PILOTS are taxes and that Mo. Const. art. X, § 22(a) "requires increases in government revenues and expenditures to be approved by a vote of the people affected by the increase." Art. X, § 22(a) provides in pertinent part:

Counties and other political subdivisions are hereby prohibited from levying any tax, license or fees, not authorized by law, ... or from increasing the current levy of an existing tax, license or fees, above that current levy authorized by law or charter when this section is adopted without the approval of the required majority of the qualified voters of that ... political subdivision voting thereon.

If Dunn's argument proceeds from the premise that the City cannot impose the existing tax levy on the District property without voter approval, the argument must fail. First, it makes no difference to the resolution of this point whether PILOTS are taxes as Dunn contends, or not. The Constitution does not prohibit a city from levying an existing tax without voter approval; instead, it prohibits a city from increasing the current levy of an existing tax without voter approval. It is the tax levy against which the constitution's prohibition is measured, not the tax itself.

Second, Dunn does not argue, nor could it on this record, that the City has increased its tax levy. Indeed, the record shows that the PILOTS at issue are the product of the application of the current levy to increased assessed valuations. The evidence does not show any change in the tax levy.

Perhaps Dunn's argument is directed at that portion of art. X, § 22(a) requiring a political subdivision to reduce its tax levy if "the assessed valuation of property as finally equalized, excluding the value of new construction and improvements, increases by a larger percentage than the increase in the general

carry more than their fair share of the general costs of government, which creates a non - uniform scheme of taxation."

Dunn's argument finds no evidentiary support in the record and ignores the directives of the Act. District property is subject to the same tax levy as property not within the District. It is the application of the existing tax levy to the improvements that creates the tax increment used to fund repayment of the bonds. The levy is, therefore, uniform.

## 2.

Even if the levy is uniform, Dunn persists, the assessment of taxes is not uniform and violates both art. X, § 3 and art. X, § 4(b). The latter requires that property "shall be assessed ... at its value or such percentage of its value as may be fixed by law...." Again, Dunn misunderstands the requirements of the Act. Section 99.855.2 requires that "all tax levies ... be extended to the current equalized assessed value of all property in the redevelopment project area in the same manner as the tax rate percentage is extended to all other taxable property in the taxing district." On its face, the Act requires compliance with the mandates of the Constitution. There is no evidence in this record that the assessment of District property is contrary to either the requirements of the Act or the Constitution.

## 3.

In reality, Dunn's argument is that the uses anticipated for the PILOTS violate the Constitution. Even if one assumes that PILOTS are tax revenues, art. X, § 3 requires that taxes collected be expended for public purposes; beyond that limitation, art. X, § 3 does not control the distribution or allocation to which tax receipts may be put.

"The power to classify for tax purposes is primarily in the legislature and not in the courts...." *Barhorst v. City of St. Louis*, 423 S.W.2d 843, 846 (Mo.



their character as special assessments. See *State ex rel. Webster Groves Sanitary Sewer District v. Smith*, 115 S.W.2d 816, 822 (Mo. banc 1938) (Assessments may be expressed as proportion of the assessed valuation of the property.)

Having concluded that PILOTS are special assessments, not taxes, we now consider whether the bonds are subject to art. VI, § 26(b). "We must ask ... whether revenues from the taxpaying public can be used to retire bonds under the act." *State ex rel. Atkinson v. Planned Industrial Expansion Authority*, 517 S.W.2d 36, 48 (Mo. banc 1975).

Section 99.835.3 states: "Obligations issued pursuant to [the Act] ... are special obligations of the municipality payable solely from the special allocation fund...." By its clear terms, the Act protects the taxpaying public from any liability for funds to retire bonds issued. Moreover, the indebtedness contemplated by the Act falls within the special funds doctrine long recognized by this Court. "The assessments authorized by [the statute] are for the payment of local improvements, denominated special benefits to the land against which the assessments are made; ... such assessments do not constitute an indebtedness, within the meaning of the constitutional provision...." *Embree v. Kansas City - Liberty Boulevard Road District*, 166 S.W. 282, 289 (Mo. banc 1914). Accord *Petition of City of St. Louis*, 266 S.W.2d 753, 755 (Mo. 1954); *State ex rel. Atkinson v. Planned Industrial Expansion Authority*, 517 S.W.2d 36, 47 (Mo. banc 1975).

For the reasons stated, art. VI, § 26(b) does not apply to bonds issued pursuant to the Act. Dunn's point is denied.

#### IV.

Dunn next raises two points challenging the authority of the Commission to acquire its, Dunn's, property.

age of thirty-five years or more. Such an area is not yet a blighted area but is detrimental to the public health, safety, morals, or welfare and may become a blighted area because of any one or more of the following factors: Dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; and lack of community planning.

And read in the context of art. VI, § 21, "substandard" speaks to a power given certain political subdivisions to prevent as well as eliminate, incipient conditions of blight. We believe, therefore, that an area designated a "conservation area" is substandard for purposes of art. VI, § 21. It follows that eminent domain power extends to the condemnation of land within a conservation district, if the property is taken for a public purpose.

Dunn claims that the use to which the land in the District will be put is not a public purpose. We disagree.

"It is common knowledge that one of the results of the nineteenth century beginning of the transformation of our country from a predominantly agricultural to a predominantly industrial society has been the growth like "Topsy" of our great cities. Within the last thirty years we have awakened to the realization that a result of the growth has been the creation of slums and blighted areas therein constituting a serious and growing menace injurious to the public health, safety, morals and welfare of their inhabitants as well as the depreciation in value of properties within and adjacent to those areas, and a consequent progressive diminution of tax revenues. Prompted by the need to eliminate these conditions as a breeding ground for juvenile delinquency, infant mortality, crime and disease, most, if not all, states have vested their municipalities with power to eradicate those conditions and redevelop those areas...."

**Annbar Associates v. West Side Redevelopment Corp.**, 397 S.W.2d 635, 639 (Mo. banc 1965).

In concluding that an area is a conservation area, the municipality must first find that conditions in the area are "detrimental to the public health, safety, morals or welfare and may become a blighted area ...." Section 99.805(2). This Court has held that art. I, § 28 and art. VI, § 21 must be considered together and

Second,

[T]here is no lending of credit where, as here, revenue bonds are paid solely ... from the project and not from taxes. Moreover, ... the purpose of the constitutional prohibition against the lending of credit is to prohibit the state from acting as a surety or guarantor of the debt of another. As in [State ex rel. Mitchell v. City of Sikeston, 555 S.W.2d 281 (Mo. banc 1977)], neither the Authority nor any city or county guarantees the payments of the bonds.

State ex rel. Jardon v. Industrial Development Authority of Jasper County, 570 S.W.2d 666, 676 (Mo. banc 1978). The point is denied.

## VI.

Mo. Const. art. X, § 2 states: "The power to tax shall not be surrendered, suspended or contracted away, except as authorized by this constitution." In its penultimate point, Dunn argues that the City "has attempted to delegate to the [Commission] indirectly a power of taxation that the City itself does not possess, in violation of [art. X, § 2].

In essence, Dunn's argument is that the City is permitted to divert tax revenues needed by other taxing authorities to its own uses.

The force of the argument obviously depends on PILOTS being taxes. We conclude otherwise, *supra*. The point is denied.

## VII.

Finally, Dunn argues that Mo. Const. art. VI, § 27 requires voter approval prior to the issuance and sale of revenue bonds. Absent voter approval, Dunn continues, the Commission may not acquire Dunn's property with the proceeds of the "unlawful" bonds.

On the same day the voters approved art. VI, § 27, they also approved Mo. Const. art. VI, §§ 27(a) & (b). In a quo warranto action designed to determine which if any of the amendments became part of the Constitution, this Court held

**TAX INCREMENT FINANCING COMMISSION**

BOARD OF COMMISSIONERS  
TAX INCREMENT FINANCING COMMISSION

Mr. E. J. (Ned) Holland, Jr., Chairman  
Spencer, Fane, Britt & Browne  
1000 Walnut, Suite 1400  
Kansas City, Missouri 64106-2140  
474-8100

Term Expires: December 2, 1987

Ms. Janet Meyer-Miller, Vice Chairwoman  
701 E. 45th Street  
Kansas City, Missouri 64110  
931-6110

Term Expires: December 2, 1990

Mr. Kenneth T. Bacchus, Treasurer  
The Bacchus Company  
1900 E. 61st Terrace  
Kansas City, Missouri 64110  
523-1590

Term Expires: December 2, 1988

Mr. Robert P. Turk  
Downtown Council  
920 Main Street, Suite 212  
Kansas City, Missouri 64105  
421-1539

Term Expires: December 2, 1988

Mr. Robert D. Mayer  
Share, Inc.  
4408 Warwick Boulevard  
Kansas City, Missouri 64111  
753-6268

Term Expires: December 2, 1988

Mr. Timothy O. Kristl  
Mitchell, Kristl & Lieber  
1220 Washington  
Kansas City, Missouri 64105  
472-7788

Term Expires: December 2, 1989

Mr. James M. White  
2120 Jarboe  
Kansas City, Missouri 64108  
221-3785

Term Expires: December 2, 1989



TAX INCREMENT FINANCING COMMISSION  
BYLAWS

BY-LAWS OF THE TAX INCREMENT  
FINANCING COMMISSION OF KANSAS CITY, MISSOURI

ARTICLE I - THE COMMISSION

Section 1. Name of Commission. The name of the commission shall be the "Tax Increment Financing Commission of Kansas City, Missouri".

Section 2. Office of the Commission. The office of the Commission shall be at 800 City Center Square, 1100 Main, Kansas City, Jackson County, Missouri 64105. The Commission may also have offices at such other places in Kansas City, Missouri, as the Board of Commissioners may from time to time appoint or the Commission may require.

ARTICLE II - BOARD OF COMMISSIONERS

Section 1. General Powers. All of the powers delegable by a municipality under the State of Missouri's Real Property Tax Increment Allocation Development Act and in particular those enumerated in Section 3 thereof, shall be exercised by or under the authority of the Board of Commissioners.

Section 2. Number, Appointment and Tenure. The Board of Commissioners shall consist of seven (7) members. Commissioners shall be appointed by the Mayor of Kansas City, Missouri, with the consent of the majority of the counsel of Kansas City, Missouri. After the terms of the initial Board Members are served, the terms of the members appointed thereafter shall each be for three (3) years commencing from the date of the preceding term.

Section 3. Annual Meeting. The Board of Commissioners shall hold an annual meeting on the first Wednesday after January first at 12:00 p.m., unless such day should fall on a legal holiday, in which event the meeting shall be held at the same hour on the next succeeding business day that is not a legal holiday. Annual meetings shall be held at the office of the Commission or at such other place within the City of Kansas City, Missouri, as may be determined by the Board of Commissioners designated in the notice of the meeting.

Section 4. Regular Meeting. Regular meetings of the Board of Commissioners shall be held at such time and place as may be designated by resolution of the Board of Commissioners, unless such day should fall on a legal holiday, in which event the meeting shall be held at the same hour on the next succeeding business day that is not a legal holiday.

Section 4. Chairman; Powers and Duties. The Chairman shall preside at all meetings of the Commission at which he shall be present; shall sign all contracts, deeds, mortgages, bonds, and other instruments made by the Commission that the Board of Commissioners has authorized for execution, except where the signing and execution thereof has been expressly delegated by the Board of Commissioners or these By-Laws to some other officers or agent of the Commission or is required by law to be otherwise signed or executed; shall make reports to the Board of Commissioners and make an annual report to the counsel of Kansas City, Missouri, respecting the activities of the Commission; and generally perform all duties incident to the office of Chairman and such other duties as may be prescribed by the Board of Commissioners.

Section 5. Vice-Chairman; Powers and Duties. In the absence of the Chairman, or in the event of his or her death or inability or refusal to act, the Vice-Chairman shall perform the duties of the Chairman and, when so acting, shall act with all the powers of and be subject to all the restrictions on the Chairman. The Vice-Chairman shall also perform such other duties as may be assigned by the Chairman or the Board of Commissioners.

Section 6. Treasurer; Powers and Duties. The Treasurer shall have the following powers and duties:

A. To be custodian and take charge of and be responsible for all funds of the Commission;

B. To receive and give receipts for money due and payable to the Commission from any source whatsoever;

C. To deposit all such monies paid to the Commission in the name of the Commission in such banks, trust companies, or other depositories as shall be selected by the Board of Commissioners;

D. To perform all of the duties incidental to the office of Treasurer and such other duties as may be assigned to the Treasurer by the Chairman or the Board of Commissioners.

Section 7. Secretary; Powers and Duties. The Secretary of the Commission shall have the following powers and duties:

A. To keep the minutes for the meetings of the Board of Commissioners in one or more books provided for that purpose;

B. To see that all notices are duly given, in accordance with the By-Laws or as required by law;

C. To be custodian of the records of the Commission and the seal of the Commission;

D. To see that the seal of the Commission is affixed to all documents duly authorized for execution under seal on behalf of the Commission;

**TAX INCREMENT FINANCING COMMISSION**  
**ORDINANCE AND STATUTE**

AN ORDINANCE

CREATING A COMMISSION TO BE KNOWN AS THE TAX INCREMENT FINANCING COMMISSION; PROVIDING FOR THREE YEAR STAGGERED TERMS FOR COMMISSION MEMBERS; AUTHORIZING THE EXERCISE OF POWERS; AND CONSENTING TO THE APPOINTMENT OF THE INITIAL MEMBERS.

WHEREAS, the General Assembly, in House Bills Nos. 1411 & 1587 enacted the "Real Property Tax Increment Allocation Redevelopment Act", which Act is now effective; and

WHEREAS, Section 3-3(11) of that Act authorizes the governing body of a municipality to create a Commission of not less than five nor more than fifteen persons to be appointed by the chief executive officer of the municipality, with the consent of the majority of the governing body of the municipality, to serve such terms as may be provided by ordinance; and

WHEREAS, the Council desires to provide for such Commission, its numbers and terms, and desires to authorize the exercise of powers under the aforementioned act; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That there be and is hereby created a Commission to be known as the "Tax Increment Financing Commission of Kansas City, Missouri" which Commission shall have continuous and perpetual existence unless and until terminated by action of this Council.

Section 2. That the Tax Increment Financing Commission of Kansas City, Missouri be composed of seven members to be appointed by the Mayor, with the consent of the majority of the Council to serve without compensation.

Section 3. That the terms of the members shall be three (3) years except as hereinafter provided: initially three (3) members shall be appointed to terms of three (3) years; two (2) members shall be appointed to terms of two (2) years; two (2) members shall be appointed to terms of one (1) year; after the initial terms are served the terms of the members shall each be for three (3) years.

Section 4. The Council does hereby authorize and approve the exercise by the Commission of all of the powers delegable under the Real Property Tax Increment Allocation Redevelopment Act and in particular those enumerated in Section 3 thereof.

