

Date: March 3, 2014

To: Mayor Sylvester (Sly) James
Councilman Scott Wagner
Councilman Dick Davis
Councilman Ed Ford
Councilman Russ Johnson
Councilman Jermaine Reed
Councilwoman Melba Curls
Councilman Jan Marcason
Councilwoman Jim Glover
Councilman Michael Brooks
Mayor Pro Tem Cindy Circo
Councilman Scott Taylor
Councilman John Sharp

From: Heather A. Brown, Executive Director Tax Increment Financing Commission



Re: Tenth Amendment to the Southtown Corridor/31st and Baltimore Tax Increment Financing Plan

On January 8, 2014, after due notice in accordance with Section 99.830 RSMo., the Tax Increment Financing Commission of Kansas City, Missouri (the "TIF Commission") held a public hearing at 10:00 a.m. at the offices of the Economic Development Corporation, located at 1100 Walnut, Suite 1700, Kansas City, Missouri 64106 to consider the Tenth Amendment (the "Tenth Amendment") to the Southtown Corridor/31st & Baltimore Tax Increment Financing Plan (the "TIF Plan"). The TIF Plan was originally approved by the City Council on May 19, 1994, by Ordinance No. 940564, for the redevelopment area described by the TIF Plan (the "Redevelopment Area"). The TIF Plan has been amended several times by the City Council's passage of the following: Ordinance No. 030259, Ordinance No. 060470, Ordinance No. 070140, Ordinance No. 070659, Ordinance No. 080642, Ordinance No. 080930, Ordinance No. 100209 and Ordinance No. 110227.

The TIF Plan has established a benefit district within the Redevelopment Area, entitled the "Main Street Improvement Area," which is generally bounded on the north by Pershing Road, Penn Valley Park and the Federal Reserve Bank on the west to 31st Street, and continuing south down Main Street to south of 42nd Street. The TIF Plan further provides for the construction of certain public improvements within the Main Street Improvement Area, including the construction of streetscape, completion of crosswalks, including timed crosswalk indicators, façade improvements, lighting, banners, comprehensive signage and landscaping along Main Street and one block east and west thereof from 42nd Street to 34th Street. Additional projects undertaken by the Kansas City Parks Department include Just Off Broadway, Liberty Memorial, and roadway, lake, and skateboard park improvements for the west side of Penn Valley Park (collectively, the "Main Street Infrastructure Improvements").

TIF Plan contemplates multiple sources of revenue to finance the public improvements within the Main Street Improvement Area, which include Payments in Lieu of Taxes and Economic Activity Taxes generated from Redevelopment Project I of the Southtown Corridor/31st & Baltimore TIF Plan.

Main Street Corridor Development Corporation ("MainCor"), the proponent of the Tenth Amendment, submitted the Tenth Amendment to the TIF Commission for its consideration. The Tenth Amendment would have increased the amount of redevelopment project costs related to Phase III of the Main Street Infrastructure Improvements by \$7,366,800. Phase III of the Main Street Infrastructure Improvements includes improvements along Main Street, between 34th Street and Pershing Road. The Tenth Amendment provides that \$3,100,000 of the \$7,366,800 of increased costs be funded with Payments in Lieu of Taxes and Economic Activity Taxes generated by Redevelopment Project I of the TIF Plan.

On January 3, 2014, TIF Commission received correspondence from MainCor, which expressed MainCor's desire to withdraw its support of the Tenth Amendment and which is attached to this communication.

As a result of the Commission's receipt of MainCor correspondence and upon hearing all public comments, the Commission closed the public hearing related to the Tenth Amendment and, by resolution, which is attached to this correspondence, recommends, pursuant to Section 99.820.4(2), that the City Council take no action with respect to the Tenth Amendment.

Please feel free to contact me at 691.2109 or lbrown@udcckc.com if you have any questions.

JERRY RIFFEL
DIRECT LINE: 816.460.5712
EMAIL: JRRIFFEL@LATHROPGAGE.COM
WWW.LATHROPGAGE.COM

2345 GRAND BOULEVARD, SUITE 2200
KANSAS CITY, MISSOURI 64108-2618
PHONE: 816.292.2000
FAX: 816.292.2001

January 3, 2014

VIA E-MAIL

Ron Yaffe, Chairman
Tax Increment Financing Commission of
Kansas City, Missouri
1100 Walnut, Suite 1700
Kansas City, MO 64106

Re: Southtown/31st & Baltimore TIF Plan - Tenth Amendment (the "Tenth Amendment")

Dear Chairman Yaffe:

We are attorneys for the Main Street Corridor Development Corporation ("MainCor"), concerning the Tenth Amendment. On behalf of MainCor, please be advised that our Executive Committee after deliberation respectfully requests that the Commission permit MainCor's withdrawal of the Application.

I have copied TIF Commission Members representing Jackson County, the Kansas City School District, the Kansas City Library and others. We appreciate the Commission's past support and help on the funding of new infrastructure in the Main Street Corridor.

