



Agenda

Finance, Governance and Public Safety Committee

Chairperson Andrea Bough

Vice Chair Quinton Lucas

Councilmember Crispin Rea

Councilmember Darrell Curls

Councilmember Wes Rogers

Tuesday, December 16, 2025

10:00 AM

26th Floor, Council Chamber

Meeting Link: <https://us02web.zoom.us/j/84530222968>

PUBLIC OBSERVANCE OF MEETINGS

Members of the City Council may attend this meeting via videoconference.

Any closed session may be held via teleconference.

The public can observe this meeting at the links provided below.

Applicants and citizens wishing to participate have the option of attending each meeting or they may do so through the videoconference platform ZOOM, using this link:
<https://us02web.zoom.us/j/84530222968>

Public Testimony is Limited to 2 Minutes

FIRST READINGS

Director of the Law Department

[251045](#)

Sponsor: Director of Law Department

Approving and authorizing settlement of a lawsuit entitled Debra Wolf v. City of Kansas City, Missouri, Case No. 2416-CV27002, and related claims, in the amount of \$596,008.67.

Attachments: [docket memo-wolf](#)

Director of Finance

251050 Sponsor: Director of Finance Department

Estimating revenue and adjusting appropriations in various funds in connection with the second quarter FY2025-26 budget analysis; and recognizing this ordinance as having an accelerated effective date.

Attachments: [Admin Approp 2Q FY 2025-2026](#)
 [Docket Memo 2Q FY 2025-2026](#)

Director of Finance

251051 Sponsor: Director of Finance Department

Appropriating \$125,000.00 from the Unappropriated Fund Balance of the Violence Prevention and Intervention Fund (2000); designating requisitioning authority; for the purpose of supporting to the Kansas City Metropolitan Crime Commission; and recognizing this ordinance as having an accelerated effective date.

Attachments: [Docket Memo Crime Commission](#)
 [Admin Approp - Crime Commission](#)

Director of Finance

251052 Sponsor: Director of Finance Department

Appropriating \$440,640.00 from the Unappropriated Fund Balance of the Convention and Sports Complex Fund (5370) for the purpose of providing additional funding to the Vine District Garage Project; designating requisitioning authority; and recognizing this ordinance as having an accelerated effective date.

Attachments: [Docket Memo - Vine District Garage](#)
 [Admin Approp - Vine District Garage](#)

City Manager's Office

251053 Sponsor: City Manager's Office

Authorizing the City Manager to enter into Amendment No. 1 to the 2025-2026 Transit Services Agreement with the Kansas City Area Transportation Authority ("KCATA") in the amount of \$15,918,655.00; appropriating \$5,000,000.00 for street resurfacing from the Unappropriated Fund Balance of the Capital Improvements Sales Tax Fund (3090); reducing \$5,000,000.00 of street resurfacing expenditures in the Public Mass Transportation Fund (2080); increasing \$5,000,000.00 of street resurfacing expenditures in the Capital Improvements Sales Tax Fund (3090); reducing \$5,000,000.00 in appropriations and appropriating \$5,000,000.00 from the Unappropriated Fund Balance of the Public Mass Transportation Fund (2080); appropriating \$2,586,983.00 from the Unappropriated Fund Balance of the Violence Prevention and Intervention Fund (2000); reducing Contingent Appropriation in the amount of \$6,203,729.00 in the General Fund; waiving the limitations established by the Fund Balance and Reserve Policy in Section 2-1954 of the Code of Ordinances; appropriating \$8,331,672.00 from the Unappropriated Fund Balance of the General Fund (1000); and recognizing this ordinance as having an accelerated effective date.

Attachments: [Docket Memo 251053](#)

Bough and Duncan

251058 Sponsor: Councilmember Andrea Bough

Directing the City Manager to undertake certain actions to ensure economic development projects in Kansas City promote equitable economic development, align with City policy priorities, achieve efficiency in the economic development process, and effectively evaluate performance; directing the City Manager to request the input and participation from economic development agencies; directing the City Manager to incorporate public feedback and engagement opportunities prior to the final policy recommendations; directing the City Auditor to conduct a comprehensive review of City economic development entities to ensure policy alignment; repealing Chapter 74, Code of Ordinances, by enacting a new Chapter 74 entitled "Economic Development Incentive Policies and Procedures Code;" and repealing Second Committee Substitute for Ordinance No. 160383, as Amended, Ordinance No. 190563, Second Committee Substitute for Ordinance No. 200497, as Amended, Committee Substitute for Resolution No. 140861, and Second Committee Substitute for Ordinance No. 211025.

Attachments: [Docket Memo Res 251058](#)

HELD IN COMMITTEE

Lucas

250553 Sponsor: Mayor Quinton Lucas

RESOLUTION - Expressing the need for and desire to implement a software grant management system.

Attachments: [No Docket Memo 7.29.2025](#)

Lucas

251027 Sponsor: Mayor Quinton Lucas

Providing for submission to the qualified voters of the City for their approval at an election called for April 7, 2026, the question of authorizing the issuance of waterworks revenue bonds of the City in the principal amount of \$750,000,000.00 for the purpose of rehabilitating, improving and extending the waterworks system of the City, including acquiring necessary land and rights of way, in order to provide for its continuing operation and to maintain compliance with federal, state and judicial requirements; directing the City Clerk to notify the responsible election authorities of this election; declaring the City's intention to set rates; declaring the City's intention to reimburse itself from revenue bond proceeds for bond related expenditures; recognizing this ordinance to have an accelerated effective; and establishing an effective date for the voter authorization.

Attachments: [Docket Memo for Water Bond Authorization Ordinance 12-09-2025](#)

Lucas

251029 Sponsor: Mayor Quinton Lucas

Calling for submission to the voters of Kansas City, at an election to be held on the general municipal election day of April 7, 2026, a question of whether to continue Kansas City's current one-percent earnings tax for five years; directing the City Clerk to provide notice of the election; and recognizing an accelerated effective date.

Attachments: [Docket Memo Ord. 251029](#)

Director of Parks & Recreation and Patterson Hazley

251033 Sponsor: Director of Parks and Recreation Department

Waiving the limitations established by the Fund Balance and Reserve Policy in Section 2-1954 of the Code of Ordinances; appropriating \$2,031,975.00 from the Unappropriated Fund Balance of the Parks and Recreation Fund for maintenance projects at Gregg/Klice Community Center pool, Penguin Park, and the Parks and Recreation Administration building; designating requisitioning authority; and recognizing this ordinance as having an accelerated effective date.