Form 4569 - Law  
(03701)

# Chapter 99

## MUNICIPAL HOUSING

### HOUSING AUTHORITIES LAW

- Sec.
- 99.010. Designation of law.
- 99.020. Definitions.
- 99.030. Declaration and purpose of law.
- 99.040. Creating a housing authority—need of, how determined.
- 99.050. Commissioners — appointment — qualifications — term — compensation.
- 99.051. Additional commissioners. St. Louis city—to be tenants of housing authority—qualifications.
- 99.055. Annual audit, content—annual hearings.
- 99.060. Commissioner or employee of authority to have no interest in any housing project.
- 99.070. Commissioner, how removed.
- 99.080. Authority to constitute municipal corporation—powers—profits to be applied, how—agents of authority, restrictions.
- 99.090. Rentals, how fixed.
- 99.100. Rentals and tenant selection—duties.
- 99.110. Authority may join or cooperate with other authorities or with private entities.
- 99.120. Acquisition of property.
- 99.130. Housing projects subject to local regulations.
- 99.140. Authority to have power to issue bonds—liability therefor.
- 99.150. Bonds, how issued—how sold—interest.
- 99.160. Powers of authority in connection with issuance of bonds.
- 99.170. State auditor to pass upon validity of bonds.
- 99.180. Rights of an obligee of an authority.
- 99.190. Rights of authority upon the happening of an event of default.
- 99.200. Real property of authority exempt from levy and sale by virtue of an execution.
- 99.210. Authority may borrow money or accept grants or assistance from federal government.
- 99.220. Authority to file report annually.
- 99.225. Funds to be used only for certain purposes.
- 99.230. Effect of sections 99.010 to 99.230.
- 99.231. Penalty for violation.

### LAND CLEARANCE FOR REDEVELOPMENT LAW

- 99.300. Citation of law.
- 99.310. Declaration of policy.
- 99.320. Definitions.
- 99.330. Authority may be created, when.
- 99.340. Board of commissioners—appointment—qualifications—terms.
- 99.350. Board of commissioners—meetings—quorum—employees.
- 99.360. Regional authority—creation—area of operation increased, how.
- 99.370. Regional authority—commissioners—terms—additional commissioner appointed, when and how.
- 99.380. Commissioners—compensation—certificate of appointment.
- 99.390. Commissioner—misconduct in office—removal—procedure.
- 99.400. Commissioner not to acquire interest voluntarily in clearance project—penalty.
- 99.410. Resolution creating authority deemed conclusive, when—filing.
- 99.420. Powers of authority.
- 99.430. Preparation and approval of redevelopment and urban renewal plans—modification of plan.
- 99.450. Authority may dispose of property, how.
- 99.460. Power of eminent domain—procedure.
- 99.470. Vacant land may be developed, when.
- 99.480. Bonds—authority to issue—how paid.
- 99.490. Bonds—conditions—interest rate—to be sold at par.
- 99.500. Bonds—commissioners not personally liable—not to constitute debt of a political subdivision or state—exempt from income taxes.

- 99.510. Commissioner's signature on bonds—validity—bonds deemed to be issued for lawful purpose.
- 99.520. Bond issues—additional powers of authority.
- 99.530. Default of bonds—rights of obligee.
- 99.540. Obligor—additional rights.
- 99.550. Bonds—who may invest in.
- 99.560. Authority may convey property to federal government in case of default.
- 99.570. Property of authority exempt from execution.
- 99.580. Powers of a public body to cooperate in land clearance project.
- 99.590. Public notice of conveyance or agreement not required.
- 99.600. Community may issue and sell bonds to aid project.
- 99.610. Two or more authorities may cooperate in joint project—governing body and community defined.
- 99.620. Annual report, satisfactory progress of projects, procedure to determine.
- 99.630. Authority may take over projects of constitutional charter city or county.
- 99.640. Master plan—municipalities authorized to prepare.
- 99.650. Construction of law.
- 99.660. Powers additional to those conferred by other laws.

### KANSAS CITY AND ST. LOUIS CITY

- 99.700. Application for designation as a blighted area, who may request—certificate of tax abatement, when issued (Kansas City, St. Louis city).
- 99.705. Assessor to issue current assessed value statement, when (Kansas City, St. Louis city).
- 99.710. Assessor's statement, area covered—on file for ten years (Kansas City, St. Louis city).
- 99.715. Assessor's statement to affect assessment of approved new construction or rehabilitation only (St. Louis city).

### REAL PROPERTY TAX INCREMENT ALLOCATION REDEVELOPMENT

- 99.800. Law, how cited.
- 99.805. Definitions.
- 99.810. Redevelopment plan, contents—adoption of plan, required findings.
- 99.815. County implementing project within boundaries of municipality, permission required—definition of municipality to include county.
- 99.820. Municipalities' powers and duties—commission appointment and powers—public disclosure requirements—officials' conflict of interest, prohibited.
- 99.825. Adoption of ordinance for redevelopment, public hearing required—objection procedure—hearings and notices not required, when—restrictions on certain projects.
- 99.830. Notice of public hearings, publication and mailing requirements, contents.
- 99.835. Secured obligations authorized—interest rates—how retired—sale—approval of electors not required—surplus fund distribution—county collectors' and municipal treasurers' duties.
- 99.840. Obligation, refunded to pay redevelopment costs, requirements—other obligations of municipality pledged to redevelopment may qualify.
- 99.845. Tax increment financing adoption—division of ad valorem taxes—payments in lieu of tax, deposit evaluation not to be used in calculating state school aid formula, when.
- 99.850. Surplus funds in special allocation fund, distribution—dissolution of fund and project area designation.
- 99.855. Tax rates for districts containing redevelopment areas, method for establishing county assessor's duties—methods for extending taxes to terminate, when.
- 99.860. Severability.

owns, rents, or leases is in a blighted area as defined in section 99.320, and declared to be a blighted area as provided in section 99.430. Upon receiving plans, as they may hereby require, which show that the person applying is engaged in new construction or rehabilitation of the designated real property in accordance with an approved redevelopment or urban renewal plan, the authority shall issue a certificate of qualification for tax abatement to the applicant. (L. 1973 H.B. 63 § 1, A.L. 1979 H.B. 103, A.L. 1986 H.B. 1327)

**99.705. Assessor to issue current assessed value statement, when (Kansas City, St. Louis city).**—Within thirty days of receiving the certificate, the applicant shall notify the city or county assessor, as the case may be, who shall, as soon as possible, issue a statement as to the current assessed valuation of the then existing real property covered by the plans. The authority shall issue a copy of the plans to the assessor.

(L. 1973 H.B. 63 § 2, A.L. 1979 H.B. 103)

**99.710. Assessor's statement, area covered—on file for ten years (Kansas City, St. Louis city).**—The city or county assessor's statement, as issued under section 99.705, shall be the maximum total assessed valuation of all real property included in the plans, a copy of which shall remain on file in his office, for each year for a period of ten years from the date on which the statement was issued.

(L. 1973 H.B. 63 § 3, A.L. 1979 H.B. 103)

**99.715. Assessor's statement to affect assessment of approved new construction or rehabilitation only (St. Louis city).**—In no event shall section 99.710 prevent the assessor from increasing or decreasing the assessed valuation of the real property other than the new construction or rehabilitation approved in the certificate of qualification.

(L. 1973 H.B. 63 § 4)

#### REAL PROPERTY TAX INCREMENT ALLOCATION REDEVELOPMENT

**99.800. Law, how cited.**—Sections 99.800 to 99.865 shall be known and may be cited as the "Real Property Tax Increment Allocation Redevelopment Act".

(L. 1982 H.B. 1411 & 1587 § 1)

**99.805. Definitions.**—As used in sections 99.800 to 99.865, unless the context clearly requires otherwise, the following terms shall mean:

(1) "Blighted area", an area which, by reason of the predominance of defective or inadequate

street layout, insanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use;

(2) "Conservation area", any improved area within the boundaries of a redevelopment project area located within the territorial limits of a municipality in which fifty percent or more of the structures in the area have an age of thirty-five years or more. Such an area is not yet a blighted area but is detrimental to the public health, safety, morals, or welfare and may become a blighted area because of any one or more of the following factors: Dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; and lack of community planning;

(3) "Economic development area", any area or portion of an area located within the territorial limits of a municipality, which does not meet the requirements of subdivisions (1) and (2) of this section, and in which the governing body of the municipality finds that redevelopment is in the public interest because it will:

(a) Discourage commerce, industry or manufacturing from moving their operations to another state; or

(b) Result in increased employment in the municipality; or

(c) Result in preservation or enhancement of the tax base of the municipality;

(4) "Municipality", a city, village, or incorporated town or any county of this state;

(5) "Obligations", bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued by a municipality to carry out a redevelopment project or to refund outstanding obligations;

(6) "Ordinance", an ordinance enacted by the governing body of a city, town, or village or a county or an order of the governing body of a county whose governing body is not authorized to enact ordinances;

(7) "Payment in lieu of taxes", those estimated revenues from real property in a redevelopment project area acquired by a municipality.

(2) The redevelopment plan and project conform to the comprehensive plan for the development of the municipality as a whole;

(3) The estimated dates, which shall not be more than twenty-three years from the adoption of the ordinance approving the redevelopment project area, of completion of the redevelopment project and retirement of obligations incurred to finance redevelopment project costs have been stated; and

(4) A plan has been developed for relocation assistance for businesses and residences.

(L. 1982 H.B. 1411 & 1587 § 3 subsec. 1, A.L. 1986 S.B. 664 and H.B. 989 & 1390)

**99.815. County implementing project within boundaries of municipality, permission required—definition of municipality to include county.—**When a county of this state desires to implement a tax increment financing project within the boundaries of a municipality partially or totally within the county, such county shall first obtain the permission of the governing body of the municipality located within the county. When the term "municipality" is used within sections 99.800 to 99.865, such term may be interpreted to include a county implementing a tax incremental financing project.

(L. 1982 H.B. 1411 & 1587 § 3 subsec. 2)

**99.820. Municipalities' powers and duties—commission appointment and powers—public disclosure requirements—officials' conflict of interest, prohibited.—**A municipality may:

(1) By ordinance introduced in the governing body of the municipality within fourteen to ninety days from the completion of the hearing required in section 99.825, approve redevelopment plans and redevelopment projects, and designate redevelopment project areas pursuant to the notice and hearing requirements of sections 99.800 to 99.865. No redevelopment project area shall be designated unless a plan and project are approved prior to the designation of such area and such area shall include only those parcels of real property and improvements thereon substantially benefited by the proposed redevelopment project improvements;

(2) Make and enter into all contracts necessary or incidental to the implementation and furtherance of its redevelopment plan and project;

(3) Within a redevelopment project area, subject to any constitutional limitations, acquire by purchase, donation, lease or eminent domain, and own, convey, lease, mortgage, or dispose of, land and other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect

thereto, all in the manner and at such price the municipality determines is reasonably necessary to achieve the objectives of the redevelopment plan and project. No conveyance, lease, mortgage, disposition of land or other property, or agreement relating to the development of the property shall be made except upon the adoption of an ordinance by the governing body of the municipality. Furthermore, no conveyance, lease, mortgage, or other disposition of land or agreement relating to the development of property shall be made without making public disclosure of the terms of the disposition and all bids and proposals made in response to the municipality's request. The procedures for obtaining such bids and proposals shall provide reasonable opportunity for any person to submit alternative proposals or bids;

(4) Within a redevelopment project area, clear any area acquired by demolition or removal of existing buildings and structures;

(5) Within a redevelopment project area, renovate, rehabilitate, or construct any structure or building;

(6) Install, repair, construct, reconstruct, or relocate streets, utilities, and site improvements essential to the preparation of the redevelopment area for use in accordance with a redevelopment plan;

(7) Within a redevelopment project area, fix, charge, and collect fees, rents, and other charges for the use of any building or property owned or leased by it or any part thereof, or facility therein;

(8) Accept grants, guarantees, and donations of property, labor, or other things of value from a public or private source for use within a project redevelopment area;

(9) Acquire and construct public facilities within are development project area;

(10) Incur project redevelopment costs;

(11) Create a commission of not less than five nor more than fifteen persons to be appointed by the chief executive officer of the municipality, with the consent of the majority of the governing body of the municipality, to serve such terms as may be provided by ordinance. The commission, subject to approval of the governing body, may exercise the powers enumerated in this section. The commission shall also have the power to hold the public hearings required by sections 99.800 to 99.865 and to make recommendations to the governing body concerning the adoption of redevelopment plans and redevelopment projects and the designation of redevelopment project areas;

(12) Make payment in lieu of taxes, or a portion thereof, to taxing districts. If payments in



the general taxes for the last preceding year were paid on each lot, block, tract, or parcel of land lying within the project redevelopment area. Such notice shall be mailed not less than ten days prior to the date set for the public hearing. In the event taxes for the last preceding year were not paid, the notice shall also be sent to the persons last listed on the tax rolls within the preceding three years as the owners of such property.

2. The notices issued pursuant to this section shall include the following:

- (1) The time and place of the public hearing;
- (2) The boundaries of the proposed redevelopment project area by legal description and by street location, where possible;
- (3) A statement that all interested persons shall be given an opportunity to be heard at the public hearing;
- (4) A description of the project redevelopment plan or redevelopment project for the proposed redevelopment project area if a plan or project is the subject matter of the hearing and a location and time where the entire plan may be reviewed by any interested party;
- (5) Such other matters as the municipality may deem appropriate.

3. Not less than forty-five days prior to the date set for the public hearing, the municipality shall give notice by mail as provided in subsection 1 of this section to all taxing districts from which taxable property is included in the redevelopment area, redevelopment project or redevelopment plan, and in addition to the other requirements under subsection 2 of this section, the notice shall include an invitation to each taxing district to submit comments to the municipality concerning the subject matter of the hearing prior to the date of hearing.

(L. 1982 H.B. 1411 & 1587 § 5)

**99.835. Secured obligations authorized—interest rates—how retired—sale—approval of electors not required—surplus fund distribution—county collectors' and municipal treasurers' duties.—1.** Obligations secured by the special allocation fund set forth in sections 99.845 and 99.850 for the redevelopment project area may be issued to provide for redevelopment project costs. Such obligations, when so issued, shall be retired in the manner provided in the ordinance authorizing the issuance of such obligations by the receipts of payments in lieu of taxes as specified in section 99.855. A municipality may, in the ordinance, pledge all or any part of the funds in and to be deposited in the special allocation fund created pursuant to sections 99.845 and 99.850 to the payment of the redevelopment project costs and obligations. Any pledge of

funds in the special allocation fund may provide for distribution to the taxing districts of moneys not required for payment and securing of the obligations and such excess funds shall be deemed to be surplus funds. In the event a municipality only pledges a portion of the funds in the special allocation fund for the payment of redevelopment project costs or obligations, any such funds remaining in the special allocation fund after complying with the requirements of the pledge, shall also be deemed surplus funds. All surplus funds shall be distributed annually to the taxing districts in the redevelopment project area by being paid by the municipal treasurer to the county collector who shall immediately thereafter make distribution to the respective taxing districts in the same manner and proportion as the most recent distribution by the collector to the affected districts of real property taxes from real property in the redevelopment project area.