If you have any questions or concerns regarding MainCor's intentions in this regard, please advise. Happy New Year.

Sincerely,

Lathrop & Gage LLP


Jerry Riffel

JR/jms

Ron Yaffee, Chairman
January 3, 2014
Page 2

cc: Commissioner Scott Jacoby
Commissioner Calvin Williford
Commissioner Debbie Siragusa
Commissioner Steve Potter
Commissioner Barbara Lunn
Commissioner Kevin Masters
Pete Fullerton
Heather Brown
Herbert Hardwick, Esq.
Jenna Wilkinson
Veronica Sellers
Diane Burnette
Dan Musser

RESOLUTION NO. 1-20-14

RESOLUTION OF THE TAX INCREMENT FINANCING COMMISSION OF KANSAS CITY, MISSOURI TO TAKE NO ACTION WITH RESPECT TO THE TENTH AMENDMENT TO THE SOUTHTOWN CORRIDOR/31ST & BALTIMORE TAX INCREMENT FINANCING PLAN AND EXPRESSING ITS RECOMMENDATION TO THE CITY COUNCIL OF KANSAS CITY, MISSOURI.

WHEREAS, the Tax Increment Financing Commission of Kansas City, Missouri (the "Commission") has been created pursuant to the provisions of the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended (the "Act") and is authorized and empowered pursuant to Ordinance No. 54556, which was adopted by the City Council of Kansas City, Missouri (the "City Council") on November 24, 1982, and was subsequently amended by Committee Substitute for Ordinance No. 911076 on August 29, 1991, Ordinance No. 100089 on January 28, 2010, as amended, and Ordinance No. 130986 on December 19, 2013; and

WHEREAS, a plan for redevelopment known as the Southtown Corridor/31st & Baltimore Tax Increment Financing Plan (the "Original Plan") for an area designated therein as a redevelopment area (the "Redevelopment Area") was approved by the City Council on May 19, 1994, by Ordinance No. 940564; and

WHEREAS, the Original Plan was subsequently amended on May 27, 2003 by Ordinance No. 030259, on May 4, 2006 by Ordinance No. 060470, on February 8, 2007 by Ordinance No. 070140, on September 20, 2007 by Ordinance No. 070659, on August 7, 2008 by Ordinance No. 080642, on September 25, 2008 by Ordinance No. 080930, on April 11, 2010 by Ordinance No. 100209, and on March 31, 2011 by Ordinance No. 110227; and

WHEREAS, the Tenth Amendment to the Plan has been presented to the Commission for consideration; and

WHEREAS, on January 8, 2014, after due notice in accordance with Section 99.830 of the Act, the Commission held a public hearing at 10:00 a.m. at the offices of the Economic Development Corporation, located at 1100 Walnut, Suite 1700, Kansas City, Missouri 64106 to consider the Tenth Amendment to the Plan; and

WHEREAS, Main Street Corridor Development Corporation ("MainCor"), the proponent of the Tenth Amendment, which provides for an increase in the amount of redevelopment project costs related to improvements along Main Street between 34th Street and Pershing Road by \$7,316,800, of which \$3,100,000 is reimbursable, submitted a letter to the Commission on January 3, 2014, in which MainCor withdrew its support of the Tenth Amendment (the "MainCor Letter"); and

WHEREAS, as a result of the Commission's receipt of the MainCor Letter and upon hearing all public comments, the Commission closed the public hearing and now desires to take no action with respect to the Tenth Amendment and express to the Council that it has taken no action.

NOW THEREFORE, BE IT RESOLVED BY THE TAX INCREMENT FINANCING COMMISSION OF KANSAS CITY, MISSOURI, AS FOLLOWS:

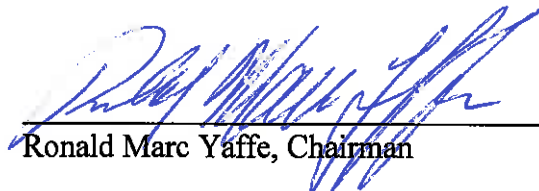
1. **Expression of No Action.** The Commission, as a result of its receipt of the MainCor Letter (as described in the Recitals), takes no action with respect to the Tenth Amendment to the Southtown Corridor/31st & Baltimore Tax Increment Financing Plan ("Tenth Amendment") and hereby directs staff to the Commission to notify the Council that the Commission expresses no recommendation with respect to the Tenth Amendment.

2. **Further Activity.** The Commission shall, and the officers, agents and employees of the Commission are hereby authorized and directed to, take such further action and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

3. **Effective Date.** This Resolution shall take effect and be in full force immediately after its adoption by the Commission.


ADOPTED by the Tax Increment Financing Commission of Kansas City, Missouri this 8th day of January, 2014





Ronald Marc Yaffe, Chairman

ATTEST:



Heather Brown, Secretary