Attachments: [Parks Fund Ordinance Docket Memo](#)
[Parks Fund Ordinance Admin Approp](#)

ADDITIONAL BUSINESS

1. There may be general discussion for current [Finance Governance & Public Safety Committee issues.

2. Closed Session

- Pursuant to Section 610.021 subsection 1 of the Revised Statutes of Missouri to discuss legal matters, litigation, or privileged communications with attorneys;
- Pursuant to Section 610.021 subsection 2 of the Revised Statutes of Missouri to discuss real estate;
- Pursuant to Section 610.021 subsections 3 and 13 of the Revised Statutes of Missouri to discuss personnel matters;
- Pursuant to Section 610.021 subsection 9 of the Revised Statutes of Missouri to discuss employee labor negotiations;
- Pursuant to Section 610.021 subsection 11 of the Revised Statutes of Missouri to discuss specifications for competitive bidding;
- Pursuant to Section 610.021 subsection 12 of the Revised Statutes of Missouri to discuss sealed bids or proposals; or
- Pursuant to Section 610.021 subsection 17 of the Revised Statutes of Missouri to discuss confidential or privileged communications with auditors.

3. Those who wish to comment on proposed ordinances can email written testimony to public.testimony@kcmo.org.

Comments received will be distributed to the committee and added to the public record by the clerk.

The city provides several ways for residents to watch City Council meetings:

- Livestream on the city's website at www.kcmo.gov
- Livestream on the city's YouTube channel at <https://www.youtube.com/watch?v=3hOuBlg4fok>
- Watch Channel 2 on your cable system. The channel is available through Time Warner Cable (channel 2 or 98.2), AT&T U-verse (channel 99 then select Kansas City) and Google Fiber on Channel 142.
- To watch archived meetings, visit the City Clerk's website and look in the Video on Demand

section:

http://kansascity.granicus.com/ViewPublisher.php?view_id=2

The City Clerk's Office now has equipment for the hearing impaired for use with every meeting. To check out the equipment please see the secretary for each committee. Be prepared to leave your Driver's License or State issued Identification Card with the secretary and she will give you the equipment. Upon returning the equipment your license will be returned.

Adjournment



File #: 251045

ORDINANCE NO. 251045

Sponsor: Director of Law Department

Approving and authorizing settlement of a lawsuit entitled *Debra Wolf v. City of Kansas City, Missouri*, Case No. 2416-CV27002, and related claims, in the amount of \$596,008.67.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the payment of the sum of \$596,008.67 for the settlement of claims asserted by Debra Wolf in the lawsuit styled *Debra Wolf v. City of Kansas City, Missouri*, Case No. 2416-CV27002, and related claims, as recommended by the City Attorney and the Risk Management Committee, is hereby approved

Section 2. That the City Attorney is hereby authorized to pay the sum of \$596,008.67 in settlement of said claims asserted by Debra Wolf in this lawsuit from funds previously appropriated in Account No. 26-7010-131543-618200, Public Official Liability Fund.

..end

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.

William Choi
Interim Director of Finance

Approved as to form:

Larry Dawson
Assistant City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: TMP-6281
Submitted Department/Preparer: Law
Revised 6/10/24

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Approving and authorizing settlement of a lawsuit entitled Debra Wolf v. City of Kansas City, Missouri, Case No. 2416-CV27002, and related claims, in the amount of \$596,008.67.

Discussion

This ordinance will approve the settlement of the lawsuit captioned Debra Wolf v. City of Kansas City, Missouri, Case No. 2416-CV27002, and related claims, regarding claims of discrimination and whistleblower retaliation. The proposed settlement resolves all liability, damages, and attorney's fees. The Law Department and Risk Management Committee recommend accepting the settlement in the amount of \$596,008.67

Fiscal Impact

1. Is this legislation included in the adopted budget? ☒ Yes ☐ No
2. What is the funding source?
City Legal Expense Fund- 7010-131543-618200
3. How does the legislation affect the current fiscal year?
Decreases available funds by \$596,008.67.
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
No.
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
No.

Office of Management and Budget Review

(OMB Staff will complete this section.)

- | | | |
|-------------------------------------------------------|-----------------------------------------|----------------------------------------|
| 1. This legislation is supported by the general fund. | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 2. This fund has a structural imbalance. | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 3. Account string has been verified/confirmed. | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

1. View the [Adopted 2025-2029 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?
Finance and Governance (Press tab after selecting.)
3. Which objectives are impacted by this legislation (select all that apply):
 - ☒ Ensure the resiliency of a responsive, representative, engaged, and transparent City government.
 - ☐ Engage in workforce planning including employee recruitment, development, retention, and engagement.
 - ☐ Foster a solutions-oriented, welcoming culture for employees and City Partners.
 - ☐
 - ☐
 - ☐

Prior Legislation

None.

Service Level Impacts

None.

Other Impacts

1. What will be the potential health impacts to any affected groups?

None.

2. How have those groups been engaged and involved in the development of this ordinance?

N/A

3. How does this legislation contribute to a sustainable Kansas City?

N/A

4. Does this legislation create or preserve new housing units?

No (Press tab after selecting)

[Click or tap here to enter text.](#)

[Click or tap here to enter text.](#)

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting)

Please provide reasoning why not:

[Click or tap here to enter text.](#)

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

[Click or tap here to enter text.](#)

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?

No(Press tab after selecting)



File #: 251050

ORDINANCE NO. 251050

.Sponsor: Director of Finance Department

Estimating revenue and adjusting appropriations in various funds in connection with the second quarter FY2025-26 budget analysis; and recognizing this ordinance as having an accelerated effective date.

.WHEREAS, the Office of Management and Budget conducted a second quarter review of expenditures and revenues and has identified estimated budgetary adjustments needed; and

WHEREAS, the Office of Management and Budget has identified the following budgetary adjustments that represent the best professional judgment of the Finance Director in a bill brought pursuant to Charter Section 501, resulting from Code Section 2-1956, and consistent with the Manager's duty under Charter section 220(a)(3); and

WHEREAS, pursuant to authority granted under Section 488.2220, RSMo, the Kansas City Municipal Court is authorized to charge an additional fee up to five dollars per case for each municipal ordinance violation case for costs related to a court information and records management system; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the appropriation in the following account of the General Fund, Fund No. 1000, is hereby reduced by the following amount:

| | | |
|------------------|---------------------|----------------|
| 26-1000-071921-C | Fleet – Police Fuel | \$1,000,000.00 |
|------------------|---------------------|----------------|