2. Without limiting the provisions of subsection 1 of this section, the municipality may, in addition to obligations secured by the special allocation fund, pledge, for a period not greater than the term of the obligations, toward payment of such obligations any part or any combination of net revenues of all or part of any redevelopment project, or a mortgage on part or all of the redevelopment project.

3. Obligations issued under sections 99.800 to 99.865 may be issued in one or more series bearing interest at such rate or rates as the governing body of the municipality shall determine by ordinance. Such obligations shall bear such date or dates, mature at such time or times not exceeding twenty years from their respective dates, be in such denomination, carry such registration privileges, be executed in such manner, be payable in such medium of payment at such place or places, contain such covenants, terms and conditions, and be subject to redemption as such ordinance shall provide. Obligations issued pursuant to sections 99.800 to 99.865 may be sold at public or private sale at such price as shall be determined by the governing body and shall state that obligations issued pursuant to sections 99.800 to 99.865 are special obligations of the municipality payable solely from the special allocation fund. No referendum approval of the electors shall be required as a condition to the issuance of obligations pursuant to sections 99.800 to 99.865.

4. The ordinance authorizing the issuance of obligations may provide that the obligations shall contain a recital that they are issued pursuant to sections 99.800 to 99.865, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

(L. 1982 H.B. 1411 & 1587 § 6)

in the absence of the adoption of tax increment financing.

3. Nothing in sections 99.800 to 99.865 shall be construed as relieving property in such project areas from paying a uniform rate of taxes, as required by article X, section 3 of the Missouri Constitution.

(L. 1982 H.B. 1411 & 1587 § 8 subsecs. 2, 3, 4)

**99.855. Tax rates for districts containing redevelopment areas, method for establishing county assessor's duties—methods for extending taxes to terminate, when.—1.** If a municipality by ordinance provides for tax increment allocation financing pursuant to sections 99.845 and 99.850, the county assessor shall immediately thereafter determine the total equalized assessed value of all taxable real property within such redevelopment project area by adding together the most recently ascertained equalized assessed value of each taxable lot, block, tract, or parcel of real property within such project area, and shall certify such amount as the total initial equalized assessed value of the taxable real property within such project area.

2. After the county assessor has certified the total initial equalized assessed value of the taxable real property in such redevelopment project area, then, in respect to every taxing district containing a redevelopment project area, the county clerk, or any other official required by law to ascertain the amount of the equalized assessed value of all taxable property within such district for the purpose of computing any debt service levies to be extended upon taxable property within such district, shall in every year that tax increment allocation financing is in effect ascertain the amount of value of taxable property in a redevelopment project area by including in such amount the certified total initial equalized assessed value of all taxable real property in such area in lieu of the equalized assessed value of all taxable real property in such area. For the purpose of measuring the size of payments in lieu of taxes under sections 99.800 to 99.865, all tax levies shall then be extended to the current equalized assessed value of all property in the redevelopment project area in the same manner as the tax rate percentage is extended to all other taxable property in the taxing district. The method of extending taxes established under this section shall terminate when the municipality adopts an ordinance dissolving the special allocation fund for the redevelopment project area.

(L. 1982 H.B. 1411 & 1587 § 9, A.L. 1986 S.B. 664 and H.B. 989 & 1390)

**99.860. Severability.—**If any section, subsection, subdivision, paragraph, sentence or clause of sections 99.800 to 99.865 is, for any reason, held to be invalid or unconstitutional, such decision shall not affect any remaining portion, section, or part thereof which can be given effect without the invalid provision.

(L. 1982 H.B. 1411 & 1587 § 10)

**99.865. Report by municipalities, contents, publication—satisfactory progress of project, procedure to determine.—1.** Each year the governing body of the municipality, or its designee, shall prepare a report concerning the status of each redevelopment plan and project. The report shall include the following: The amount and source of revenue in the special allocation fund, the amount and purpose of expenditures from the special allocation fund, the amount of any pledge of revenues, including principal and interest on any outstanding bonded indebtedness, the original assessed value of the redevelopment project area, the assessed valuation added to the redevelopment project area, payments made in lieu of taxes received and expended, contracts made incident to the implementation and furtherance of a redevelopment plan and project, the cost for an amount of any property acquired, disposed of, rehabilitated, reconstructed, repaired or remodeled, and any additional information the municipality deems necessary. An annual statement showing the payments made in lieu of taxes received and expended in that year, the status of the redevelopment project and plan, amount of outstanding bonded indebtedness and any additional information the municipality deems necessary shall be published in a newspaper of general circulation in the municipality.

2. Five years after the establishment of a redevelopment plan and every five years thereafter the governing body shall hold a public hearing regarding those redevelopment plans and projects created pursuant to sections 99.800 to 99.865. The purpose of the hearing shall be to determine if the redevelopment project is making satisfactory progress under the proposed time schedule contained within the approved plans for completion of such projects. Notice of such public hearing shall be given in a newspaper of general circulation in the area served by the authority once each week for four weeks immediately prior to the hearing.

(L. 1982 H.B. 1411 & 1587 § 11)

hundred thousand or more inhabitants, and whose jurisdiction covers more than one county, shall rent or lease accommodations to any person who, within the preceding five years, has been convicted of a crime involving prostitution or the possession or sale of controlled substances listed in schedule I and II of section 195.017, RSMo. or whose dwelling unit is known to have been the site of crimes involving prostitution or the possession or sale of controlled substances listed in schedule I and II of section 195.017, RSMo.

2. If a family which is living in accommodations rented or leased by the housing authority becomes ineligible for such accommodations because a member of the family was convicted of a crime listed in subsection 1 of this section, the remaining members of such family may reapply to the board of commissioners of the housing authority for accommodations.

(L. 1988 H.B. 1105)

99.110. Authority may join or cooperate with other authorities or with private entities—certain authorities not to establish additional units, when.—1. Any two or more authorities may join or cooperate with one another in the exercise of any or all of the powers conferred hereby for the purpose of financing, planning, undertaking, constructing or operating a housing project or projects, or other federally subsidized housing programs located within the area of operation of any one or more of said authorities. An authority may also provide technical assistance to other authorities and charge a fee for such services, provided that the profits from such fees shall be distributed as provided in subsection 3 of section 99.080.

2. An authority may provide technical assistance to public and private developers of housing for persons of very low, lower or moderate income and charge a fee for such services, provided that any profits from such fees shall be distributed as provided in subsection 3 of section 99.080.

3. An authority may participate, with other public or private entities, in partnerships, joint ventures, or other co-ownership arrangements as long as the profits from such participation are distributed as provided in subsection 3 of section 99.080. If a housing project is the subject of the participation, at least twenty percent of the units shall be occupied by persons very low or lower income. The distribution of project units reserved for persons of very low and lower income by size

shall be proportional to the distribution of units by size for the entire housing project.

4. An authority which participates with a private entity, in a partnership, joint venture or co-ownership arrangement in the development or the management of a housing project for which the property has been acquired by the power of eminent domain and results in the displacement of persons and/or businesses, shall establish written policies and procedures for the payment of displacement and relocation benefits to such affected parties.

5. No authority in any city partially contained within a county of the first class having a charter form of government with a population in excess of four hundred thousand inhabitants shall create in whole or in part, directly or indirectly, any additional housing units within any area that is within two and one-half miles from the center of any other area having a radius of one-half mile that contains more than five hundred housing units subject to any provisions of this chapter. Excepted from this subsection is any area that formerly contained multiple building high rise public housing.

(RSMo 1939 § 7863. A.L. 1986 S.B. 767. A.L. 1988 H.B. 1105)

99.231.—(Repealed L. 1988 H.B. 1105 § A)

#### REAL PROPERTY TAX INCREMENT ALLOCATION REDEVELOPMENT

99.810. Redevelopment plan, contents—adoption of plan, required findings.—Each redevelopment plan shall set forth in writing the program to be undertaken to accomplish the objectives and shall include, but need not be limited to, estimated redevelopment project costs, the sources of funds to pay the costs, evidence of commitments to finance the project costs, the nature and term of the sources of funds to pay costs, the nature and term of the obligations to be issued, the most recent equalized assessed valuation of the project area, an estimate as to the equalized assessed valuation after redevelopment, and the general land uses to apply in the redevelopment project area. No redevelopment plan shall be adopted by a municipality without findings that:

(1) The redevelopment project area on the whole is a blighted area, a conservation area, economic development area, and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of the redevelopment plan:

TAX INCREMENT FINANCING COMMISSION  
CURRENT ADMINISTRATION CONTRACT

ECONOMIC DEVELOPMENT CORPORATION  
June 1, 1989 to May 31, 1990

THIS AGREEMENT, is made and entered into the 1st day of June, 1989 by and between the CITY OF KANSAS CITY, MISSOURI, CITY DEVELOPMENT DEPARTMENT, a constitutionally chartered municipal corporation of the State of Missouri, hereinafter referred to as "CITY" and the ECONOMIC DEVELOPMENT CORPORATION OF KANSAS CITY, MISSOURI, a Missouri not-for-profit corporation, hereinafter referred to as "EDC" or "CONTRACTOR", and consists of two parts: Part I, "Special Terms and Conditions", and Part II, "General Terms and Conditions, Community Development Block Grant Funds."

WITNESSETH:

WHEREAS, EDC is a Missouri not-for-profit corporation empowered to assist in the retention and expansion of existing business and attract new business to Kansas City, Missouri with an emphasis on the central city area; and

WHEREAS, EDC was formerly known as the Kansas City Corporation for Industrial Development (KCCID), its change of name to Economic Development Corporation of Kansas City, Missouri being effective on November 4, 1987; and

WHEREAS, the Mayor and City Council desire that EDC coordinate the activities of all of the economic development agencies operating on behalf of the City; and

WHEREAS, EDC will continue to coordinate a plan for consolidation of operations of the major economic development agencies.

incorporated in the performance standards as per Part I, B Section 10.

3. Provide support to the marketing and attraction services of the Kansas City Area Economic Development Council (KCAEDC) by servicing those clients and businesses referred from KCAEDC and by the Director of City Development.
4. Maintain staff and related support for fixed asset financing programs for expansion for industrial and commercial facilities, investment and jobs in Kansas City, Missouri including, but not limited to, those programs of the EDC Local Development Company, the SBA 503 & 504 Debenture Financing, the EDC Revolving Loan Fund, and the EDC Neighborhood Commercial Revolving Loan Fund.
5. Expand and maintain the EDC Capital Investment Program for short-term land banking through the KCCID Charitable Fund. Emphasis shall continue to be the attraction of new investment and jobs to central city project sites. EDC through the KCCID Charitable Fund shall maintain responsibility for the Downtown Paseo Area Redevelopment project.
6. Maintain site development assistance to private developers to include the fixed asset financing services for expansion and attraction of existing and new industrial and central city commercial developments.
7. Upon request by private or public parties for extended site development assistance EDC and the City, through the

City's Budget Officer to assist in the preparation and review of the budget submittal.

12. Do and perform any and all other things necessary or incidental to any of the foregoing as assigned by the City through the Director of the City Development Department and as approved by the EDC Board.
13. Provide for staff and administrative functions of the Land Clearance For Redevelopment Authority and other economic development agencies formed by the City of Kansas City, Missouri including the Planned Industrial Expansion Authority, the Industrial Development Authority, the Tax Increment Financing Commission and the Port Authority of Kansas City, Missouri.
14. Provide for the administration of City capital improvement funds allocated through the City Development Department for the Union Station Redevelopment program.
15. Provide for the marketing, business contact and administration of the Enterprise Zone program on a joint basis with the City Development Department. All planning and boundary changes will be developed jointly by the City and the Contractor.

**C. TIME OF PERFORMANCE**

This Agreement is to begin June 1, 1989 and shall be completed on or before May 31, 1990.

**D. METHOD OF FUNDING**

The City shall reimburse EDC for costs incurred in providing the services specified herein, in a total amount which shall not

there is a balance, otherwise unencumbered, to the credit of the City of Kansas City, Missouri under the above-described Letter of Credit and a cash balance sufficient to meet the obligation hereby incurred, from which payment is to be made.

F. CONFLICT OF INTEREST

1. Applicability

- a. In the procurement of supplies, equipment, construction and services by Contractors (including those specified at 24 CFR Section 570.204(c) but not including governments and public agencies.). The Conflict of interest provisions (setting minimum standards by which contractors may establish their own policies and procedures with regard to conflicts of interest provisions) in OMB Circular A-110 shall apply. For governments and public agencies the provisions set forth by 24 CFR 86.36 shall apply.
- b. In all cases not governed by 24 CFR 85.36 and OMB Circular A-110, the provisions of this section shall apply. Such cases include the acquisition and disposition of real property and the provision of assistance by the recipient, by its subrecipients, or to individuals, businesses and other private entities under eligible activities which authorize such assistance (e.g., rehabilitation, preservation, and other improvements of private properties or facilities pursuant to Section 570.202, or grants, loans and other assistance to businesses, individuals and other



public agencies, or Contractors which are receiving funds under this part.

4. Exceptions: Threshold Requirements

Upon the written request of the Contractor to the City, the City may request and HUD may grant an exception to the provisions of paragraph 2 of this section on a case-by-case basis when it determines that such an exception will serve to further the purposes of the Act and the effective and efficient administration of the Contractor's program or project. An exception may be considered only after the recipient has provided the following:

- a. A disclosure of the nature of the conflict, accompanied by an assurance that there has been public disclosure of the conflict and a description of how the public disclosure was made; and
- b. An opinion of the Contractor's attorney and the concurrence of the City's attorney that the interest for which the exception is sought would not violate State or local law.

5. Factors to be Considered for Exceptions

In determining whether to grant a requested exception after the recipient has satisfactorily met the requirements of paragraph 4 of this section, HUD shall consider the cumulative effect of the following factors, where applicable:

#### H. NOTICES

Any notices or other communications required or permitted to be given hereunder shall be in writing and shall be deemed given when delivered personally or deposited in the United States mail, certified or registered matter, postage prepaid, return receipt requested, addressed as follows:

- a. If to the City, John W. Laney, Assistant City Manager & Director of City Development, City of Kansas City, Missouri, 414 East 12th Street, 15th Floor, Kansas City, Missouri 64106-2743; and
- b. If to EDC, 920 Main Street, Suite 214, Kansas City, Missouri 64106, Attention: Brian Collins, Chief Executive Officer; or to such other place as the parties may designate in accordance with this section.

#### I. REPRESENTATIONS AND WARRANTIES

City and EDC represent and warrant that they have the power and authority to execute and deliver this Agreement to use the funds as contemplated hereby and to perform this Agreement, in accordance with its terms.

#### J. BINDING EFFECT

This Agreement shall be binding upon the parties hereto and upon their successors in interest.

#### K. AMENDMENT

This Agreement may be amended only in writing signed by all the parties hereto.

#### L. AUDIT

EDC, as a condition of this Agreement, shall have an audit made in accordance with OMB Circular A-128, issued pursuant to the

(for tax payments), for each quarter of the program year. Detailed schedule of the portion of the tax liability that is applicable to the Block Grant Contract should be included. Failure to submit these reports will result in suspension of your contract until all information is recieved.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized representatives the day and year first above written.

