# NINETEENTH AMENDMENT TO THE 22ND & MAIN TAX INCREMENT FINANCING PLAN

KANSAS CITY, MISSOURI

**TIF COMMISSION APPROVAL:**

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|---|---|
| | N/A |
| **DATE** | **RESOLUTION NO.** |

**CITY COUNCIL APPROVAL:**

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|---|---|
| 6/25/2020 | 200454 |
| **DATE** | **ORDINANCE NO.** |

## SUMMARY

The 22[ND] & Main Tax Increment Financing Plan, as approved by Ordinance No. 980230, and as amended by Ordinance No. 991058, Ordinance No. 000751, Ordinance 000780, Ordinance No. 001593, Ordinance No. 040445, Ordinance No. 060916, Ordinance No. 061286, Committee Substitute for Ordinance No. 070739, as amended, Ordinance No. 080841, Ordinance No. 100136, Ordinance No. 090718, Ordinance No. 110933, Ordinance 120287, Ordinance No. 120660, Ordinance No. 190463 and Ordinance No. 200272 (collectively, the "Plan") contemplates rehabilitation of the Freighthouse Building, the rehabilitation and construction of commercial and residential uses, together with the construction of parking and appurtenances, as well as necessary utilities, street improvements and public infrastructure, in an area generally bounded by Southwest Boulevard and 19th Street on the north, Walnut Street on the east, the Kansas City Terminal Railway on the south and W. Pennway/Broadway on the west (the "Redevelopment Area within the Plan"). The Nineteenth Amendment to the Plan (the "Nineteenth Amendment") provides for (i) certain modifications to the Sources and Uses of Funds and (ii) other related changes or corrections as may be deemed necessary or appropriate to further the foregoing modifications. To the extent the Plan varies with the Nineteenth Amendment, said Plan shall be amended and superseded thereby.

## I. Specific Amendments

The Plan shall be amended as follows:

**Amendment No. 1:** Delete the first sentence of Section IV.A. of the Plan, as amended, entitled "Estimated Redevelopment Project Costs" and insert the following in its stead:

> "Redevelopment Project Costs are estimated to be approximately $228,502,212 of which $35,687,740 will qualify as Reimbursable Project Costs. Revenue on deposit in the Special Allocation Fund established in connection with District Wide Improvements shall be used to reimburse the District Wide Improvements, including the design and construction of a 300-stall parking garage and the construction of approximately 150 residential units located at approximately 311 W. 22nd Street (the "Tracks 215 Area").
>
> 1. TIF Revenue generated and collected within the area described by Redevelopment Projects 12C and 12R (except for 12% of such amount, which shall be set aside for the payment of certified Reimbursable Project Costs related to the District Wide Improvements) shall be used first to fund costs related to the Project 12C and 12R Improvements and, upon the payment of all such costs, shall be used to fund all remaining certified Reimbursable Project Costs identified by the Plan, on a pro rata basis, including Reimbursable Project Costs related to the District Wide Improvements.
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> 2. TIF Revenue generated and collected within the area described by Redevelopment Project 13 (except for 12% of such amount, which shall be set aside for the payment of certified Reimbursable Project Costs related to the District Wide Improvements) shall be used first to fund certified Reimbursable

Project Costs related to the Project 13 Improvements and, upon the payment of such costs, shall be used to fund all remaining certified Reimbursable Project Costs identified by the Plan, on a pro rata basis, including Reimbursable Project Costs related to the District Wide Improvements.

3. TIF Revenue generated and collected within the area described by Redevelopment Project 22 (except for 12% of such amount, which shall be set aside for the payment of certified Reimbursable Project Costs related to the District Wide Improvements) shall be used first to fund certified Reimbursable Project Costs related to the Project 22 Improvements and, upon the payment of such costs, to the payment of Reimbursable Project Costs that relate to the District Wide Improvements located within the Tracks 215 Area.

4. TIF Revenue generated and collected within the area described by Redevelopment Projects 24A and 24B (except for 12% of such amount, which shall be set aside for the payment of certified Reimbursable Project Costs related to the District Wide Improvements) shall be used first to fund costs related to the Project 24A Improvements and the Project 24B Improvements and, upon the payment of such costs, shall be used to fund all remaining certified Reimbursable Project Costs identified by the Plan, on a pro rata basis, including Reimbursable Project Costs related to the District Wide Improvements.

5. TIF Revenue generated and collected within the area described by Redevelopment Project 28 (except for 12% of such amount, which shall be set aside for the payment of certified Reimbursable Project Costs related to the District Wide Improvements) shall be used first to fund costs related to the Project 28 Improvements, upon the payment of such costs, to the payment of Reimbursable Project Costs that relate to the District Wide Improvements located within the Tracks 215 Area.

6. Redevelopment Project Areas 1, 10, 14, 16, 18, 21 and 27 are each Revenue Generating Redevelopment Project Areas. TIF Revenue generated and collected within such redevelopment project areas shall be used to reimburse all certified Reimbursable Project Costs identified by the Plan, on a pro rata basis, except for the District Wide Improvements (collectively, the "Project Area Costs"); provided, however, upon the payment of all certified Project Area Costs, all remaining TIF Revenue generated and collected within the Redevelopment Project Areas, until the termination of Tax Increment Financing within all Redevelopment Project Areas, shall be utilized to fund the remaining unpaid certified Reimbursable Project Costs related to the District Wide Improvements.