Section 2. That the sum of \$1,000,000.00 is hereby appropriated from the Unappropriated Fund Balance of the General Fund, Fund No. 1000, to the following account:

| | | |
|------------------|---------------------------------|----------------|
| 26-1000-101145-B | Entertainment District Security | \$1,000,000.00 |
|------------------|---------------------------------|----------------|

Section 3. That the appropriation in the following account of the Public Safety Sales Tax Fund, Fund No. 2320, is hereby reduced by the following amount:

| | | |
|------------------|---------------------------------|----------------|
| 26-2320-101145-B | Entertainment District Security | \$1,000,000.00 |
|------------------|---------------------------------|----------------|

Section 4. That the sum of \$1,000,000.00 is hereby appropriated from the Unappropriated Fund Balance of the Public Safety Sales Tax Fund, Fund No. 2320, to the following account:

| | | |
|------------------|---------------------|----------------|
| 26-2320-071921-C | Fleet – Police Fuel | \$1,000,000.00 |
|------------------|---------------------|----------------|

Section 5. That the revenue estimate in the following account of the Convention Hotel Catering Fund, Fund No. 2361, is hereby increased by the following amount:

| | | |
|-----------------------|---------------|---------------|
| 26-2361-632120-457570 | Catering Fees | \$ 500,000.00 |
|-----------------------|---------------|---------------|

Section 6. That the sum of \$500,000.00 is hereby appropriated from the Unappropriated Fund Balance of the Convention Hotel Catering Fund, Fund No. 2361, to the following account:

| | | |
|------------------|---------------------------|---------------|
| 26-2361-632120-B | Convention Hotel Catering | \$ 500,000.00 |
|------------------|---------------------------|---------------|

Section 7. That Fund No. 2767 is hereby established as the Court Information and Records Fee Fund in the records of the City of Kansas City, Missouri.

Section 8. That the Director of Finance shall close on the books of the City the following fund to the General Fund:

| | |
|------|--------------------|
| 6200 | Property Vacations |
|------|--------------------|

Section 9. That this ordinance relating to the appropriation of money and the expenses of government is recognized as an ordinance with an accelerated effective date as provided by Section 503(a)(3)(B) and Section 503(a)(3)(C) of the City Charter and shall take effect in accordance with Section 503, City Charter.

...end

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.

William Choi
Interim Director of Finance

Approved as to form:

Samuel Miller

Assistant City Attorney



Finance

JOURNAL ID:

2026

| | |
|-------|------------|
| TOTAL | 500,000.00 |
|-------|------------|

Estimating revenue and adjusting appropriations in various funds in connection with the second quarter FY2025-26 budget analysis that represents the best professional judgment of the Finance Director in a bill brought pursuant to Charter Section 501, resulting from Code section 2-1956, and consistent with the Manager's duty under Charter section 220(a)(3), ultimately presenting the policy determination to the elected body who can speak through appropriation and recognizing this ordinance as having an accelerated effective date

DATE _____



| | |
|----------------------|----------------|
| LEDGER GROUP: | REVENUE |
|----------------------|----------------|

[illegible]

DESCRIPTION:

Estimating revenue and adjusting appropriations in various funds in connection with the second quarter FY2025-26 budget analysis that represents the best professional judgment of the Finance Director in a bill brought pursuant to Charter Section 501, resulting from Code section 2-1956, and consistent with the Manager's duty under Charter section 220(a)(3), ultimately presenting the policy determination to the elected body who can speak through appropriation and recognizing this ordinance as having an accelerated effective date

APPROVED BY: _____ DATE _____ APPROVED BY: DEPARTMENT HEAD _____ DATE _____



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: TMP-6272
Submitted Department/Preparer: Finance
Revised 6/10/24

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Estimating revenue and adjusting appropriations in various funds in connection with the second quarter FY2025-26 budget analysis that represents the best professional judgment of the Finance Director in a bill brought pursuant to Charter Section 501, resulting from Code section 2-1956, and consistent with the Manager's duty under Charter section 220(a)(3), ultimately presenting the policy determination to the elected body who can speak through appropriation and recognizing this ordinance as having an accelerated effective date.

Discussion

This is the annual second quarter clean-up ordinance to address anomalies in connection with the second quarter budget analysis of FY2025-2026.

Section 1.

This section reduces appropriations of \$1,000,000.00 in the General Fund (1000) for Police Fleet Fuel to shift expenses to the Public Safety Sales Tax Fund (2320) per section 4.

Section 2.

This section appropriates \$1,000,000.00 from the unappropriated fund balance of the General Fund (1000) for Entertainment District Security which is reduced from the Public Safety Sales Tax (2320) per section 3.

Section 3.

This section reduces appropriations of \$1,000,000.00 from the Public Safety Sales Tax Fund (2320) for Entertainment District Security and is shifted to the General Fund (1000) per section 2.

Section 4.

This section appropriates \$1,000,000.00 from the unappropriated fund balance of the Public Safety Sales Tax Fund (2320) for Police Fleet Fuel as expense is being shifted from the General Fund (1000) per section 1.

Section 5.

This section increases the revenue estimate in the Convention Hotel Catering Fund (2361) by \$500,000.00 due to higher consumer demand for catering services.

Section 6.

This section appropriates \$500,000.00 from the unappropriated fund balance of the Convention Hotel Catering Fund (2361) per the above increased revenue estimate.

Section 7.

This section establishes fund 2767 – Court Information and Records Fee pursuant to Section 488.2220, RSMo., authorizing the City to charge additional fees for municipal ordinance violation cases.

Section 8.

This section directs the Director of Finance to close fund 6200 – Property Vacations to the General Fund (1000) as this fund is no longer utilized.

Section 9.

This section contains the standard language recognizing the ordinance as having an accelerated effective date.

Fiscal Impact

1. Is this legislation included in the adopted budget? ☐ Yes ☒ No
2. What is the funding source?
Various sources, see Discussion Section and Admin/Approp Sheet
3. How does the legislation affect the current fiscal year?
The legislation estimates revenues and adjusts appropriations in various funds for the remainder of Fiscal Year 2025-2026
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
This legislation has no direct fiscal impact on future fiscal years
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
N/A

Office of Management and Budget Review
(OMB Staff will complete this section.)