ATTEST:

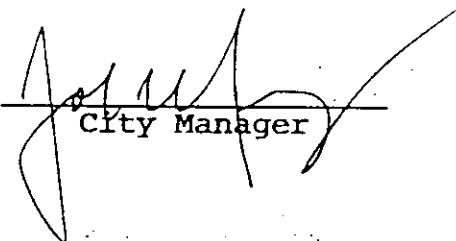
CITY OF KANSAS CITY, MISSOURI  
CITY DEVELOPMENT DEPARTMENT  
A Constitutionally Chartered  
Municipal Corporation of the  
State of Missouri

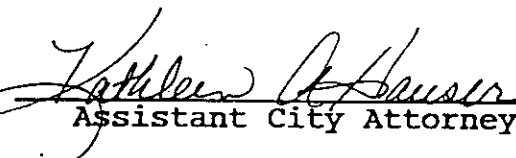
By:   
City Clerk

By:   
Director of City Development

APPROVED:

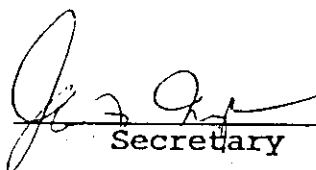
APPROVED AS TO FORM AND LEGALITY:

By:   
City Manager

By:   
Assistant City Attorney

ATTEST:

ECONOMIC DEVELOPMENT CORPORATION OF  
KANSAS CITY, MISSOURI

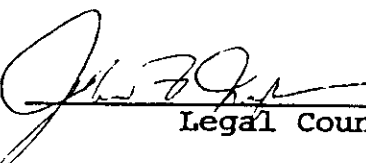
By:   
Secretary

By:   
Chief Executive Officer

APPROVED:

APPROVED AS TO FORM AND LEGALITY:

By:   
Board Chairman

By:   
Legal Counsel

64299

AN ORDINANCETHIS ORDINANCE IS EFFECTIVE 10 DAYS  
AFTER PASSAGE.

REPEALING ORDINANCE NO. 64133 AND ADOPTING IN LIEU THEREOF A NEW ORDINANCE TO APPROVE AN AGREEMENT WITH THE ECONOMIC DEVELOPMENT CORPORATION IN THE AMOUNT OF \$989,520 FOR THE PURPOSE OF PROVIDING FUNDS FOR CERTAIN DEVELOPMENT AND REDEVELOPMENT SERVICES; ESTIMATING FUNDS IN CERTAIN ACCOUNTS; APPROPRIATING CERTAIN FUNDS FOR THE ECONOMIC DEVELOPMENT CORPORATION FUND; DESIGNATING THE DIRECTOR OF CITY DEVELOPMENT AS REQUISITIONING AUTHORITY FOR SAID FUNDS; AND DIRECTING THE CITY CLERK TO RECORD SAID AGREEMENT.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Ordinance No. 64133, passed May 25, 1989, authorizing an agreement with the Economic Development Corporation, estimating funds in certain accounts, appropriating certain funds for Economic Development Corporation Fund and designating the Director of the City Development Department as requisitioning authority is hereby repealed in its entirety.

Section 2. That the Director of the City Development Department is hereby authorized to execute a Cooperative Agreement with the Economic Development Corporation, a copy of which is attached hereto and incorporated herein as Exhibit A, in the amount of \$989,520.00 for the purpose of providing funds for certain development and redevelopment services from funds to be appropriated to Account Numbers 1-15606B Economic Development Corporation \$689,520.00 and 705-15340B Economic Development Corporation \$300,000.00.

Section 3. That the revenue in the following accounts with the Economic Development Corporation Fund is hereby estimated in the following amounts:

666-90102	Transfer from General Fund	\$689,520.00
666-90103	Transfer from CDBG - Year XV	\$300,000.00

Section 4. That the sum of \$989,520.00 is hereby appropriated from the Unappropriated Fund Balance of the Economic Development Corporation Fund to the following accounts in said fund:

666-15606A	Economic Development Corporation	\$779,834.00
666-15606B	Economic Development Corporation	194,686.00
666-15606C	Economic Development Corporation	<u>15,000.00</u>
		\$989,520.00

Section 5. That the Director of City Development is hereby designated as requisitioning authority for accounts established in Section 3 herein.

THIS ORDINANCE IS EFFECTIVE 10 DAYS  
AFTER PASSAGE.  
64133

AN ORDINANCE

AUTHORIZING THE DIRECTOR OF CITY DEVELOPMENT TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE ECONOMIC DEVELOPMENT CORPORATION IN THE AMOUNT OF \$989,520.00 FOR THE PURPOSE OF PROVIDING FUNDS FOR CERTAIN DEVELOPMENT AND REDEVELOPMENT SERVICES; ESTIMATING FUNDS IN CERTAIN ACCOUNTS; APPROPRIATING CERTAIN FUNDS FOR THE ECONOMIC DEVELOPMENT CORPORATION FUND; DESIGNATING THE DIRECTOR OF CITY DEVELOPMENT AS REQUISITIONING AUTHORITY FOR SAID FUND; AND DIRECTING THE CITY CLERK TO RECORD SAID AGREEMENT.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of the City Development Department is hereby authorized to execute a Cooperative Agreement with the Economic Development Corporation, a copy of which is attached hereto and incorporated herein as Exhibit A, in the amount of \$989,520.00 for the purpose of providing funds for certain development and redevelopment services from funds to be appropriated to Account Numbers 1-15605B Economic Development Corporation \$689,520.00 and 70415340B Economic Development Corporation \$300,000.00.

Section 2. That the revenue in the following accounts with the Economic Development Corporation Fund is hereby estimated in the following amounts:

667-61324	Community Development Grant - Year XIV	\$300,000.00
667-09102	Transfer from General Fund	689,520.00

Section 3. That the sum of \$989,520.00 is hereby appropriated from the Unappropriated Fund Balance of the Economic Development Corporation Fund to the following accounts in said fund:

667-15605A	Economic Development Corporation	\$779,834.00
667-15605B	Economic Development Corporation	194,686.00
667-15605C	Economic Development Corporation	15,000.00
		<u>\$989,520.00</u>

Section 4. That the Director of City Development is hereby designated as requisitioning authority for accounts established in Section 3 herein.

Section 5. That the City Clerk is hereby directed to file a copy of the Cooperative Agreement in the Office of the Department of Records, Jackson County, Missouri, and in the office of the Secretary of State of Missouri as required by law.

ECONOMIC DEVELOPMENT CORPORATION  
(Budget by Funding Sources)

	1988/89 Estimate	Total 1989/90 Estimate	XIV CDBG	City Gen. Fund	Private
<b>A. PERSONNEL</b>					
1. Salaries	\$ 756,446	\$ 776,763	\$ 230,769	\$ 369,104	\$ 176,890
2. Fringe Benefits	189,111	235,255	69,231	110,730	55,184
	<u>\$ 945,557</u>	<u>\$1,012,018</u>	<u>\$ 300,000</u>	<u>\$ 479,834</u>	<u>\$ 232,184</u>
<b>B. CONTRACTUAL SERVICES</b>					
1. Building Rental	\$ 132,838	\$ 173,463	\$ -0-	\$ 130,023	\$ 43,440
2. Equip. Rental	36,878	43,000	-0-	18,763	24,237
3. Maintenance	6,700	20,000	-0-	-0-	20,000
4. Utilities/Elec.	7,490	8,000	-0-	8,000	-0-
5. Telephone	32,000	33,100	-0-	-0-	33,000
6. Travel & Training	31,000	35,000	-0-	-0-	35,000
7. Dues & Subscript.	8,350	5,000	-0-	-0-	5,000
8. Adv. & Promotion	34,300	39,500	-0-	-0-	39,500
9. Audit/Accounting	37,000	35,000	-0-	25,000	10,000
10. Insurance	31,000	25,000	-0-	-0-	25,000
11. Professional Serv.	41,750	17,000	-0-	-0-	17,000
12. Projects/Property	17,000	20,000	-0-	-0-	20,000
13. Miscellaneous	14,200	12,946	-0-	-0-	12,946
14. Postage & Ship.	24,846	20,900	-0-	12,900	8,000
15. LCRA Services	-0-	100,000	-0-	100,000	-0-
Subtotal	<u>\$ 455,552</u>	<u>\$ 587,809</u>	<u>\$ -0-</u>	<u>\$ 294,686</u>	<u>\$ 293,123</u>
<b>C. COMMODITIES</b>					
1. Office Supplies	\$ 50,826	\$ 30,000	\$ -0-	\$ 15,000	\$ 15,000
Subtotal	<u>\$ 50,826</u>	<u>\$ 30,000</u>	<u>\$ -0-</u>	<u>\$ 15,000</u>	<u>\$ 15,000</u>
<b>D. CAPITAL EQUIPMENT</b>					
1. Furn. & Equip.	\$ 10,000	\$ 5,000	\$ -0-	\$ -0-	\$ 10,000
2. Leasehold Imp.	1,650	10,000	-0-	-0-	5,000
Subtotal	<u>\$ 11,650</u>	<u>\$ 15,000</u>	<u>\$ -0-</u>	<u>\$ -0-</u>	<u>\$ 15,000</u>
<b>TOTAL</b>	<u>\$1,463,585</u>	<u>\$1,644,827</u>	<u>\$ 300,000</u>	<u>\$ 789,520</u>	<u>\$ 555,307</u>

maintenance for the periods, June 1, 1989 through February 28, 1990 and June 1, 1989 through May 31, 1990.

3. SERVICES TO BE PERFORMED EDC shall perform the services specified below, all in conformance with the Housing and Community Development Act of 1974, As Amended, HUD Regulations and Requirements issued pursuant thereto, and the City's Year Fifteenth Community Development Block Grant Program.
- a) Plan, administer, coordinate and exercise all powers and authorities granted under the Missouri Redevelopment Authority law in such presently existing or hereafter established Urban Renewal areas.
  - b) Undertake and conduct such studies, analysis and reviews of adopted Urban Renewal plans as may be required from time to time to determine the appropriateness and feasibility of the plans.
  - c) Undertake and conduct such necessary studies, plans, surveys, and analysis of areas to correct blighted and unsanitary conditions and promote redevelopment as may from time to time be requested or approved by the City through its Director of City Development Department.
  - d) Prepare Urban Renewal plans for areas as may jointly be agreed upon and designated by the Authority and the City. In addition, prior to any other study, plan or project not within an existing Urban Renewal area being prepared, the Director of City Development shall consent to the need and

obligations under this Agreement and provided further that the Authority reimburses the City for any administrative or other costs which are deemed reimbursable as a result of said other agreement.

5. CONTRACT REVIEW. All contracts and agreements to be entered into by the Authority pursuant to this Agreement in excess of Twenty Thousand Dollars (\$20,000) shall be subject to prior review and comment by the City through the Director of the City Development Department.



TAX INCREMENT FINANCING COMMISSION  
POLICIES AND GUIDELINES

R E S O L U T I O N  
ADOPTING A STANDARDIZED RELOCATION POLICY

WHEREAS, the Tax Increment Financing Commission of Kansas City, Missouri (the "Commission") has the power to prepare plans and provide reasonable assistance for the relocation of families displaced from a Tax Increment Project Area, to the extent essential for acquiring possession of and clearing or renewing the area or parts thereof; and

WHEREAS, the Commission desires to adopt a standardized relocation policy to be included henceforth in all Tax Increment Financing plans.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TAX INCREMENT FINANCING COMMISSION OF KANSAS CITY, MISSOURI, as follows:

1. Henceforth, all Tax Increment Finance plans approved by the Commission shall contain the following provisions:

Relocation Plan.

(a) Definitions. The following terms, whenever used or referred to herein, shall have the following meanings:

(i) Designated Occupants. "Designated Occupants" shall mean handicapped displaced occupants and those displaced occupants who are 65 years of age or older at the time of the notice to vacate or who have an income less than the average median income for the metropolitan area as certified annually by the Director of City Development based upon standards established by the Department of Housing and Community Development of Kansas City, Missouri.

(ii) Displaced Business. "Displaced Business" shall mean any business that moves from real property within the development area as a result of the acquisition of such property, or as a result of written notice to vacate such property, or in conjunction with the demolition, alteration or repair of said property, by the Tax Increment Finance Commission pursuant to RSMo. 99.800 et. seq., as amended.

(iii) Displaced Occupant. "Displaced Occupant" shall mean any occupant who moves from real property within the development area as a result of the acquisition of such property, or as a result of written notice to vacate such property, or in connection with the demolition, alteration or repair of said property, by

(iii) Program for referrals of displaced occupants and displaced businesses with provisions for a minimum of three (3) suitable referral sites, a minimum of ninety (90) days of referral sites for handicapped displaced occupants and sixty (60) days notice of referral sites for all other displaced occupants and displaced businesses, prior to the date such displaced occupant or displaced business is required to vacate the premises; and arrangements for transportation to inspect referral sites to be provided to designated occupants.

(iv) Every displaced occupant and every displaced business shall be given a ninety (90) day notice to vacate; provided, however, that the developer may elect to reduce the notice time to sixty (60) days if the developer extends the relocation payments and benefits set forth in subsections (d), (e) and (f) below to any displaced occupant or displaced business affected by said reduction in time.

(d) Payments to Occupants. All displaced occupants eligible for payments under subsection (c)(i) hereof shall be provided with relocation payments based upon one of the following, at the option of the occupant:

(i) A \$500.00 payment to be paid at least thirty (30) days prior to the date the occupant is required to vacate the premises; or

(ii) Actual reasonable costs of relocation including actual moving costs, utility deposits, key deposits, storage or personal property up to one month, utility transfer and connection fees, and other initial rehousing deposits including first and last month's rent and security deposit.

(e) Handicapped Displaced Occupant Allowance. In addition to the payments provided in subsection (d) hereof, an additional relocation payment shall be provided to handicapped displaced occupants which shall equal the amount, if any, necessary to adapt a replacement dwelling to substantially conform with the accessibility and usability of such occupant's prior residence, such amount not to exceed Four Hundred Dollars (\$400.00).

(f) Payment to Businesses. All displaced businesses eligible for payments under subsection (c)(i) hereof shall be provided with relocation payments based upon the following, at the option of the business:

(i) A \$1,500.00 payment to be paid at least thirty (30) days prior to the date the business is required to vacate the premises; or

## TAX INCREMENT FINANCE COMMISSION

### DESIGN REVIEW PROCESS

All redevelopment proposals for the Tax Increment Finance Commission of Kansas City, Missouri will be subject to design review and approval by the Commission. In addition, all development proposals for new construction, or the rehabilitation of existing structures within designated Tax Increment areas will be subject to the Commission's design review and approval. This review will evaluate the quality and appropriateness of the proposal on the basis of the design objectives stated in the Plan and in the special land use and building requirements stated in more detailed and refined Development Objectives and Controls which may be prepared for the site.

