



Kansas City

414 E. 12th Street
Kansas City, MO
64106

Legislation Text

File #: 251008

ORDINANCE NO. 251008

Approving the Fourteenth Amendment to the Briarcliff West Tax Increment Financing Plan.

WHEREAS, pursuant to the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended (the "Act"), the City Council of Kansas City, Missouri (the "Council") by Ordinance No. 54556 passed on November 24, 1982, and thereafter repealed and amended in certain respects by Committee Substitute for Ordinance No. 911076, as amended, passed on August 29, 1991, Ordinance No. 100089, passed on January 28, 2010, Ordinance No. 130986, passed on December 19, 2013, and Committee Substitute for Ordinance No. 140823, as amended, passed on June 18, 2015 and Committee Substitute for Ordinance No. 230524, passed on June 22, 2023, created commission constituted pursuant to Section 99.820.2 (the "Kansas City TIF Commission") and Section 99.820.3 of the Act (the "Clay County KC TIF Commission"); and

WHEREAS, the City created the Administrative TIF Commission and has delegated all powers delegable under the Act, in particular powers enumerated in Section 99.820.1 RSMo., in connection with administering tax increment financing plans and projects to the Administrative TIF Commission, as provided in Code § 74-58; and

WHEREAS, on May 3, 1990, the Council passed Ordinance No. 65497, which accepted the recommendations of the then applicable Kansas City TIF Commission as to the approval of the Briarcliff West Tax Increment Financing Plan (the "Redevelopment Plan" or "Plan") and the designation of the Redevelopment Area described thereby as a blighted area; and

WHEREAS, the Plan has been amended thirteen (13) times by the Council by Committee Substitute for Ordinance No. 911387, Ordinance No. 941342, Ordinance No. 970713, Ordinance No. 001595, Ordinance No. 040806, Ordinance No. 050093, Ordinance No. 060067, Ordinance No. 060826, Ordinance No. 070047, Ordinance No. 160237, Ordinance No. 160907, Ordinance No. 180357 and Ordinance No. 200636; and

WHEREAS, the proposed Fourteenth Amendment to the Plan (the "Fourteenth Amendment") has been proposed to the Council, which provides for (1) certain modification to the Budget of Redevelopment Project Costs incorporated within the Plan and (2) certain modifications to the Sources of Funds described by the Plan (the "Proposed Fourteenth Amendment Modifications"); and

WHEREAS, the proposed Fourteenth Amendment Modifications do not alter the exterior boundaries of the Redevelopment Area or enlarge the exterior boundary of any Redevelopment

Project Area described by the Plan, affect the general land uses described by the Plan or change the nature of any Redevelopment Project described by the Redevelopment Plan; and

WHEREAS, the Council wishes to approve the proposed Fourteenth Amendment; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Council hereby approves and adopts the Fourteenth Amendment to the Plan, a copy of which is attached hereto.

Section 2. All terms used in this ordinance, not otherwise defined herein, shall be construed as defined in the Act.

Section 3. The Council hereby finds that:

- (a) Good cause has been shown for the Fourteenth Amendment of the Plan, and that the findings of the Council in Committee Substitute for Ordinance No. 911387, Ordinance No. 941342, Ordinance No. 970713, Ordinance No. 001595, Ordinance No. 040806, Ordinance No. 050093, Ordinance No. 060067, Ordinance No. 060826, Ordinance No. 070047, Ordinance No. 160237, Ordinance No. 160907, Ordinance No. 180357 and Ordinance No. 200636 are not affected by the Fourteenth Amendment and apply equally to the Fourteenth Amendment;
- (b) The Redevelopment Area is a Blighted Area and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of the Plan. An existing conditions of blight study is attached to the Plan which includes a detailed description of the factors that qualify the Redevelopment Area as a Blighted Area, along with an affidavit, signed by the developer, attesting that the provisions of this subdivision have been met;
- (c) The Plan, as amended, conforms to the comprehensive plan for the development of the City as a whole;
- (d) The areas selected for the Redevelopment Project include only those parcels of real property and improvements therein which will be directly and substantially benefited by the improvements contemplated by the Redevelopment Project;
- (e) The estimated dates of completion of the improvements contemplated by the Redevelopment Project and retirement of obligations incurred to finance Redevelopment Project Costs, have been stated in the Plan, as amended by the Fourteenth Amendment, and are not more than 23 years from the adoption of any ordinance approving a Redevelopment Project within the Redevelopment Area, provided that no ordinance approving a Redevelopment Project shall be adopted later than ten years from the adoption of the ordinance approving the Plan and provided that no property for a redevelopment project shall be acquired by

eminent domain later than five years from the adoption of the ordinance approving the Redevelopment Project;

- (f) A relocation assistance plan for businesses and residences is incorporated and made a part of the Plan;
- (g) A cost-benefit analysis showing the economic impact of the Plan on each taxing district which is at least partially within the boundaries of the Redevelopment Area is attached to the Plan and the analysis demonstrates the impact on the economy if the Redevelopment Project is not built, and is built pursuant to the Plan under consideration and such analysis includes a fiscal impact study on every affected political subdivision, along with sufficient information from the developer for the Commission to evaluate whether the project, as proposed, is financially feasible; and
- (h) The Plan, as amended by the Fourteenth Amendment, does not include the initial development or redevelopment of any gambling establishment.

Section 4. That the Administrative TIF Commission is authorized to issue obligations in one or more series of bonds secured by the Briarcliff West Increment Financing Plan Account ("Briarcliff West TIF Account") of the Special Allocation Fund to finance Redevelopment Project Costs within the Redevelopment Area and, subject to any constitutional limitations, to acquire by purchase, donation, lease or eminent domain, own, convey, lease, mortgage, or dispose of, land or 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 Commission determines, to enter into such contracts and take all such further actions as are reasonably necessary to achieve the objectives of the Plan pursuant to the power delegated to it by the City. Any obligations issued to finance Redevelopment Project Costs 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.

Section 5. That pursuant to the provisions of the Plan, as amended by the Fourteenth Amendment, the City Council approves the pledge of all funds that are deposited into the Briarcliff TIF Account of the Special Allocation Fund to the payment of Redevelopment Project Costs identified by the Plan and permitted by the Act and authorizes the Commission to pledge such funds on its behalf.



Authenticated as Passed

Quinton Lucas, Mayor

Marilyn Sanders, City Clerk

DEC 11 2025

Date Passed

Approved as to form:

Emalea Kohler
Associate City Attorney