- | | | |
|-------------------------------------------------------|-----------------------------------------|-----------------------------|
| 1. This legislation is supported by the general fund. | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 2. This fund has a structural imbalance. | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 3. Account string has been verified/confirmed. | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

1. View the [Adopted 2025-2029 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?
Finance and Governance (Press tab after selecting.)
3. Which objectives are impacted by this legislation (select all that apply):
 - ☒ Ensure the resiliency of a responsive, representative, engaged, and transparent City government.
 - ☐ Engage in workforce planning including employee recruitment, development, retention, and engagement.
 - ☐ Foster a solutions-oriented, welcoming culture for employees and City Partners.
 - ☐
 - ☐
 - ☐

Prior Legislation

Ordinance 250863

Service Level Impacts

Sections 5 and 6 will allow the Convention and Entertainment Facilities department to continue offering catering services for various events. Section 7 will allow the Municipal Court to estimate revenue related to an additional fee for the purpose of funding court services.

Other Impacts

1. What will be the potential health impacts to any affected groups?
N/A
2. How have those groups been engaged and involved in the development of this ordinance?
N/A
3. How does this legislation contribute to a sustainable Kansas City?
N/A
4. Does this legislation create or preserve new housing units?
No (Press tab after selecting)

Click or tap here to enter text.

Click or tap here to enter text.

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting)

Please provide reasoning why not:

This legislation does not authorize any agreement that would require CREO review.

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

Click or tap here to enter text.

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?
No(Press tab after selecting)



File #: 251051

ORDINANCE NO. 251051

.Sponsor: Director of Finance Department

Appropriating \$125,000.00 from the Unappropriated Fund Balance of the Violence Prevention and Intervention Fund (2000) for the purpose of supporting to the Kansas City Metropolitan Crime Commission; designating requisitioning authority; and recognizing this ordinance as having an accelerated effective date.

WHEREAS, the Kansas City Metropolitan Crime Commission (KCMCC) is a trusted and experienced partner in public safety, with a strong track record of reducing violence and supporting long-term community stability; and

WHEREAS, the FY 2025-26 Second Quarter Budget analysis has determined an appropriation to support this directive will require a drawdown of fund balance in the Violence Prevention and Intervention Fund; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the sum of \$125,000.00 is hereby appropriated from the Unappropriated Fund Balance of the Violence Prevention and Intervention Fund, Fund No. 2000, to the following account:

| | | |
|------------------|---------------------------------|--------------|
| 26-2000-101016-B | Community Services & Prevention | \$125,000.00 |
|------------------|---------------------------------|--------------|

Section 2. That the City Manager is hereby designated as requisitioning authority for Account No. 26-2000-101016-B.

Section 3. That this ordinance relating to the appropriation of money and the expenses of government is recognized as an ordinance with an accelerated effective date as provided by Section 503(a)(3)(B) and Section 503(a)(3)(C) of the City Charter and shall take effect in accordance with Section 503, City Charter.

...end

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise

unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.

William Choi
Interim Director of Finance

Approved as to form:

Samuel Miller
Assistant City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: TMP-6273

Submitted Department/Preparer: Finance

Revised 6/10/24

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Appropriating \$125,000.00 from the Unappropriated Fund Balance of the Violence Prevention and Intervention Fund (2000); designating requisitioning authority; and recognizing this ordinance as having an accelerated effective date.

Discussion

Section 1.

This section appropriates \$125,000.00 from the unappropriated fund balance of the Violence Prevention and Intervention Fund (2000) for the Kansas City Metropolitan Crime Commission.

Section 2.

This section designates the City Manager as requisitioning authority for Account 26-26-2000-101016-619080.

Section 3.

This section contains the standard language recognizing the ordinance as having an accelerated effective date.

Fiscal Impact

1. Is this legislation included in the adopted budget? ☐ Yes ☒ No
2. What is the funding source?
2000-101016-619080 – Violence Prevention and Intervention
3. How does the legislation affect the current fiscal year?
This ordinance would draw down the fund balance of the Violence Prevention and Intervention Fund by \$125,000.00

4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

This is a one-time expense and would not have impact on future fiscal years.

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

N/A

Office of Management and Budget Review

(OMB Staff will complete this section.)

- | | | |
|-------------------------------------------------------|-----------------------------------------|----------------------------------------|
| 1. This legislation is supported by the general fund. | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 2. This fund has a structural imbalance. | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 3. Account string has been verified/confirmed. | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

Additional Discussion (if needed)

The Violence Prevention and Intervention Fund has Unappropriated Fund Balance available to support the proposed amount. The unreserved fund balance of the Violence Prevention and Intervention Fund is \$11.9 million as of Second Quarter FY 2025-26.

Citywide Business Plan (CWBP) Impact

1. View the [Adopted 2025-2029 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?
Public Safety (Press tab after selecting.)
3. Which objectives are impacted by this legislation (select all that apply):
 - ☐ Engage the community and community partners to reimagine the system of public safety with a focus on evidence-based approaches for crime prevention, treatment of mental health, emergency response time, and the criminal justice system.
 - ☐ Focus on violence prevention among all age groups, placing an emphasis on youth.
 - ☒ Increase fairness, justice, and responsiveness of our municipal criminal justice system to support the best possible outcome for offenders and victims of crime.
 - ☐ Reduce recidivism through prevention, deterrence, including detention, and re-entry services.

- ☐ Enhance employee recruitment, succession planning, and retention in the police and fire departments with a continued emphasis on diversity.
- ☐

Prior Legislation

Ordinance Nos. 250558, 240507, 230845, 230292, 230275

Service Level Impacts

Click or tap here to provide a description of how this ordinance will impact service levels. List any related key performance indicators and impact.

Other Impacts

1. What will be the potential health impacts to any affected groups?
N/A
2. How have those groups been engaged and involved in the development of this ordinance?
N/A
3. How does this legislation contribute to a sustainable Kansas City?
N/A
4. Does this legislation create or preserve new housing units?
No (Press tab after selecting)

Click or tap here to enter text.

Click or tap here to enter text.

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting)

Please provide reasoning why not:

Click or tap here to enter text.

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

Click or tap here to enter text.

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?
No(Press tab after selecting)



Finance

JOURNAL ID:

2026

DESCRIPTION:

APPROVED BY:

DATE _____

APPROVED BY: DEPARTMENT HEAD

DATE _____



REQUEST FOR SUPPLEMENTAL REVENUE
CITY OF KANSAS CITY, MISSOURI

DEPARTMENT: Finance

BUSINESS UNIT: KCMBU DATE: JOURNAL ID: _____

LEDGER GROUP: REVENUE

| <u>FUND</u> | <u>DEPT ID</u> | <u>ACCOUNT</u> | <u>PROJECT</u> | <u>AMOUNT</u> |
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TOTAL _____

DESCRIPTION:

APPROVED BY: DATE APPROVED BY: DEPARTMENT HEAD DATE



File #: 251052

ORDINANCE NO. 251052

.Sponsor: Director of Finance Department

Appropriating \$440,640.00 from the Unappropriated Fund Balance of the Convention and Sports Complex Fund (5370) for the purpose of providing additional funding to the Vine District Garage Project; designating requisitioning authority; and recognizing this ordinance as having an accelerated effective date.