This review will be conducted by the Commission. The Commission may engage professional consulting services from time to time to provide technical advices. Required submissions shall be made to the Commission through the Executive Director.

Required submission will occur at three stages in the preparation of redevelopment proposals. Additional informal reviews at the request of either the Redeveloper or the Commission Staff are encouraged. It is the intention of the Commission Staff that once approval has been given of a submission stage, further review will be limited to consideration of a development or refinement of previous approved submission, or to new elements which were not present in previous submissions.

The formal stages of submission follow:

#### 1. SCHEMATIC DESIGN

This review is intended to secure agreement on and approval of the basic design concept prior to extensive work by the Redeveloper's Architect. The Commission does not encourage submission of more than the following, which it feels is sufficient to describe the proposal:

- (a) Site plan at any appropriate scale (1" = 100' and 1" = 40' are preferred scales); emphasizing general relationships of proposed and existing buildings, walls and open space, including that mutually defined by buildings on adjacent parcels and across streets. The general location of walks, driveways, parking, service areas, roads and major landscape features, in addition to the buildings, should be shown. Pedestrian and vehicular flow through the parcel and to adjacent areas shall be shown. Site sections showing height relationships with proposed and adjacent buildings shall be provided.

### 3. FINAL WORKING DRAWINGS AND SPECIFICATIONS

This review is intended to secure final agreement on and approval of the contract documents and the complete proposal.

- (a) Complete site plans for the final parcel development to working drawing level of detail. These drawings, upon approval, will serve as a basic coordination drawing indicating scope of work and responsibilities to be performed by others.
- (b) Complete working drawings and specifications ready for bidding.
- (c) Statement of proposal, indicating differences, if any, from 1(d).
- (d) Time schedule for construction of this project.
- (e) Detailed financial plan, including costs, rents and operation.

Once FINAL WORKING DRAWINGS AND SPECIFICATIONS have been approved and construction started, the only items subject to an additional review will be requests for change orders in the construction. The Redeveloper is strictly required to construct the project in accordance with all details of the approved drawings. Permission to make changes from such approved drawings must be requested by the Redeveloper in writing to the Director of Planning, who, in turn, will reply in writing, giving his approval or disapproval of the changes. No changes in the work are to be undertaken until such approval has been obtained.

### FEEES

Fees, including the cost of staff time and document search and duplication, may be charged for copying public records. Payment of these copying fees may be requested prior to making the copies.

### MEETING AGENDAS

Each meeting of the Commission and committees or entities regulated by the Sunshine Law shall provide notice of the meeting which states the date, time, place and tentative agenda of the meeting. This notice shall be posted on the bulletin board outside the Planning Center Conference Room, Suite 200 of Boatmen's Center, 920 Main Street, which is a prominent place easily accessible to the public and marked for that purpose and shall be made available to any representative of the news media who requests notice of a particular meeting.

Notice shall be posted at least twenty-four (24) hours in advance of the meeting. If, for good cause, giving twenty-four (24) hours advance notice is impractical or impossible, notice shall be given as is reasonably possible.

Meetings shall be held at a place reasonably accessible and at a time reasonably convenient to the public unless impractical or impossible. All reasonable efforts shall be made to grant special access to the meeting to handicapped or disabled individuals.

If it is necessary to hold a meeting on less than twenty-four (24) hours notice, or at a place not reasonably accessible to the public, or at a time not reasonably convenient to the public, the nature of the good cause justifying the departure from the normal requirements shall be stated in the minutes of the meeting.

### RECORDING VOTES

All public votes shall be recorded.

### CLOSED RECORDS, MEETINGS AND VOTES

Certain records, meetings and votes may be closed by the Commission in accordance with R.S.Mo. 610.010 et seq. The types or records, meetings and votes which generally relate to the Commission are as follows:

### Competitive Bidding and Proposals

- \* Specifications for competitive bidding or Requests for Redevelopment Proposals until they are officially approved or are published for bid.
- \* Sealed bids, Redevelopment Proposals and related documents until the earlier of when the bids or Proposals are accepted or all bids or Proposals are rejected.

### Proprietary Scientific Information

- \* Meetings and records relating to scientific and technological innovations in which the owner has a proprietary interest.

### Other Provisions of Law

- \* Records authorized to be closed by other provisions of law.

Notice of closed discussions shall be included in the required notice. The notice of a closed meeting or vote shall include the reason for closing the meeting or vote and a reference to the Sunshine Law provisions authorizing the closing.

The name of each member and the vote cast on the decision to close a meeting or voate shall be recorded in the minutes. The reason for closing a meeting or vote and the statutory reference authorizing such shall be announced publicly.

TAX INCREMENT FINANCING COMMISSION

ANNUAL REPORTS: TIF PROJECTS



## TAX INCREMENT FINANCING COMMISSION

### ANNUAL REPORT

Pursuant to Section 99.865 R.S.Mo. 1986, as amended, the TIF Commission must prepare an annual report concerning the status of each redevelopment plan and project which sets forth the following:

1. The amount and source of revenue in the special allocation fund.
2. The amount and purpose of expenditures from the special allocation fund.
3. The amount of any pledge of any revenues, including principal and interest on any outstanding bonded indebtedness.
4. The original assessed value of the redevelopment project area.
5. The assessed valuation added to the redevelopment project area.
6. Payments in lieu of taxes received and expended.
7. Contracts made incident to the implementation and furtherance of a redevelopment plan and project.
8. The reimbursable costs incurred by the TIFC for and amount of any property acquired, disposed of, rehabilitated, constructed, repaired or remodeled.

The annual statement showing the payments in lieu of taxes received and expended in each year, the status of the redevelopment project and plan, the amount of outstanding bonded indebtedness and any other information deemed necessary by the Commission must be published in a newspaper of general circulation in the municipality.

In addition to the annual reporting requirements set forth above, five years after the establishment of a redevelopment plan and every five years thereafter, the Commission shall hold a public hearing regarding each redevelopment plan and project. The purpose of the hearing is to determine if the redevelopment project is making satisfactory progress under the proposed time schedule contained within the approved plan for completion of the project. Notice of this hearing must be given in a newspaper of general circulation once each week for four weeks immediately prior to the hearing. (Section 99.865(2) R.S.Mo. 1986).

ANNUAL REPORT OF THE  
TAX INCREMENT FINANCING COMMISSION

RE:

10TH AND TROOST

TAX INCREMENT FINANCING PROJECT  
(For Annual Report Year 10-17-88 to 12-12-89)

December 1989

9. The purposes of expenditures from the Special Allocation Fund are:  
to pay interest on bond (March and September)
10. The amount of any pledge of any revenue, including principal and interest on any outstanding bonded indebtedness is \$35,000 plus approx. \$1,000 every 6 months for interest.
- \* 11. The original assessed valuation of the redevelopment project area is \$53,410.00.
12. The assessed valuation added to the redevelopment project area is \$218,010.00.
13. The payments in lieu of taxes received as of the date of this report are 0.
14. The payments in lieu of taxes expended as of the date of this report are 0.
15. The contracts made incident to the implementation and furtherance of the redevelopment plan and project are:  
contract between Block & Co. and TIFC with Block & Co. as developer February 17, 1987; assignment of redevelopment rights from Block & Co. to Hoffman Cortez by TIFC Resolution 87-01, 2/12/87; agreement between City and TIFC to set up Special Allocation Account by Ordinance 63088
16. The cost for and amount of any property acquired is \$219,000.00. (Committee Substitute)
17. The cost for and amount of any property disposed of is \$219,000.00.

ANNUAL REPORT OF THE  
TAX INCREMENT FINANCING COMMISSION

RE:

FIRST REVISED WALNUT CREEK APARTMENTS

TAX INCREMENT FINANCING PROJECT

September 21, 1988 through September 21, 1989

(Date Prepared: October 5, 1989)

9. The purposes of expenditures from the Special Allocation Fund are:  
N/A
10. The amount of any pledge of any revenue, including principal and interest on any outstanding bonded indebtedness is N/A.
11. The original assessed valuation of the redevelopment project area is \$21,510.
12. The assessed valuation added to the redevelopment project area is \$8,471,339.
13. The payments in lieu of taxes received as of the date of this report are 0.
14. The payments in lieu of taxes expended as of the date of this report are 0.
15. The contracts made incident to the implementation and furtherance of the redevelopment plan and project are:  
N/A
16. The cost for and amount of any property acquired is N/A.
17. The cost for and amount of any property disposed of is N/A.

ANNUAL REPORT OF THE  
TAX INCREMENT FINANCING COMMISSION

RE:

LINWOOD-GILLHAM

TAX INCREMENT FINANCING PROJECT

September 14, 1988 through September 14, 1989

(Date Prepared: October 5, 1989)

9. The purposes of expenditures from the Special Allocation Fund are:  
0
10. The amount of any pledge of any revenue, including principal and interest on any outstanding bonded indebtedness is N/A.
11. The original assessed valuation of the redevelopment project area is \$315,260.
12. The assessed valuation added to the redevelopment project area is \$1,493,795.
13. The payments in lieu of taxes received as of the date of this report are 0.
14. The payments in lieu of taxes expended as of the date of this report are 0.
15. The contracts made incident to the implementation and furtherance of the redevelopment plan and project are:  
N/A
16. The cost for and amount of any property acquired is \$1,159,000.
17. The cost for and amount of any property disposed of is N/A.

ANNUAL REPORT OF THE  
TAX INCREMENT FINANCING COMMISSION

RE:

WEST 46TH STREET TERRACE

TAX INCREMENT FINANCING PROJECT  
(For Annual Report Year 3-16-88 through 3-16-89)

December 1989



9. The purposes of expenditures from the Special Allocation Fund are:  
Tax Increment Financing Commission administration costs,  
plan preparation, legal expenses and staff time.
10. The amount of any pledge of any revenue, including principal and interest on any outstanding bonded indebtedness is 0\*.
11. The original assessed valuation of the redevelopment project area is \$116,410.
12. The assessed valuation added to the redevelopment project area is \$2,135,470.00\*.
13. The payments in lieu of taxes received as of the date of this report are \$204,027.30\*.
14. The payments in lieu of taxes expended as of the date of this report are \$48,115.39\*.
15. The contracts made incident to the implementation and furtherance of the redevelopment plan and project are:  
None\*
16. The cost for and amount of any property acquired is 0\*.
17. The cost for and amount of any property disposed of is \$142,790.78\*.

RESOLUTIONS OF THE TAX INCREMENT FINANCING COMMISSION  
FOR THE YEAR 1989

- 89-01 - 1/4/89 - Resolution approving election of officers for 1989.
- 89-02 - 1/4/89 - Resolution approving 1988 Annual Report.
- 89-03 - 1/4/89 - Resolution approving issuance of RFP and scheduling of Public Hearing for Universal TIF Project.
- 89-04 - 2/8/89 - Resolution approving Universal TIF Plan.
- 89-05 - 2/8/89 - Resolution continuing Public Hearing on Universal Properties proposal.
- 89-06 - 2/17/89 - Resolution approving Universal Properties as developer for Universal TIF project.
- 89-07 - 3/8/89 - Resolution accepting resignation of Brian Collins as Executive Director/Secretary, and appointment of Mark Bunnell as new Executive Director/Secretary and Brian Collins as Assistant Secretary.
- 89-08 - 5/10/89 - Resolution approving modification to Universal TIF Plan.
- 89-09 - 5/10/89 - Resolution approving contract with J. C. Nichols Co. for West 46th Street Terrace Project.
- 89-10 - 5/10/89 - Resolution approving assignment by Nichols Co. of a portion of the W. 46th St. Terrace project to Metro Housing Associates for rehab. of Monterrey Apts.
- 89-11 - 5/10/89 - Resolution authorizing staff to enter into agreement with the City for monitoring of affirmative action policies.
- 89-12 - 6/14/89 - Resolution authorizing staff to pursue negotiations for a Cooperation Agreement with the Port Authority for a riverfront redevelopment project.
- 89-13 - 6/14/89 - Resolution approving a Cooperation Agreement with LCRA for the East 23rd Street/Truman Road project.
- 89-14 - 6/14/89 - Resolution authorizing preparation of a TIF plan for Tiffany Greens project and a Funding Agreement with Executive Hills North.
- 89-15 - 6/14/89 - Resolution approving scheduling of a Public Hearing on the First Amended Walnut Creek Apartments TIF Plan and entering into a Funding Agreement with Ben Rose.
- 89-16 - 7/12/89 - Resolution authorizing scheduling and advertising of a Public Hearing on the First Amended Walnut Creek Apartments TIF Plan.
- 89-17 - 7/12/89 - Resolution authorizing Chairman to submit letters to Platte County Commission and Superintendent of R-3 School District regarding TIF procedure in relation to Tiffany Greens project.
- 89-18 - 10/11/89 - Resolution approving contract with City for funding of Plan preparation and expenses for First Amended Walnut Creek TIF Plan.
- 89-19 - 10/11/89 - Resolution approving execution of agreement between Commission, City and developer for Universal Flood Protection TIF Plan.
- 89-20 - 10/11/89 - Resolution requesting staff to provide quarterly financial statement.

MINUTES OF THE TAX INCREMENT FINANCING COMMISSION  
FOR THE YEAR 1989

TAX INCREMENT FINANCING COMMISSION  
OF KANSAS CITY, MISSOURI

---

MINUTES OF ANNUAL MEETING, WEDNESDAY, JANUARY 4, 1989

---

The Tax Increment Financing Commission of Kansas City, Missouri met in special session for the Annual Meeting on Wednesday, January 4, 1989, at 12:00 Noon in the Planning Center Conference Room, Suite 200, 920 Main Street.

A. ROLL CALL

Present:	E. J. Holland, Jr.	Absent:	James White
	Kenneth Bacchus		
	Robert Turk		
	Robert Mayer		
	Janet Meyer-Miller		
	Tim Kristl		

Others Present: Brian Collins, Executive Director  
Mark Bunnell, Director of Planning & Project Management  
Jill Quinn, Executive Assistant  
Jennifer Barrett, Planner  
Joel Barnes, Planner  
Aaron March, Legal Counsel  
Robert Collins, City Development Dept.  
John Roe, Sherwin Epstein & Associates  
Councilman John Sharp  
Councilwoman Katheryn Shields  
Councilwoman Joanne Collins

After a luncheon was served, the Annual Meeting was called to order at approximately 12:30 p.m. by Chairman Holland. He introduced the three members of the City Council who were present and thanked them for attending.

B. ELECTION OF OFFICERS

The Commission approved retaining all current officers (Chairman - E. J. Holland, Jr.; Vice Chairwoman - Janet Meyer-Miller; Treasurer - Kenneth T. Bacchus; Secretary - Brian H. Collins).

Mr. Holland stated that this problem was confronted with the Benjamin Plaza project, which the Commission dealt with at its last meeting. He stated that although the Commission has come to no conclusions yet, there were substantial reservations among the members of the Commission about the propriety of the procedure the developer used in requesting TIF assistance. He explained to the Council members that the Commission has struggled with the "but for" provision of the statute, and has considered that very carefully in each project to come before it.