**Amendment No. 2**: Modify Exhibit 9 of the Plan, entitled "Cost Benefit Analysis" to incorporate with Exhibit 9 – Supplement 3 – Cost Benefit Analysis - District Wide- Design and Construction of Approximately 300 Stall Parking Facility and Approximately 150 Residential Units", attached hereto.

## EXHIBIT 9 – SUPPLEMENT 2

**Cost Benefit Analysis – Certain District Wide Improvements - Design and Construction of Approximately 300 Stall Parking Facility and Approximately 150 Residential Units**

[to be attached]

# ORDINANCE NO. 210086

Approving the Twentieth Amendment to the 22nd & Main Tax Increment Financing Plan; and directing the City Clerk to send a copy of this ordinance to Jackson County.

WHEREAS, the 22nd & Main Tax Increment Financing Plan (the "Redevelopment Plan") was approved by the City Council by passage of Committee Substitute for Ordinance No. 980230 on March 19, 1998, and has since been amended 18 times by Ordinance Nos. 991058, 000751, 000780, 001593, 040445, 060916, 061286, 070229, 070739, 080841, 090718, 100136, 110933, 120287, 120660, 190463, 200272 and 200454 (the "Amending Ordinances"); and

WHEREAS, the Twentieth Amendment provides for (1) modifications to the description of the District Wide Improvements, (2) certain modifications to the Estimated Redevelopment Project Costs related to the District Wide Improvements, (3) certain modifications to the Sources and Uses related to the District Wide Improvements, (4) certain modifications to the Construction Totals related to the District Wide Improvements, (5) certain modifications of Evidence of But-For related to the District Wide Improvements, (6) certain modifications to the Cost Benefit Analysis related to the District Wide Improvements, (7) certain modifications to the Redeveloper's Proposal related to the District Wide Improvements and (8) the inclusion of all conforming changes within the Exhibits to the Plan that are in furtherance of the foregoing modifications; and

WHEREAS, the Twentieth Amendment does not enlarge the exterior boundaries of the Redevelopment Area, and does not substantially affect the general land uses established in the Redevelopment Plan or substantially change the nature of the Redevelopment Projects described by the Plan. NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Twentieth Amendment to the 22nd & Main Tax Increment Financing Plan attached to this Ordinance is hereby approved.

Section 2. That all terms used in this Ordinance, not otherwise defined herein, shall be construed as defined in the Act.

Section 3. That the Council finds that:

(a) Good cause has been shown for the Twentieth Amendment to the Redevelopment Plan, and that the findings of the City Council in Committee Substitute for Ordinance No. 980230 and the Amending

Ordinances, with respect to the Redevelopment Plan, except as expressly indicated below, are not affected by the Twentieth Amendment to the Redevelopment Plan and apply equally to the Twentieth Amendment to the Plan;

(b) The Redevelopment Area is a Conversation Area, which as a whole, has not been subject to growth and development through investment by private enterprise and based, in part on the updated But-For Analysis attached to the Twentieth Amendment, would not reasonably be anticipated to be developed without the adoption of the Redevelopment Plan, as amended by the Twentieth Amendment, and the utilization of tax increment financing;

(c) The Redevelopment Plan, as amended by the Twentieth Amendment, and each Redevelopment Projects described therein, conform to the comprehensive plan for the development of the City as a whole;

(d) The areas identified by the Redevelopment Projects include only those parcels of real property and improvements which will be directly and substantially benefited by the Project improvements described by the Redevelopment Plan, as amended;

(e) The estimated dates of completion of the respective Redevelopment Projects and the retirement of any obligations incurred to finance Redevelopment Project Costs have been stated in the Redevelopment Plan, as amended by the Twentieth Amendment, and are not more than 23 years from the passage of any ordinance approving a Redevelopment Project authorized by the Redevelopment Plan, as amended by the Twentieth Amendment;

(f) A plan has been developed for relocation assistance for businesses and residences located within the Redevelopment Area;

(g) A cost-benefit analysis showing the impact of the implementation of the Plan on each taxing district at least partially within the boundaries of the Redeveloped Area has been prepared in accordance with the Act and supplemented by the cost-benefit analysis attached to the Redevelopment Plan, as amended by the Twentieth Amendment;

(h) The Redevelopment Plan, as amended by the Twentieth Amendment, does not include the initial development or redevelopment of any gambling establishment; and

(i) A study has been completed and the findings of such study satisfy the requirements set out in subdivision (1) of Section 99.810, RSMo.

Section 4. That the City Clerk shall send a copy of this ordinance to the County Clerk and County Executive of Jackson County, Missouri.

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Approved as to form and legality:

for

Katherine Chandler
Assistant City Attorney

SEAL OF KANSAS CITY
INCORPORATED
1850
MISSOURI

Authenticated as Passed

Quinton Lucas, Mayor

Marilyn Sanders, City Clerk

FEB 11 2021

Date Passed