WHEREAS, Committee Substitute for Ordinance No. 240346 directed the City Manager to identify City owned property that could facilitate transit-oriented development, including a parking facility, to service the 18th and Vine District and appropriated \$20,000,000.00 in the 2025A Taxable Special Obligation Bond Fund, Fund No. 3453, for the design and construction; and

WHEREAS, Committee Substitute for Ordinance No. 250216 reduced the available appropriations by \$500,000.00; and

WHEREAS, the project needs additional funding for inspections to complete the project; and

WHEREAS, the FY 2025-26 Second Quarter Budget analysis has determined an appropriation to support this directive will require a drawdown of fund balance in the Convention and Sports Complex Fund; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the sum of \$440,640.00 is hereby appropriated from the Unappropriated Fund Balance of the Convention and Sports Complex Fund, Fund No. 5370, to the following account:

26-5370-075110-B-07VGARAG Vine District Garage
\$440,640.00

Section 2. That the Director of General Services is hereby designated as requisitioning authority for Account No. 26-5370-075110-B-07VGARAG.

Section 3. That this ordinance relating to the appropriation of money and the expenses of government is recognized as an ordinance with an accelerated effective date as provided by

Section 503(a)(3)(B) and Section 503(a)(3)(C) of the City Charter and shall take effect in accordance with Section 503, City Charter.

...end

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.

William Choi
Interim Director of Finance

Approved as to form:

Samuel Miller
Assistant City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: TMP-6274

Submitted Department/Preparer: Finance

Revised 6/10/24

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Appropriating \$440,640.00 from the Unappropriated Fund Balance of the Convention and Sports Complex Fund (5370); designating requisitioning authority; and recognizing this ordinance as having an accelerated effective date.

Discussion

Appropriating \$440,640 for special inspections at the 18th and Vine District Garage. The original funding for this project was \$20,000 appropriated via Committee Substitute for Ordinance No. 240346. Appropriations were reduced by \$500,000 per Committee Substitute for Ordinance No. 250216. Additional funding is needed for the project's special inspections.

Fiscal Impact

1. Is this legislation included in the adopted budget? ☐ Yes ☒ No
2. What is the funding source?
5370-075110-611060-07VGARAG - Convention and Sports Complex Fund
3. How does the legislation affect the current fiscal year?
This will draw down the fund balance of the Convention and Sports Complex Fund by \$440,640
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
This is a one time expense.
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
N/A

Office of Management and Budget Review

(OMB Staff will complete this section.)

- | | | |
|-------------------------------------------------------|-----------------------------------------|----------------------------------------|
| 1. This legislation is supported by the general fund. | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 2. This fund has a structural imbalance. | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 3. Account string has been verified/confirmed. | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

Additional Discussion (if needed)

The Convention and Sports Complex Fund has Unappropriated Fund Balance available to support the proposed amount. The unreserved fund balance of the Convention and Sports Complex Fund is \$19.2 million as of Second Quarter FY 2025-26.

Citywide Business Plan (CWBP) Impact

1. View the [Adopted 2025-2029 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?
Infrastructure and Accessibility (Press tab after selecting.)
3. Which objectives are impacted by this legislation (select all that apply):
 - ☐ Engage in thoughtful planning and redesign of existing road networks to ensure safety, access, and mobility of users of all ages and abilities.
 - ☐ Enhance the City's connectivity, resiliency, and equity through a better-connected multi-modal transportation system for all users.
 - ☐ Build on existing strengths while developing a comprehensive transportation plan for the future.
 - ☐ Develop environmentally sustainable infrastructure strategies that improve quality of life and foster economic growth.
 - ☐ Ensure adequate resources are provided for continued maintenance of existing infrastructure.
 - ☒ Focus on delivery of safe connections to schools.

Prior Legislation

Committee Substitute for Ordinance No. 240346 and Committee Substitute for Ordinance No. 250216

Service Level Impacts

Click or tap here to provide a description of how this ordinance will impact service levels. List any related key performance indicators and impact.

Other Impacts

1. What will be the potential health impacts to any affected groups?
N/A
2. How have those groups been engaged and involved in the development of this ordinance?
N/A
3. How does this legislation contribute to a sustainable Kansas City?
N/A
4. Does this legislation create or preserve new housing units?
No (Press tab after selecting)

Click or tap here to enter text.

Click or tap here to enter text.

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting)

Please provide reasoning why not:

Click or tap here to enter text.

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

Click or tap here to enter text.

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?
No(Press tab after selecting)



Finance

JOURNAL ID:

2026

| | |
|-------|------------|
| TOTAL | 440,640.00 |
|-------|------------|

Appropriating \$440,640.00 from the Unappropriated Fund Balance of the Convention and Sports Complex Fund (5370); designating requisitioning authority; and recognizing this ordinance as having an accelerated effective date.

DATE _____



REQUEST FOR SUPPLEMENTAL REVENUE
CITY OF KANSAS CITY, MISSOURI

DEPARTMENT: Finance

BUSINESS UNIT: KCMBU DATE: JOURNAL ID: _____

LEDGER GROUP: REVENUE

| <u>FUND</u> | <u>DEPT ID</u> | <u>ACCOUNT</u> | <u>PROJECT</u> | <u>AMOUNT</u> |
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DESCRIPTION:

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| APPROVED BY: | DATE | APPROVED BY: DEPARTMENT HEAD | DATE |
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Legislation Text

File #: 251053

ORDINANCE NO. 251053

Sponsor: City Manager's Office

Authorizing the City Manager to enter into Amendment No. 1 to the 2025-2026 Transit Services Agreement with the Kansas City Area Transportation Authority ("KCATA") in the amount of \$15,918,655.00; appropriating \$5,000,000.00 for street resurfacing from the Unappropriated Fund Balance of the Capital Improvements Sales Tax Fund (3090); reducing \$5,000,000.00 of street resurfacing expenditures in the Public Mass Transportation Fund (2080); increasing \$5,000,000.00 of street resurfacing expenditures in the Capital Improvements Sales Tax Fund (3090); reducing \$5,000,000.00 in appropriations and appropriating \$5,000,000.00 from the Unappropriated Fund Balance of the Public Mass Transportation Fund (2080); appropriating \$2,586,983.00 from the Unappropriated Fund Balance of the Violence Prevention and Intervention Fund (2000); reducing Contingent Appropriation in the amount of \$6,203,729.00 in the General Fund; waiving the limitations established by the Fund Balance and Reserve Policy in Section 2-1954 of the Code of Ordinances; appropriating \$8,331,672.00 from the Unappropriated Fund Balance of the General Fund (1000); and recognizing this ordinance as having an accelerated effective date.