Mr. Mayer stated that he feels the Commission is going through an educational process at this time. Many developers are hearing more about this and seeing it as a tool. Mr. Holland added that he feels this is not only a developers' tool, but a City tool as well. Mr. Mayer further added that perhaps the Commission and the City need to educate the development community on TIF and its appropriate use.

Councilwoman Collins suggested that it might be appropriate during the next year for the Commission or the City Council to sponsor a seminar or workshop for developers to learn about TIF. Mr. Mayer suggested that perhaps a separate seminar could be held for representatives from the surrounding area school districts to attend.

Discussion took place regarding the Commission's efforts and need to coordinate and communicate with the various City departments that may be involved or have input in the various TIF projects.

Mr. Collins stated that legislation has been filed on behalf of the school districts, which if adopted, would give the school districts veto power over their increment under tax increment financing and their portion of the abatement under 353.

Ms. Meyer-Miller moved to approve the Annual Report. Mr. Bacchus seconded. Approval was unanimous.

1. Consideration of approval of the issuance of a Request for Proposals for the Universal TIF Project.

Mr. Holland excused himself from participation on this item due to a conflict of interest. Vice Chairwoman Meyer-Miller presided over the remainder of the meeting.

Mr. Collins stated that staff is requesting authorization to issue a Request for Proposals and schedule a public hearing on February 8 for this project.

Discussion took place on site improvement costs.

Mr. Bacchus moved to approve the issuance of the RFP and to schedule a public hearing for February 8. Mr. Kristl seconded.

TAX INCREMENT FINANCING COMMISSION  
OF KANSAS CITY, MISSOURI

---

MINUTES OF REGULAR MEETING, WEDNESDAY, FEBRUARY 8, 1989

---

The Tax Increment Financing Commission of Kansas City, Missouri met in regular session on Wednesday, February 8, 1989, at 9:30 a.m. in The Planning Center Conference Room, Suite 200 of Boatmen's Center, 920 Main Street.

A. ROLL CALL

Present:	E. J. Holland, Jr.	Absent:	James White
	Kenneth Bacchus		
	Janet Meyer-Miller		
	Robert Mayer		
	Tim Kristl		
	Robert Turk		

Others Present: Brian H. Collins, Executive Director  
Mark M. Bunnell, EDC Director of Planning &  
Project Management  
Jill Quinn, Executive Assistant  
Jennifer Barrett, Planner  
Joel Barnes, Planner  
Bill Sproull, Director of Business Development  
Andy Scott, Business Development Specialist  
Aaron March, Legal Counsel  
Jim Wiss, Executive Park  
Sherwin Epstein  
Robert Collins, City Development Dept.  
Mark Grimm, Gilmore & Bell  
John Roe, Sherwin Epstein & Associates  
Patty Elbert, City Development Dept.  
Mike Downing, Missouri Dept. of Economic Development

The meeting was called to order at 9:30 a.m. by Chairman Holland.

---

Chairman Holland stated he would not participate in discussion or voting on the Universal TIF Plan due to a conflict of interest. He turned the meeting over to Vice Chairwoman Meyer-Miller and departed the meeting.

Brian Collins also introduced Mark Grimm of Gilmore & Bell, who will be acting as legal counsel to the Commission on the

continued on this issue. Mr. Kristl stated that he felt that the payment of what City Development might characterize as "normal" development costs might be appropriate in some projects. He is unsure, however, in this project what that payment might be and what he would be comfortable with. Discussion continued.

Mr. Turk moved to approve the Universal Flood Protection Tax Increment Financing Plan. Mr. Mayer seconded. Approval was unanimous.

2. Consideration of approval of a Redevelopment Proposal for the Universal Flood Protection Tax Increment Financing Plan Area.

Jennifer Barrett stated that Universal was the only entity to respond to the Request for Proposals and a fully-executed Funding Agreement has been received by the staff.

Jim Wiss addressed the Commission to explain in further detail Universal Properties' plan for development. He explained that Executive Park would like to have this land for future development, but they need the pump station and other public improvements to make this land developable.

Mark Bunnell asked Mr. Wiss if they could proceed to do a project without tax increment financing? Mr. Wiss stated that they could not.

Mr. Mayer asked if they had sought any other type of assistance in the past from the City? Mr. Wiss stated that they had discussions with the City to construct the proposed pump station, but the City simply did not have the money to fund it. Mr. Wiss confirmed that they do have Industrial Revenue Bonds available to finance the improvements. The bonds must be used prior to the end of 1989.

Discussion continued on the financing commitments and infrastructure construction timetables. Mr. Bacchus stated that he felt there should be a commitment for all, or at least part, of the infrastructure improvements to be completed within a specified time frame, not just the pump station. Mr. Wiss stated that it was Executive Park's intention to do the infrastructure improvements (other than the pump station) as development required. Mr. Bacchus stated that although it is certainly in the developer's interest to complete those improvements, and they will suffer the consequences if it falls through, it is also the Commission's goal to see that the land is, in fact, developed. This is why he would like to see a more specific timetable.

Mark Bunnell stated that the redevelopment proposal should include an estimated schedule of the completion of the various roads and a phasing plan that would reflect a strategy of how the site is to be developed. He also feels the Commission needs a letter from ADCO, or some other entity, that expresses their



TAX INCREMENT FINANCING COMMISSION  
OF KANSAS CITY, MISSOURI

---

MINUTES OF SPECIAL MEETING, FRIDAY, FEBRUARY 17, 1989

---

The Tax Increment Financing Commission of Kansas City, Missouri met in special session on Friday, February 17, 1989, at 9:30 a.m. in the Planning Center Conference Room, Suite 200, Boatmen's Center, 920 Main Street.

A. ROLL CALL

Present: Janet Meyer-Miller  
Tim Kristl  
Robert Turk  
Kenneth Bacchus  
Robert Mayer

Absent: E. J. Holland, Jr.  
James White

Others Present: Brian H. Collins, Executive Director  
Mark M. Bunnell, Director of Planning & Urban Design  
Jill Quinn, Executive Assistant  
Jennifer Barrett, Planner  
Joel Barnes, Planner  
Webb Gilmore, Gilmore & Bell  
Mark Grimm, Gilmore & Bell  
Sherwin Epstein  
John Roe, Sherwin Epstein & Associates  
Patty Elbert, City Development Dept.

The meeting was called to order at 9:30 a.m. by Vice Chairwoman Meyer-Miller.

B. CONTINUANCE OF PUBLIC HEARING

1. Consideration of approval of a Redevelopment Proposal for the Universal Flood Protection Tax Increment Financing Plan Area.

The Public Hearing which took place at the previous meeting on February 8, was continued to discuss the redevelopment proposal submitted by Universal Properties.

Jennifer Barrett explained that Universal Properties was asked to resubmit a construction schedule for the public improvements, to revise their letter of financial commitment, and to explain more specifically the relationship between the parties involved in the development project. She further stated that an amended development proposal was received from Universal

City for assistance. Mr. Bacchus seconded for discussion purposes. Mr. Gilmore stated that he had been advised by the developer's legal counsel that if the motion as presented is passed, the developer will withdraw their application.

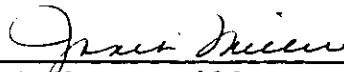
Mr. Mayer stated that he did not feel the issue of additional City funding was relevant to what the Commission should be considering. It is a separate issue for the developer to work out with the City. The motion was denied by a vote of 4 opposed - 1 for.

Mr. Turk moved to approve the Universal Properties proposal contingent upon submission of an amended proposal letter from Universal Properties containing a statement attached to Paragraph 7. stating that the developer's commitment to proceed with the project would not be contingent upon receiving additional assistance from the City in servicing the debt on bonds. Mr. Bacchus seconded. The motion was approved by a vote of 4 for - 1 opposed.

---


There being no further business, the meeting was adjourned.

APPROVED:

  
\_\_\_\_\_  
Janet Meyer-Miller, Vice Chairwoman

(SEAL)

ATTEST:

  
\_\_\_\_\_  
Brian H. Collins, Secretary

school districts, and that this percentage not be greater than the percentage that would constitute a majority of the minimum quorum requirements of the Commission. The Committee has discussed developing a mechanism for the taxing districts to make their own appointments to the TIF Commission. Discussion has also taken place on the part of the taxing districts that would prevent the City Council from changing the recommendations of the TIF Commission. The City Council would have to accept or reject the entire proposal as presented.

Mr. Bunnell stated that in LCRA proceedings, the Council can delete items, but cannot add without referring it back to the LCRA Board. There was general approval by members of the Committee of this possible method applying to TIF also.

Relocation policies have also been addressed, and they are basically trying to draft legislation which would mirror either Kansas City's relocation practices, or the City of St. Louis'.

There has been discussion about the number of people to sit on the TIF Commission. Also, the language of the statute is being substantially revised to mirror the LCRA language. That would make the TIF Commission a body politic and corporate. The Commission is currently designated as simply a public body having delegated authority of the City Council.

Mr. Bunnell explained that one of the changes in the statute is also to redefine the areas of eligibility, and the present proposal eliminates conservation areas and economic development areas, and creates a definition which is called a "substandard area". They are working on redefining the language for this substandard area to more specifically define what a substandard area is.

Mr. Kristl asked if the revised statute is limiting eligibility to only blighted areas? Mr. Bunnell responded that the legislature and school districts are of the opinion that local officials are not asking serious questions as to whether TIF projects could go through without TIF funding. The belief is that all of these projects are going to happen anyway and that there is a natural tendency on the part of local governing bodies (City Councils in smaller communities) to be so anxious to stimulate development, that they would proceed to approve any project that comes along. Mr. Bunnell stated that he has repeatedly let the Committee members know that Kansas City's TIF Commission has made a great effort to define those issues.

Mr. Holland stated that it might be appropriate for members of the Commission to go to Jefferson City to testify on these issues. Mr. Bunnell stated that the support for tighter controls in the proposed legislation comes from the Kansas City side and outstate delegations. The St. Louis districts are fairly well organized as to their position. Thus, in terms of the Kansas City contingent, it is important that the legislators understand our point of view, and how can we best get this done? Discussion

Nichols Co. cannot request reimbursement for project costs until the contract is executed. Mr. Holland suggested that the staff or legal counsel push the Nichols Co. to get the contract signed. Mr. March suggested that the best way would be to put this item on the Commission's next agenda for discussion and review.

Mark Bunnell stated that the Universal project was scheduled to go before the Redevelopment Coordinating Committee tomorrow.

Mr. Bunnell stated that Walnut Creek is under construction and things are proceeding smoothly on this project.

The Linwood-Gillham project is still in the process of negotiating a master lease with a supermarket.

#### C. ELECTION OF OFFICERS

Mr. Holland referred to the memo from Brian Collins tendering his resignation as Executive Director/Secretary due to his expanding responsibilities with the EDC, and asking the Commission to approve the appointment of Mark Bunnell as Executive Director/Secretary. Mr. Collins will remain as Assistant Secretary if the Commission so desires.

Mr. Kristl moved to accept Mr. Collins' resignation as Executive Director/Secretary. Mr. Bacchus seconded. Approval was unanimous.

Mr. Mayer moved to approve the appointment of Mark Bunnell as the new Executive Director/Secretary. Mr. Kristl seconded. Approval was unanimous.

Mr. Bacchus moved to approve Brian Collins as Assistant Secretary. Mr. Kristl seconded. Approval was unanimous.

---

Mr. Kristl asked if it would be beneficial to the Commission to look into hiring an independent consultant to help study the "but for" question on various projects and make recommendations to the Commission on how to review projects in terms of this issue? Also, a study could be helpful to show exactly how, in financial terms, a project affects the school districts. Discussion took place on this issue.

---

There being no further business, the meeting was adjourned.

TAX INCREMENT FINANCING COMMISSION  
OF KANSAS CITY, MISSOURI

---

MINUTES OF REGULAR MEETING, WEDNESDAY, APRIL 12, 1989

---

The Tax Increment Financing Commission of Kansas City, Missouri met in regular session on Wednesday, April 12, 1989, at 9:30 a.m. in the Planning Center Conference Room, Suite 200, Boatmen's Center, 920 Main Street.

A. ROLL CALL

Present: E. J. Holland, Jr.  
Janet Meyer-Miller  
Tim Kristl  
Kenneth Bacchus

Absent: Robert Mayer  
James White

Others Present: Mark M. Bunnell, Executive Director  
Jill Quinn, Executive Assistant  
Jennifer Barrett, Planner  
Joel Barnes, Planner  
Jill Kammerer, Senior Planner  
Aaron March, Legal Counsel  
Doug Patterson, Schleicher, Latz  
Ralph Ochsner, Ochsner Hare & Hare  
Patty Elbert, City Development Dept.  
Mark Hill, City Development Dept.  
Bob Pierce, Downtown Council

The meeting was called to order at 9:30 a.m. by Chairman Holland.

B. MINUTES

Approval of the minutes for the meetings held December 14, 1988, January 4, 1988, February 8, 1989, February 17, 1989 and March 8, 1989, was tabled until the next meeting since some members had not yet had an opportunity to review them.

C. NEW BUSINESS

1. Consideration of approval of the Contract between the TIF Commission and Universal Properties for the Universal TIF project.

This item was tabled.

project and future unknown economic considerations. If redevelopment is in the public interest, bargaining away the incentives at the front end of the project, simply increases the risk involved.

The study concludes that the real protection to the public interest lies in the 8% earnings limitation, so that if the project were granted tax abatement in excess of what was really needed, the statute envisions that those excess earnings will have to be returned to the taxing districts. The study, therefore, recommends a follow-up effort to determine exactly what changes will need to be made in the statute.

Ms. Meyer-Miller asked if the study provides any recommendations for a mechanism to monitor this. Mr. Ochsner discussed the issues surrounding the net earnings limitation and the statute.

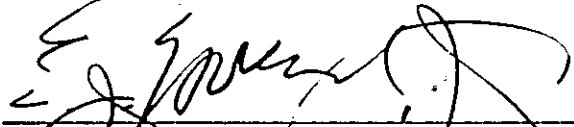
Mr. Bunnell asked Mr. Ochsner to discuss how the Commission can make determinations regarding what specific development costs should be funded.

Mr. Ochsner stated that the City needs to establish some clear-cut guidelines on the use of 353.

Discussion took place on the issues raised by Mr. Ochsner.

There being no further business, the meeting was adjourned.

APPROVED:

  
E. J. Holland, Jr., Chairman

(SEAL)

ATTEST:

  
Mark M. Bunnell, Secretary

Mark Bunnell explained that the changes to the plan involve a compromise which has been agreed to by Universal Properties and the staff, and which is anticipated to be approved by the Plans & Zoning Committee today. Exhibit 7 of the plan has been changed to delete allocated amounts for electrical, gas and water utilities, sanitary sewer facilities, and the seeding of the right-of-way to be built. The total amount deleted is approximately \$300,000. Mr. Bunnell discussed the negotiations process on this matter. He further stated that the changes to the plan have been published in the newspaper and all taxing districts were notified by certified mail.

