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File #: TMP-6185

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ORDINANCE NO. TMP-6185

Approving the Second Amendment to the West Bottoms Tax Increment Financing Plan; and authorizing the City Manager to enter into a First Amendment to the Redevelopment Agreement between City of Kansas City and the TIF Commission.

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 “City Council”) by Ordinance No. 54556 passed on November 24, 1982, and thereafter amended in certain respects by Committee Substitute for Ordinance No. 911076, as amended, passed on August 29, 1991, Ordinance No. 100089, as amended, passed on January 28, 2010, and Ordinance No. 130986, passed on December 19, 2013, Committee Substitute for Ordinance No. 140823, as amended on, June 18, 2015, Committee Substitute for Ordinance No. 230524, passed on June 22, 2023, and by Committee Substitute for Ordinance No. 240045 on March 21, 2024 created commissions 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 March 21, 2024, the City Council passed Ordinance No. 240256, which accepted the recommendations of the Kansas City TIF Commission and approved the West Bottoms Tax Increment Financing Plan (the “Redevelopment Plan” or “Plan”) and designated the Redevelopment Area described therein to be a blighted area (the “Redevelopment Area”); and

WHEREAS, the Redevelopment Plan was amended by Ordinance No. 240600 on July 25, 2024; and

WHEREAS, a Second Amendment to the Redevelopment Plan (“Second Amendment”) was proposed to Kansas City TIF Commission and the Kansas City TIF Commission, having been duly constituted and its members appointed, after proper notice was given, met in a public hearing on October 8, 2025, and after it received comments of all interested persons and taxing districts (i) closed the public hearing, (ii) approved the Second Amendment, and (iii) recommended that the City Council approve the Second Amendment; and

WHEREAS, the Second Amendment (A) modifies the Estimated Redevelopment Project Costs, (B) modifies the Anticipated Sources of Funds, and (C) modifies certain exhibits to and sections of the Plan that are in furtherance of the foregoing; NOW THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. The Second Amendment is hereby approved and adopted as valid.

Section 2. That all terms used in this ordinance, not otherwise defined herein, shall be construed as defined in Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended (the "Act").

Section 3. That the City Council hereby finds that good cause has been shown for the Second Amendment of the Plan and that the findings of the Council in Ordinance No. 240256 and Ordinance No. 240600, except as expressly modified by the Second Amendment, are not affected by the Second Amendment and apply equally to the Second Amendment.

Section 4. That the Council hereby finds that:

- a. The Second Amendment does not alter the previous finding of the Council in Ordinance No. 240256 that the Redevelopment Area as a whole is a blighted area, as defined in Section 99.805 of the Act, 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.
- b. The Redevelopment Plan, as amended by the Second Amendment, conforms to the comprehensive plan for the development of the City as a whole.
- c. The areas selected for Redevelopment Projects include only those parcels of real property and improvements thereon which will be directly and substantially benefited by the Redevelopment Project Improvements.
- d. The estimated dates of completion of the Redevelopment Projects and retirement of obligations incurred to finance Redevelopment Project Costs have been stated in the Redevelopment Plan, as amended by the Second Amendment, and are not more than 23 years from the passage of any ordinance approving a Redevelopment Project within the Redevelopment Area.
- e. The Redevelopment Plan, as amended by the Second Amendment, includes a plan for relocation assistance for businesses and residences.
- f. A cost-benefit analysis showing the impact of the Redevelopment Plan on each taxing district which is at least partially within the boundaries of the Redevelopment Area has been prepared in accordance with the Act.

- g. The Redevelopment Plan, as amended by the Second Amendment, does not include the initial development or redevelopment of any gambling establishment.
- h. A study has been completed and the findings of such study satisfy the requirements provided under Section 99.810, RSMo.

Section 5. That the Administrative TIF Commission is authorized to issue obligations in one or more series of bonds secured by West Bottoms Tax Increment Financing Plan Account of the Special Allocation Fund to finance Redevelopment Project Costs identified by the Redevelopment Plan, as amended by the Second Amendment, 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 Administrative TIF Commission determines, to enter into such contracts and take all such further actions as are reasonably necessary to achieve the objectives of the Redevelopment Plan, as amended by the Second Amendment. Any obligations issued to finance Redevelopment Project Costs shall contain a recital that they are issued pursuant to Sections 99.800 to 99.865 of the Act, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

Section 6. That pursuant to the provisions of the Redevelopment Plan, the City Council approves the pledge of all payments in lieu of taxes and economic activity taxes generated within Redevelopment Projects that are deposited into the Special Allocation Fund(s) established in connection with each Redevelopment Project described by the Redevelopment Plan to the payment of Redevelopment Project Costs identified by the Redevelopment Plan, as amended by the Second Amendment, and authorizes the Administrative TIF Commission to pledge such funds on its behalf.

Section 7. The City Manager is authorized to execute a First Amendment to the Redevelopment Agreement between the City and the Commission to effectuate the Redevelopment Plan, as amended. A copy of the First Amendment to the Redevelopment Agreement is attached hereto in substantial form.



Authenticated as Passed


  
Quinton Lucas, Mayor

  
Marilyn Sanders, City Clerk

NOV 13 2025

Date Passed

Approved as to form:

  
Emalea Kohler  
Associate City Attorney