WHEREAS, the Fiscal Year 2025-26 budget appropriated \$77,892,519 for the KCATA; and

WHEREAS, Ordinance No. 250679 directed the City Manager to prepare a plan to fund KCATA at a total of \$93.4 million; and

WHEREAS, the KCATA reports a revised funding need of \$89,892,519, an increase of \$12,000,000 over the Fiscal Year 2025-26 appropriation; and

WHEREAS, Ordinance No. 250679 does not include cost of on-demand IRIS service which is estimated to total approximately \$3.9 million; and

WHEREAS, the City Manager has recommended a combination of funding from a variety of sources including moving \$5 million in street resurfacing expenses to the Capital Improvements Fund from the Public Mass Transportation Fund to allow for \$5 million in funding for the additional KCATA contract amendment; and

WHEREAS, the City Manager has further recommended the use of available fund balance in the Violence Prevention Fund in the amount of \$2.6 million to cover security costs relating to provision of bus service by the KCATA; and

WHEREAS, the City Manager also recommends either the use of KCATA reserves or the use of the remaining balance of the Contingent Appropriation in the General Fund in the amount of \$6.2 million combined with \$2.1 million from the Unappropriated Fund Balance of the General Fund to round out the funding sources for the KCATA contract amendment; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the City Manager is hereby authorized to enter into Amendment No. 1 to the 2025-2026 Transit Services Agreement with the Kansas City Area Transportation Authority (“KCATA”) in the amount of \$15,918,655.00 to provide transit services for the City of Kansas City, Missouri including 2025-2026 IRIS services which shall be limited to the Northland of Kansas City, MO beginning on January 4, 2026 utilizing funds appropriated herein.

Section 2. That the sum of \$5,000,000.00 is hereby appropriated from the Unappropriated Fund Balance of the Capital Improvements Sales Tax Fund, Fund No. 3090, to the following account:

| | | |
|---------------------------|------------------|----------------|
| 26-3090-897701-B-89008533 | Street Resurface | \$5,000,000.00 |
|---------------------------|------------------|----------------|

Section 3. That the Director of Finance is hereby authorized to reduce the expenditure in the following account of the Public Mass Transportation Fund, Fund No. 2080, by the following amount:

| | | |
|---------------------------|------------------|----------------|
| 26-2080-897701-B-89008533 | Street Resurface | \$5,000,000.00 |
|---------------------------|------------------|----------------|

Section 4. That the Director of Finance is hereby authorized to increase the expenditure in the following account of the Capital Improvements Sales Tax Fund, Fund No. 3090, by the following amount:

| | | |
|---------------------------|------------------|----------------|
| 26-3090-897701-B-89008533 | Street Resurface | \$5,000,000.00 |
|---------------------------|------------------|----------------|

Section 5. That the appropriation in the following account of the Public Mass Transportation Fund, Fund No. 2080, is hereby reduced by the following amount:

| | | |
|---------------------------|------------------|----------------|
| 26-2080-897701-B-89008533 | Street Resurface | \$5,000,000.00 |
|---------------------------|------------------|----------------|

Section 6. That the sum of \$5,000,000.00 is hereby appropriated from the Unappropriated Fund Balance of the Public Mass Transportation Fund, Fund No. 2080, to the following account:

| | | |
|------------------|--------------------|----------------|
| 26-2080-692000-F | KCATA – Operations | \$5,000,000.00 |
|------------------|--------------------|----------------|

Section 7. That the sum of \$2,586,983.00 is hereby appropriated from the Unappropriated Fund Balance of the Violence Prevention and Intervention Fund, Fund No. 2000, to the following account:

| | | |
|------------------|--------------------|----------------|
| 26-2000-692000-F | KCATA – Operations | \$2,586,983.00 |
|------------------|--------------------|----------------|

Section 8. That the appropriation in the following account of the General Fund, Fund No. 1000, is hereby reduced by the following amount:

| | | |
|------------------|--------------------------|----------------|
| 26-1000-179990-B | Contingent Appropriation | \$6,203,729.00 |
|------------------|--------------------------|----------------|

Section 9. That the City Council hereby waives Section 2-1954(f)(4)(B)(v), Code of Ordinances entitled “Fund Balance and Reserve Policy” for the purpose of appropriating funds in the Public Mass Transportation Fund below recommended reserve levels. The Council finds that waiver of the Fund Balance and Reserve Policy is in the best interests of the City for the limited purposes of this Ordinance.

Section 10. That the sum of \$8,331,672.00 is hereby appropriated from the Unappropriated Fund Balance of the General Fund, Fund No. 1000, to the following account:

| | | |
|------------------|--------------------|----------------|
| 26-1000-692000-F | KCATA – Operations | \$8,331,672.00 |
|------------------|--------------------|----------------|

Section 11. That the Director of Public Works is hereby designated as requisitioning authority for Account Nos. 26-1000-692000-F, 26-2000-692000-F.

Section 12. That this ordinance relating to the appropriation of money and the expenses of government is recognized as an ordinance with an accelerated effective date as provided by Section 503(a)(3)(C) of the City Charter and shall take effect in accordance with Section 503, City Charter.

..end

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.

William Choi
Interim Director of Finance

Approved as to form:

Dustin E. Johnson
Assistant City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 251053

Submitted Department/Preparer: City Manager's Office

Revised 6/10/24

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Authorizing the City Manager to enter into Amendment No. 2 to the 2025-2026 Transit Services Agreement with the Kansas City Area Transportation Authority ("KCATA") in the amount of \$12,000,000.00; appropriating \$5,000,000.00 for street resurfacing from the Unappropriated Fund Balance of the Capital Improvements Sales Tax Fund (3090); reducing \$5,000,000.00 of street resurfacing expenditures in the Public Mass Transportation Fund (2080); increasing \$5,000,000.00 of street resurfacing expenditures in the Capital Improvements Sales Tax Fund (3090); reducing \$5,000,000.00 in appropriations and appropriating \$5,000,000.00 from the Unappropriated Fund Balance of the Public Mass Transportation Fund (2080); appropriating \$2,586,983.00 from the Unappropriated Fund Balance of the Violence Prevention and Intervention Fund (2000); reducing Contingent Appropriation in the amount of \$2,155,074.00 in the General Fund; appropriating \$4,413,017.00 from the Unappropriated Fund Balance of the General Fund (1000); designating requisitioning authority; and recognizing this ordinance as having an accelerated effective date.