Mr. Turk moved to approve the modifications. Mr. Bacchus seconded. Mr. Holland abstained, resulting in a vote for approval of 4-0 with one abstention.

## 2. (New Business)

### Consideration of approval of a Cooperation Agreement with the City of Kansas City, Missouri regarding the monitoring of TIF projects for Affirmative Action/MBE programs.

Chairman Holland presided over the meeting from this point on. Mark Bunnell explained that the TIF Commission has previously adopted the same affirmative action/MBE goals and policy as the LCRA. In the past, a staff person was available to monitor the various projects for compliance with these policies. The staff no longer has that capability, therefore, in order to implement these policies, an agreement has been reached with the Human Relations Department at the City to monitor all contracts for the various agencies under the EDC for affirmative action/MBE compliance. The Human Relations Department will review all bid documents, the Redeveloper's and contractors' affirmative action plans, and do field inspections on the construction site to see that compliance is occurring. The cost, which is yet to be determined, will be the responsibility of the developer and would be reimbursed when there is increment in the future.

Mr. Bunnell briefly reviewed the Commission's affirmative action/MBE policy. There is a 15% minority business participation requirement. All developers, general contractors and sub-contractors are required to submit affirmative action plans.

Ms. Meyer-Miller moved to authorize the staff to enter into an agreement with the City for monitoring the affirmative action policies, negotiating an appropriate fee for this service and making these policies a requirement of all future TIF approved projects. Mr. Bacchus seconded. Approval was unanimous.

general language. It refers to specific costs, so that only those specific costs are eligible for reimbursement, even though the statute would allow for administrative costs. Therefore, only the costs authorized by the plan are incorporated into the contract with the Nichols Co. Mr. Bunnell stated that he would like to review the issue of ongoing administrative costs. An administrative cost can be reimbursed if it can be fitted into one of the specified categories outlined in the plan. Mr. March stated that this problem will not occur in future plans, but because this was the first plan, this issue was not recognized at the time the plan was drawn up, and is a mistake that will not reoccur.

Mr. Holland stated that the practical way to handle this is to approve the project costs which can at this time be approved and identified, and then when the Nichols Co. comes back to request a plan amendment in the future, to consider including in that amendment, a provision calling for reimbursement of ongoing administrative costs.

Mr. Bunnell suggested that the Commission approve the redeveloper's submitted costs which have been reviewed and itemized, as well as the assignment provision of the contract. In order to review the costs which were just received and have not yet been reviewed, final ratification of the contract could be considered at the next Commission meeting in June.

Discussion took place on the practicality of having an accountant, perhaps a staff accountant, deal with these cost figures, rather than having an attorney do this type of work. Staff will review this issue and report back to the Commission.

Ms. Meyer-Miller stated her concern that the Nichols Co. continues to submit important documents and information at the last minute and the Commission, staff and legal counsel do not have time to review it before the meetings.

Mr. Bacchus moved to approve the contract. Mr. White seconded. Approval was unanimous.

#### D. NEW BUSINESS

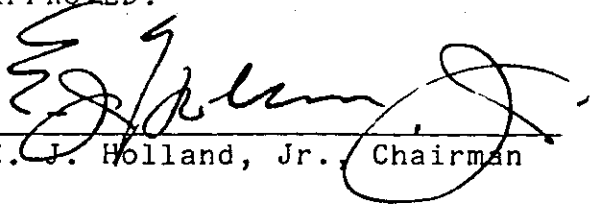
1. Consideration of approval of a Partial Assignment of Redevelopment Rights for the West 46th Street Terrace project.

Mr. Holland stated that although this is provided for in the contract with the Nichols Co. which was just approved in Item No. 2 (Old Business), he would like this portion approved separately for the record.

Ms. Meyer-Miller moved to approve the Partial Assignment. Mr. Bacchus seconded. Approval was unanimous.



APPROVED:

  
E. J. Holland, Jr., Chairman

(SEAL)

ATTEST:

  
Mark M. Bunneil, Secretary

Aaron March stated that relative to this contract, the Commission had asked him to clarify whether staff time and expenses were reimbursable under the statute. He reported that they are reimbursable.

#### D. NEW BUSINESS

1. Consideration of approval of a Cooperation Agreement with the Port Authority for Riverfront Redevelopment.

Jennifer Barrett stated that staff was seeking the Commission's approval to enter into a Cooperation Agreement with the Port Authority for a riverfront redevelopment project. Brian Collins and Mark Bunnell are in New York meeting with Cooper-Robertson, a planning consulting firm, discussing the possibility of that firm to prepare a master plan for the riverfront, which would act as a catalyst to get the project going. The Port Authority will apply for a grant to fund planning through the State. It is anticipated the project will become a tax increment financed project and that the planning funds would then be reimbursable to the Port Authority.

Joel Barnes, Planner for the EDC, addressed the Commission to give a general overview of the project.

Mr. Mayer moved to authorize the staff to pursue a Cooperation Agreement on a staff level, but to not expend any funds or enter into any final arrangements until further review by the Commission. Ms. Meyer-Miller seconded. Approval was unanimous.

2. Consideration of approval of staff preparation of TIF Plans for East 23rd Street/Truman Road and Tiffany Springs Parkway.

Jennifer Barrett explained that this project involves the Community Development Corporation's desire to construct a shopping center at this location, as well as the possibility of a Sears facility expansion and addition of related parking. The staff would like to enter into a Cooperation Agreement with LCRA, since much of the area is currently within an urban renewal area. There is also the possibility of putting in low-income housing on the eastern side of the shopping center along Jackson. Discussions have taken place between staff, City Development staff, Councilman Hazley, the Black Economic Union, the Community Development Corporation and Sears to work out how these projects might be done. LCRA would amend the current plan to bring certain parcels into the urban renewal area for acquisition. The project would then convert to a TIF project similar to the Linwood-Gillham plan.

Mr. Kristl moved to approve a Cooperation Agreement with the LCRA and staff preparation of a TIF plan for the East 23rd

3. Consideration of approval of a modification to the Walnut Creek TIF Plan.

Mr. Holland excused himself from the meeting, since he would not be participating in any discussion or vote on this issue. Vice Chairwoman Meyer-Miller presided over the meeting.

Jennifer Barrett explained that staff was seeking the Commission's approval to schedule a public hearing on a modification to the Walnut Creek TIF plan. The modification involves improvements and widening of the intersection at N.E. 42nd Street and N. Holmes, which due to the increased traffic volume in the area from the Walnut Creek project, has created some traffic hazards.

Ms. Barrett further stated that the North Kansas City School District has been informed of this proposal. Mr. Kristl stated that it was his understanding that the school district would be happy to extend the financing, even though they would lose some money, in order to save their school buses from accidents at this intersection.

Mr. Mayer asked where the developer stood on this issue. Aaron March stated that he had been in attendance at a meeting involving representatives of the developer, the neighborhood association, the school district and others. Everyone is in agreement that something needs to be done at this intersection, it is just a matter of working out the details of where the money is going to come from, etc. The developer has no objections so long as their increment remains the same as originally approved.

Mr. Bacchus asked how this relates to other streets which are to be improved under TIF in later years. Since this intersection was not included, would there be enough increment to make certain that the streets are improved. He suggested that the staff discuss with the City where those costs are in order to analyze the entire project. Mr. Kristl stated that there is a revision to the major street plan currently underway and this should be considered.

Mr. Bacchus also stated that the neighborhood people in the developments surrounding the intersection should be notified as to plans for that area and of the public hearing.

Mr. Kristl moved to approve scheduling of the public hearing on this proposed modification, to develop a plan proposal, and entering into a Funding Agreement with Benny Rose, developer of the project adjacent to Walnut Creek. Mr. White seconded. Approval was unanimous.

---

Jennifer Barrett stated that the City Plan Commission has expressed interest in being kept informed as to the status of

TAX INCREMENT FINANCING COMMISSION  
OF KANSAS CITY, MISSOURI

---

MINUTES OF REGULAR MEETING, WEDNESDAY, JULY 12, 1989

---

The Tax Increment Financing Commission of Kansas City, Missouri met in regular session on Wednesday, July 12, 1989, at 9:30 a.m. in the Planning Center Conference Room, Suite 200, Boatmen's Center, 920 Main Street.

A. ROLL CALL

Present: E. J. Holland, Jr.  
Janet Meyer-Miller  
Robert Turk  
Kenneth Bacchus  
Robert Mayer  
James White  
Tim Kristl

Others Present: Mark M. Bunnell, Executive Director  
Jennifer Barrett, Planner  
Jill Quinn, Executive Assistant  
Joel Barnes, Planner  
Betty Burry, Administrative Assistant  
Aaron March, Legal Counsel  
Fred Schwartz, MARC  
Pat Hassett, MARC  
Councilman Chuck Weber  
Patty Elbert, City Development Dept.  
Mark Bochetti, The Kansas City Times

The meeting was called to order at 9:40 a.m. by Chairman Holland.

B. MINUTES

Minutes were approved for the meeting held June 14, 1989.

C. PRESENTATION

1. Presentation by representative from Mid-America Regional Council (MARC) on their "Long Range Street and Highway Plan".

Mark Bunnell introduced the "Long Range Street and Highway Plan" by stating that this study involves an ongoing, bi-state process to identify potential growth in terms of employment, and

improvements, riverfront area improvements, major arterials and various other roadways in Jackson, Johnson, Cass, Clay, Platte and Wyandotte Counties. He explained that the study shows capacity needs will involve 87 miles of new facilities and 210 miles of widening roads.

Mr. Hassett explained that besides capacity needs, a second criteria studied was system integrity needs. They wanted a system of highways in 2010 that stayed a four-lane facility when crossing jurisdictional boundaries. They also wanted a system that provided adequate coverage for the urban area, and a system which had projects that actually improved traffic conditions. In short, system integrity needs were based on the three criteria of "continuity, coverage and effectiveness". Mr. Hassett showed some of the projects that are needed from a capacity standpoint, but are being removed because they are not effective in dealing with the problem. For example, expansion of I-35 and I-70 to eight lanes would merely attract more traffic than the lanes can accommodate and the congestion remains the same or even gets worse. He explained some of the proposed projects recommended to meet the continuity and coverage criteria.

The third criteria which was studied was economic development needs that a community might be looking for to promote development in their area. They had discussions with various local groups to establish a list of additional development projects that they would like to be considered in the long range plan. These projects included regional development projects, such as the Kansas City-Chicago Toll Road, South U.S. 71 Interstate to Shreveport, Louisiana and the emergence of an Outer Beltway serving eastern and southern portions of the region, as well as local development projects involving new arterials, bridges and interchanges, and widening of roads.

The next step was to test these project, except for the economic development projects, since by their very nature imply changing of the population and employment forecast. They were able, however, to test how well the capacity and system integrity projects would work in the year 2010 by using the computer to make all the improvements, then rerun the 2010 forecast to see how well the improvements would handle the traffic forecast. The result was that the improvements did not handle them all. Congestion was still prominent on I-70 and I-35, and Shawnee Mission Parkway into the Plaza on 47th and Volker will be at capacity. Bruce Watkins will also still have congestion problems. In summary, the study show that no longer will our 20-year needs be met by wider and newer highways. There is simply no more room for new roads or widening existing ones. As a consequence, if we are to have a congestion-free system in the year 2010, we will have to look beyond street and highway improvements.

Mr. Hassett explained that beyond looking at street and highway improvements, other programs, such as transit programs and pricing policies to help encourage improved transit

Discussion took place on funding potentials for future road improvements. Mr. Schwartz stated that the State Highway Department has indicated that unless they receive more revenue, all monies are already committed to the year 2050.

Mr. Kristl asked if there were any statistics to indicate how large a city needed to be and its density factor for mass transit to be effective. Mr. Schwartz stated that MARC is currently working with the ATA to look at that issue by doing a light rail study.

#### D. OLD BUSINESS

##### 1. Update on TIF Activity.

##### Walnut Creek Plan Amendment

Mark Bunnell explained that a series of meetings have been held at the request of Councilman Weber for the purpose of eliminating infrastructure problems at the intersection of N. Holmes and 42nd Street (Parvin Road). The intersection is dangerous, has open drainage ditches and the curb radius is extremely tight. The elevation of the street is also very dangerous for traffic. The City staff has estimated that the cost of rectifying the intersection would be approximately \$350,000 if the City were to bid it themselves. Preliminary discussions have occurred, but a final proposal has not yet been finalized to bring before the Commission. The intent is to amend the existing Walnut Creek TIF Plan to allow utilization some surplus funds to make the intersection improvement. This infrastructure problem will be increased when the Walnut Creek TIF project is completed. The ATA is willing to provide \$30,000 in funding for this project, since they have had a problem with their buses falling into the ditches. The North Kansas City School District also has had problems with their buses at this intersection. Therefore, it is anticipated that multi-taxing district participation will be involved in improving this intersection. It is anticipated that Ben Rose, a developer of an adjacent property to Walnut Creek, would construct the intersection improvements as a contractor. This would mean a potentially lower cost than if the intersection improvements were done by the City.

Aaron March advised that the Commission should authorize the advertising of the amendment, which would then allow 45 days before the Commission could act.

Ms. Meyer-Miller moved to authorize the scheduling of a Public Hearing to consider an amendment to the Walnut Creek TIF Plan. Mr. Kristl seconded. Mr. Holland abstained, resulting in a vote for approval of 6-0 with one abstention.

Mark Bunnell discussed the project area as being from 108th Street to Highway 152, I-29 to 169 Highway. The primary improvements needed would be Green Hills Road, Tiffany Springs Road, Line Creek Boulevard and Tiffany Springs Parkway.

Mr. Holland stated that although Councilman Weber and the TIF staff have emphasized it to the community, the Commission needs to reemphasize the fact that what they are doing is merely considering the possibility that a plan might be developed in this area, and he feels it would be beneficial to send a letter from the Chairman to Superintendent Siegrist and the Platte County Commissioners to assure them that the Commission does not intend to make any decisions without first consulting with them and seeking their participation in the process.

Mr. Bunnell stated that the process needs to continue to work with the people of Platte County to determine appropriate public policy to encourage development in an area that for the most part there are no development plans being submitted, and to put in an advance infrastructure to promote development. The City has no ability to finance the building of any of these proposed roadways, and while developers have committed to partial contributions of land, lanes and grading, the overall parkway system and schools are not going to be built by developers.


Aaron March pointed out the Commission needs to consider the potential problem that because zoning request approvals are proceeding and because of the City Council's resolution stating their desire to have a TIF district in the area, developers may possibly attempt to proceed with projects on the belief that there will be TIF district in this area and be under the perception that they can proceed with their projects without violating the "but for" clause. This has not yet happened to his knowledge, but the Commission should be aware of the potential for this misconception. Discussion took place on this issue. Mr. Holland stated that he feels the Commission must go forward assuming the developers know the rules and policies of TIF. If the developer creates evidence that comes before the Commission that shows the development plans would go forward with or without TIF, then the Commission will not approve it. The Commission does not, at this time, have a plan, so it cannot act, nor is there any evidence before the Commission to consider. Rezoning does not effect anything in regard to TIF designation.

In summary, Mr. Holland stated that a plan has to be submitted if, in fact, one is going to be developed, it has to be done in concert with the School District and County Commissioners. At that point, if there is a plan developed, it must be presented at a Public Hearing. He feels the Public Hearing should be held in Platte County for the convenience of the community. The Commission concurred with this proposal.

Mr. Mayer moved to have the Chairman submit letters to the Superintendent and County Commissioners to explain the TIF

(SEAL)

ATTEST:

  
Mark M. Bunnell, Secretary



developer's submission stating they would seek City contribution of sales tax funds to participate in the financing of the pump station. The Commission did not anticipate any funding from the City within the Plan, but if the City wished to make such a funding commitment on its own, that was there prerogative. A number of hearings have been held with the Finance Committee of the City Council as to the nature of this commitment. At this point, the developers are requesting an open-ended commitment of up to \$250,000 per year until enough increment has accumulated to replace the debt financing on the pump station. When increment is available, the developer proposes to have it distributed equally between the City and the developer. This may require an amendment to the contract between the TIFC and Universal.

The staff has suggested to the City staff and members of the Finance Committee that the Council consider requiring a minimum PILOT by the developer regardless of the progress of the development, so that there would be some assured participation that would replace the City's contribution, and that there would be a declining amortization of the City's contribution, and that they would be paid back first from any proceeds, so that the City would be removed from the payment schedule by year eight.

Mr. Bunnell further stated that it is not yet clear where the negotiations will end up. The Council has scheduled a special meeting of the Public Improvements Advisory Committee. Due to the timing of the negotiations, it is unlikely this project will advance this year. The results of these City-based discussions will likely be presented to the TIF Commission for consideration.

Discussion took place regarding this issue.

No action was required on this item.

2. Update on the 10th and Troost Tax Increment Financing Plan litigation.

Aaron March stated that oral arguments are in begin on this case on September 19, 1989.

No action was required on this matter.

---

Jennifer Barrett presented an update report on the First Amended Walnut Creek Plan. A public hearing will be held on September 13. Notices were mailed to all taxing districts and ads will be placed in The Daily Record on August 14 and Sept. 3. She has spoken with the Superintendent of the North Kansas City School District to inform him of the notice for public hearing, and that once figures are obtained, another discussion will take place about what the school district's commitment will be involving the surplus funds to help pay for the intersection

School Board be kept informed and consulted on any proposed schedules or timeframes on this project. He also requested that member of the Commission and/or staff meet with the School Board should a plan or proposal proceed:

---

The Commission agreed to host an informational luncheon for the southern Kansas City area school districts on September 15.

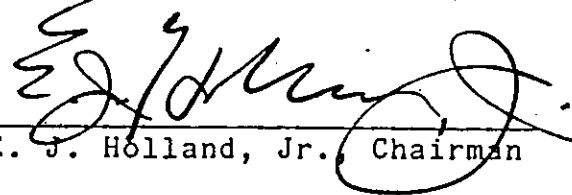
---

Mr. Bunnell stated that a final audit should be available at the next meeting on TIF activities and operations for the past year.

---

There being no further business, the meeting was adjourned.

APPROVED:

  
E. J. Holland, Jr., Chairman

(SEAL)

ATTEST:

  
Mark M. Bunnell, Secretary

TAX INCREMENT FINANCING COMMISSION  
OF KANSAS CITY, MISSOURI

---

MINUTES OF REGULAR MEETING, WEDNESDAY, OCTOBER 11, 1989

---

The Tax Increment Financing Commission of Kansas City, Missouri met in regular session on Wednesday, October 11, 1989, at 9:30 a.m. in the Planning Center Conference Room, Suite 200, Boatmen's Center, 920 Main Street.

A. ROLL CALL

Present: E. J. Holland, Jr.  
Janet Meyer-Miller  
Robert Turk  
Kenneth Bacchus (arrived at start of Public Hearing)  
Robert Mayer  
James White  
Tim Kristl

Others Present: Mark M. Bunnell, Executive Director  
Jennifer Barrett, Planner  
Betty Burry, Administrative Assistant  
Aaron March, Legal Counsel  
Patty Elbert, City Development Dept.  
Rick Moore, NKC School District  
Cathy Buscher, Moore, Sturges & Associates  
Robert Smith, 40-46 North Neighborhood Assoc.  
Mr. & Mrs. Edward Harris  
Clifford Smith

The meeting was called to order at 9:30 a.m. by Chairman Holland.

B. MINUTES

Minutes were approved for the meeting held August 9, 1989, by a unanimous vote of 6-0.

C. PUBLIC HEARING

Public Hearing to consider the First Amended Walnut Creek Apartments Tax Increment Financing Plan.

Jennifer Barrett presented the plan for the First Amended Walnut Creek Apartments TIF Plan. The previous site plan prepared in September by Aylett Survey Co., who was contracted to do the engineering work, has been modified by the Public Works

preparation and expenses was presented to the Commission for consideration and approval.

A motion was made to approve the contract. The motion was seconded. Approval was unanimous.

#### D. OLD BUSINESS

1. Consideration of approval of an Agreement between the Tax Increment Financing Commission and the City of Kansas City, Missouri regarding funding of the Universal Flood Protection Tax Increment Financing Plan.

Mark Bunnell stated that the staff was requesting the Commission to make an official motion for approval of this Agreement as there was some question as to whether the Commission had previously officially approved it.

Mr. Bacchus moved to authorize the Vice Chairwoman of the TIF Commission to execute the Agreement between the TIF Commission, the City of Kansas City, Missouri and the developer on the Universal Flood Protection TIF Plan. Mr. Kristl seconded. Mr. Holland abstained, resulting in a vote for approval of 6-0 with one abstention.

#### D. NEW BUSINESS

1. Consideration of approval of the Tax Increment Financing Commission 1988-89 Audit.

Mark Bunnell summarized the findings of the audit. He stated that he anticipates a substantial increase in the funds going through the TIF Commission in the coming year. He reviewed the comments of the management letter concerning the administration of TIF funds. The staff is currently working to prepare an accounting procedures manual for TIF.

Mr. Holland pointed out that the audit refers to "Commissioners' Fees". He suggested that since this refers to Court Commissioners as opposed to TIF Commissioners, the audit report should clarify this statement. He also stated that he feels it would be more appropriate at this point in time for the Commission to review financial reports on a quarterly basis, rather than monthly as suggested by the auditors. Mr. Bacchus concurred.

Mr. Bacchus moved to request the staff, in response to the Ernst & Young management letter, to provide the Commission with a quarterly financial statement. Ms. Meyer-Miller seconded. Approval was unanimous.

Mr. Kristl moved to accept the Annual Report for Linwood-Gillham. Ms. Meyer-Miller seconded. Mr. Holland abstained, resulting in a vote for approval of 6-0 with one abstention.

3. Consideration of approval of the Annual Report for the First Revised Walnut Creek Apartments Tax Increment Financing Plan.

Jennifer Barrett stated that no PILOT's have been placed in the Special Allocation Fund, or expenses paid out of it. The tax bill is going out shortly and some increment will be coming in at the end of the year.

Ms. Barrett further stated that she had spoken with Mr. Fred Kay, who stated that they anticipate completion of the project by the end of December, or first part of January 1990. As of October 5, leases have been executed for 130 units out of a total of 200 units currently available. The 70 units not yet leased are being completed with landscaping and other finishing touches. The developer anticipates that all units will be leased up by June or July of 1990.

Mr. Kristl inquired as to the status of negotiations with the Clay County Assessor regarding this project which was discussed at a previous meeting. Mr. Bunnell stated that he had met with the County Assessor last week. He has not yet determined what levy he is going to place on the property, and has requested a copy of the appraisal that the lender used on the project. His dilemma is if he fully assesses the property in conformance with the estimate of the TIF plan, he will have a higher tax levy on this project as opposed to other apartments in Clay County. He will, however, be in touch with staff soon. Mr. Bunnell pointed out that under the contract that Matrix will be asked to sign in conjunction with the amended plan, it specifically states that the developer under the TIF district cannot appeal any assessment placed on the property without the consent of the Commission.

Mr. Kristl stated that in the future when funding agreements are signed, inclusion of a copy of the appraisal should be required from the developer. Mr. Bunnell responded that staff could make this requirement.

Mr. Turk moved to approve the Annual Report for the First Revised Walnut Creek Apartments TIF Plan. Mr. White seconded. Approval was unanimous.

---

School District Luncheon

Mr. Mayer inquired as to whether the Commission would be hosting an informational luncheon for the eastern area school districts. Mr. Bunnell stated that staff will follow-up on this.

TAX INCREMENT FINANCING COMMISSION  
OF KANSAS CITY, MISSOURI

---

MINUTES OF REGULAR MEETING, WEDNESDAY, NOVEMBER 8, 1989

---

The Tax Increment Financing Commission of Kansas City, Missouri met in regular session on Wednesday, November 8, 1989, at 9:30 a.m. in the Planning Center Conference Room, Suite 200, Boatmen's Center, 920 Main Street.

A. ROLL CALL

Present: E. J. Holland, Jr.  
Janet Meyer-Miller  
Robert Turk  
Kenneth Bacchus  
Robert Mayer  
James White  
Tim Kristl

Others Present: Mark M. Bunnell, Executive Director  
Jennifer Barrett, Planner  
Jill Quinn, Executive Assistant  
Betty Burry, Administrative Assistant  
Aaron March, Legal Counsel  
Doug Patterson, Schleicher, Latz  
Patty Elbert, City Development Dept.  
Chris Lester, The Kansas City Star  
Vicki Fitzgerald, Jackson County Tax  
Assessor's Office

The meeting was called to order at 9:30 a.m. by Chairman Holland.

B. MINUTES

Minutes were approved for the meeting held October 11, 1989.

C. PUBLIC HEARING (CONTINUED)

Continuation of Public Hearing to consider the First Amended Walnut Creek Apartments Tax Increment Financing Plan and to consider the following items:

- approval of the First Amended Walnut Creek Tax Increment Financing Plan.

issue and questions were raised as to how the school district came up with the \$89,000 figure.

Mr. Holland stated that he feels more information is necessary before any decisions can be made. He would like the staff to decide which steps they recommend the Commission take. He stated that personally, he would prefer proceeding with the most broadly based approach which would give the most longterm flexibility.

Mr. Bunnell suggested that the public hearing be continued to the next regular meeting. He will clarify the necessity on the part of the City regarding the \$10,000 reimbursement and to define more clearly what the Commission would consider to be eligible reimbursable costs to the school district. A cap will also be defined for reimbursements to the City, the NKC School District and the developer.

Aaron March requested that the Commission rescind a previously approved agreement with the City for payment of costs between the TIF Commission and the City which contained some technical errors.

Mr. Turk moved to rescind the previously approved agreement between the Commission and the City. Ms. Meyer-Miller seconded. Approval was unanimous.

All other matters under consideration regarding this project were tabled.

The Public Hearing was continued to the next regular meeting.

#### D. NEW BUSINESS

1. Consideration of approval of the following items concerning the 43rd and Madison Tax Increment Financing Plan:
  - Approval of a financing agreement between the Commission and the developer.
  - Authorization of the preparation of the 43rd and Madison TIF plan.
  - Authorization of the preparation of a request for proposals for the 43rd and Madison TIF plan.
  - Authorization to advertise for a public hearing for the 43rd and Madison TIF plan.

This item was tabled.

TAX INCREMENT FINANCING COMMISSION  
OF KANSAS CITY, MISSOURI

---

MINUTES OF REGULAR MEETING, WEDNESDAY, DECEMBER 13, 1989

---

The Tax Increment Financing Commission of Kansas City, Missouri met in regular session on Wednesday, December 13, 1989, at 9:30 a.m. in the Commissioners' Room, Suite 250, One Petticoat Lane Building.

A. ROLL CALL

Present: E. J. Holland, Jr.  
Janet Meyer-Miller  
Robert Turk  
Kenneth Bacchus  
Robert Mayer  
James White  
Tim Kristl

Others Present: Mark M. Bunnell, Executive Director  
Brian H. Collins, President/CEO, EDC  
Jennifer Barrett, Planner  
Jill Quinn, Executive Assistant  
Betty Burry, Administrative Assistant  
Aaron March, Legal Counsel  
Mike White, Legal Counsel  
Doug Patterson, Schleicher, Latz  
Patty Elbert, City Development Dept.

The meeting was called to order at 9:30 a.m. by Chairman Holland.

B. MINUTES

Minutes were approved for the meeting held November 8, 1989, as corrected.

C. PUBLIC HEARING (CONTINUED)

Continuation of Public Hearing to consider the First Amended Walnut Creek Apartments Tax Increment Financing Plan and to consider the following items:

- approval of the First Amended Walnut Creek Tax Increment Financing Plan.



- The agreement between the City and the TIFC to provide \$10,000 for the cost of implementing this Plan will be considered a reimbursable expense.

Mr. Mayer moved to approve the First Amended Walnut Creek Tax Increment Financing Plan. Mr. Bacchus seconded. Approval was unanimous.

Mr. Bacchus moved to approve the First Amended Walnut Creek Tax Increment Financing Contract with Matrix Realty. Mr. Kristl seconded. Approval was unanimous.

Mr. Turk moved to approve an assignment of development rights for Matrix to North haven East Development Company. Mr. mayer seconded. Approval was unanimous.

Mr. Mayer moved to approve a contract with North Haven East Development Company. Mr. Kristl seconded. Approval was unanimous.

Mr. Bacchus moved to approve an amended agreement for payment of costs between the TIF Commission and the City of Kansas City, Missouri. Mr. Kristl seconded. Approval was unanimous.

---

Janet Meyer-Miller arrived at the meeting at this time.

---

#### D. NEW BUSINESS

##### 1. Update on the TIF Audit by Ernst & Young.

Mr. Holland stated that the staff had been asked to review the matter regarding legal fees on the 10th & Troost project contained in the audit. Polsinelli, White submitted a letter answering the question pertaining to legal expenses incurred on this project and it has been corrected in the audit.

No action was required on this item.

##### 2. Consideration of approval of TIFC certified expenses for the West 46th Street Terrace Project.

Mark Bunnell stated that staff has undertaken a review as of December of the costs incurred by the Commission, redeveloper costs approved by the Commission, and legal expenses related to the West 46th Street Terrace Project. Mr. Bunnell outlined the individual expenses. He asked the Commission to accept and approve the TIF administrative and legal costs totaling \$33,862.06 to be reimbursed to the TIFC and to certify all these

Mr. Kristl congratulated, on behalf of the Commission, Mark Bunnell and Jennifer Barrett on their outstanding work in negotiating with the North Kansas City School District to insure that the Walnut Creek Plan met the needs and requirements of all entities involved.

-----  
There being no further business, the meeting was adjourned.

APPROVED:

-----  
E. J. Holland, Jr., Chairman

(SEAL)

ATTEST:

-----  
Mark M. Bunnell, Secretary