Discussion

The Fiscal Year 2025-26 budget appropriated \$77,892,519 for the KCATA. Ordinance No. 250679 directed the City Manager to prepare a plan to fund KCATA at a total of \$93.4 million. The KCATA reports a revised funding need of \$89,892,519, an increase of \$12,000,000 over the Fiscal Year 2025-26 appropriation. Ordinance No. 250679 does not include cost of on-demand IRIS service which is estimated to total approximately \$3.9 million.

The City Manager has recommended a combination of funding from a variety of sources including moving \$5 million in street resurfacing expenses to the Capital Improvements Fund from the Public Mass Transportation Fund to allow for \$5 million in funding for the additional KCATA contract amendment.

The City Manager has further recommended the use of available fund balance in the Violence Prevention Fund in the amount of \$2.6 million to cover security costs relating to provision of bus service by the KCATA.

The City Manager also recommends either the use of KCATA reserves or the use of the remaining balance of the Contingent Appropriation in the General Fund in the amount of \$2.2 million combined with \$2.2 million from the Unappropriated Fund Balance of the General Fund to round out the funding sources for the KCATA contract amendment.

Fiscal Impact

1. Is this legislation included in the adopted budget? ☐ Yes ☒ No

2. What is the funding source?

Capital Improvements Sales Tax

| | | |
|------------------------|------------------|----------------|
| 3090-897701-B-89008533 | Street Resurface | \$5,000,000.00 |
|------------------------|------------------|----------------|

Violence Prevention Fund

| | | |
|---------------|------------------|----------------|
| 2000-692000-F | KCATA-Operations | \$2,586,983.00 |
|---------------|------------------|----------------|

General Fund

| | | |
|---------------|------------------|----------------|
| 1000-692000-F | KCATA-Operations | \$4,413,017.00 |
|---------------|------------------|----------------|

3. How does the legislation affect the current fiscal year?

This legislation appropriates \$5 million from the unappropriated fund balance of the Capital Improvements Sales Tax, \$2.5 million from the Violence Prevention Fund, \$2.2 million from the Contingent appropriations of the General fund, and \$2.2 million from the Unappropriated fund balance of the General Fund.

4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

This is a one time cost

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

No

Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund. ☒ Yes ☐ No
2. This fund has a structural imbalance. ☒ Yes ☐ No
3. Account string has been verified/confirmed. ☒ Yes ☐ No

Additional Discussion (if needed)

The beginning balance of Contingent Appropriations for FY 2025-26 is \$7,907,729. Contingent Appropriations represent 1% of total General Fund revenue, and are intended to be reserved for emergency expenses. The current balance of Contingent Appropriations is \$6,203,729 as of 12/15/2025.

This ordinance would appropriate from the Unassigned General Fund balance, which currently has \$379.7 million available as of 12/15/2025. The three-month reserve target for Assigned General Fund balance is \$205.9 million. The two-month reserve target for Committed General Fund balance is \$137.3 million.

The Violence Prevention Fund has Unappropriated Fund Balance available to support the proposed amount. The unreserved fund balance of the Violence Prevention and Intervention Fund is \$11.9 million, as of FY26 Second Quarter Analysis.

The Capital Improvement Sales Tax has Unappropriated Fund Balance available to support the proposed amount.

Citywide Business Plan (CWB) Impact

1. View the [Adopted 2025-2029 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?
Infrastructure and Accessibility (Press tab after selecting.)
3. Which objectives are impacted by this legislation (select all that apply):
 - ☐ Engage in thoughtful planning and redesign of existing road networks to ensure safety, access, and mobility of users of all ages and abilities.
 - ☒ Enhance the City's connectivity, resiliency, and equity through a better-connected multi-modal transportation system for all users.
 - ☐ Build on existing strengths while developing a comprehensive transportation plan for the future.
 - ☐ Develop environmentally sustainable infrastructure strategies that improve quality of life and foster economic growth.

- ☒ Ensure adequate resources are provided for continued maintenance of existing infrastructure.
- ☐ Focus on delivery of safe connections to schools.

Prior Legislation

Ordinance 250679

Service Level Impacts

Click or tap here to provide a description of how this ordinance will impact service levels. List any related key performance indicators and impact.

Other Impacts

1. What will be the potential health impacts to any affected groups?
N/A
2. How have those groups been engaged and involved in the development of this ordinance?
N/A
3. How does this legislation contribute to a sustainable Kansas City?
N/A
4. Does this legislation create or preserve new housing units?
No (Press tab after selecting)

Click or tap here to enter text.

Click or tap here to enter text.

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting)

Please provide reasoning why not:

Click or tap here to enter text.

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

Click or tap here to enter text.

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?

No(Press tab after selecting)



File #: 251058

ORDINANCE NO. 251058

Sponsor: Councilmember Andrea Bough

Directing the City Manager to undertake certain actions to ensure economic development projects in Kansas City promote equitable economic development, align with City policy priorities, achieve efficiency in the economic development process, and effectively evaluate performance; directing the City Manager to request the input and participation from economic development agencies; directing the City Manager to incorporate public feedback and engagement opportunities prior to the final policy recommendations; directing the City Auditor to conduct a comprehensive review of City economic development entities to ensure policy alignment; repealing Chapter 74, Code of Ordinances, by enacting a new Chapter 74 entitled “Economic Development Incentive Policies and Procedures Code;” and repealing Second Committee Substitute for Ordinance No. 160383, as Amended, Ordinance No. 190563, Second Committee Substitute for Ordinance No. 200497, as Amended, Committee Substitute for Resolution No. 140861, and Second Committee Substitute for Ordinance No. 211025.

WHEREAS, on October 25, 2012, the City Council adopted Committee Substitute for Resolution No. 120836 expressing its support for the AdvanceKC Strategic Plan and the related underlying planning process; and

WHEREAS, the City Council then passed Ordinance No. 120966 adopting the AdvanceKC Strategic Plan as the Economic Development Strategic Plan for the City of Kansas City and directing the City Manager to proceed with supporting the planning and development of the implementation phase of the project; and

WHEREAS, the implementation phase began with the April 11, 2013, adoption of Committee Substitute for Resolution No. 130274 which provided a single point of entry for development projects through the Economic Development Corporation of Kansas City Missouri (the “EDC”); and

WHEREAS, the process continued on February 20, 2014, when the Council passed Committee Substitute for Ordinance No. 140031, which adopts the Economic Development and Incentives Policy; and

WHEREAS, a sound economic development and incentive policy must identify objectives supported by the City Council, which evolve and adapt over time, to provide clarity to developers and businesses seeking incentives, stakeholders impacted by economic development

policy decisions, and policy guidance to staff responsible for advancing economic development projects; and

WHEREAS, Section 807 of the City Charter provides that the City Council shall enact policies that reflect best practices for, among other things, the use of economic incentives; and

WHEREAS, the Citywide Business Plan's goal for Inclusive Growth and Development aims to strategically and intentionally support development in a comprehensive manner that respects the needs of neighborhoods throughout Kansas City, to grow the economy through inclusion by developing strategies focused on areas traditionally underserved by economic development and redevelopment efforts, and to make it easier to operate businesses within the City by creating a more efficient, solutions-oriented environment; and

WHEREAS, on March 28, 2024, the City Council authorized the City Manager to enter into a contract with Angelou Economics for the creation of an updated economic development strategic plan; and

WHEREAS, in late 2024 and early 2025, Angelou Economics conducted a series of roundtable focus groups to gather insight from the Council as well as a broad section of community stakeholders for the preparation of the strategic plan; and

WHEREAS, Angelou Economics has provided extensive recommendations (the "AE Report"), a copy of which is attached hereto, to the Council on best practices and strategic goals to achieve equitable economic development, create an efficient and transparent process, provide accountability and transparency and effectively evaluate performance; and

WHEREAS, the Council desires to begin the implementation process of certain recommended strategic goals and provide a timetable for implementation; and

WHEREAS, it is anticipated that additional strategic goals recommended by Angelou Economics will be implemented in the future; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. The City Manager is directed to consider the best practices, including those in the AE Report, in order to undertake the following actions to ensure economic development projects in Kansas City promote equitable economic development, align with City policy priorities, achieve efficiency in the economic development process, and effectively evaluate performance:

- A. **INCENTIVES.** The City Manager is directed to re-evaluate and recommend revisions to current incentive policies and prioritize economic equity, that include the following actions and to report back with recommendations within 6 – 9 months:
 - 1. Develop a new Community Benefits Scorecard structured around clear public priorities and transparent scoring and make recommendation as to

how such a scorecard will be utilized in evaluating economic development projects;

2. Develop and make recommendations for a tiered incentive policy that incorporates (a) location-based metrics (e.g., development nodes) and (b) targeted industries;
3. Develop and make recommendations to incorporate community benefit requirements into development agreements; and,

In carrying out these actions, the City Manager shall consider, among other things:

- a. areas of legacy disinvestment to target for revitalization;
- b. communities in distressed or disinvested areas to determine the types of attractions and amenities that best meet their needs;
- c. communities with critical gaps in a citywide plan independent of the Area Plan update process; and,
- d. how current city development incentives align with the city's hazard mitigation and resiliency goals.

B. EFFICIENCY AND TRANSPARENCY. The City Manager is further directed to conduct the following actions to create a development process that is transparent, efficient, and responsive and report back with recommendations within 9 months:

1. Inventory current incentive tracking systems;
2. Design and build a public-facing portal integrated with city data, parcel-based map of available incentives to support efficient site selection and community-informed investment;
3. Develop an incentive toolbox by compiling and categorizing all incentive programs, defining each tool's purpose, eligibility, benefits, performance metrics, and timelines;
4. Evaluate the feasibility of creating a self-permitting program as referenced in the AE Report and make recommendations;
5. Create policies that engage and support neighborhood-based organizations in proactive economic development; and,

6. Develop and implement a plan to identify anchor institutions throughout the community in collaboration with community-based partners to support economic development and capital funding decisions.
- C. **EVALUATION AND ACCOUNTABILITY.** The City Manager is further directed to conduct the following actions to ensure economic development in Kansas City produces the results that reflect the values and priorities of the City and report back with recommendations within 9-12 months:
1. Establish comprehensive, standardized data collection for current incentive-supported projects and development activities;
 2. Develop a policy to require ongoing performance reporting from developers and city agencies as part of incentive agreements;
 3. Create publicly accessible dashboards for economic development data; and,
 4. Develop and implement a plan to evaluate economic development projects, including in comparison to other municipalities by identifying a set of peer and aspirational cities with similar demographics, economic profile, and strategic goals.
- D. **LAND USE.** The City Manager is further directed to conduct the following actions to generate revenue and promote city policy goals through strategic land use and report back with recommendations within 12-18 months:
1. Develop a plan for how city-owned parcels might be assembled and made ready for economic development and redevelopment projects;
 2. Develop a plan to activate use of city-owned land by promoting event programming to generate revenue and strengthen the local, creative economy;
 3. Incorporate Kansas City Playbook recommendations into economic development policies; and,
 4. Develop a plan for how the City will anticipate and address future transit needs, including with respect to freight and last mile connectivity, so that the City is prepared to meet those needs on expedited timeframes.

Section 2. That the City Manager is directed to request the input and participation from the Economic Development Agencies, including Port KC, in performing the tasks assigned to him by this Ordinance, and to consider the same in formulating his recommendations to the City Council.

Section 3. That the City Manager is further directed to incorporate public feedback and engagement opportunities prior to the final policy recommendations being submitted to the City Council.

Section 4. That the City Auditor is directed to conduct a comprehensive review of City Economic Development Agencies to ensure policy alignment.

Section 5. That Chapter 74, Code of Ordinances is hereby repealed and replaced with a new Chapter 74 to read as follows.

Chapter 74. Kansas City

Article I. – General

Section 74-1. Title.

This Chapter shall be known as Economic Development Incentive Policies and Procedures Code.

Sec. 74-2. Statement of general policy. Reserved.

Sec. 74-3. Definitions.

The following definitions shall apply in this Chapter, unless the applicable article or section provides for more specific or different definitions:

Chapter 100 means Chapter 100 of the Revised Statutes of Missouri.

Chapter 353 means Chapter 353 of the Revised Statutes of Missouri.

City means the City of Kansas City, Missouri.

City incentives means economic incentives granted by the city or any city incentive agency in the nature of the capture and redirection, abatement, or exemption of taxes or the issuance of bonds or grants by the city or other city backed financing.

City incentive agency means any economic development agency created by the city, including the IDA, LCRA, PIEA, Port, and the land clearance redevelopment authority of Kansas City, Missouri ("LCRA"), the planned industrial expansion authority of Kansas City, Missouri ("PIEA"), the port authority of Kansas City Missouri, the Clay County KC TIF Commission, and the Kansas City TIF Commission.

Clay County KC TIF Commissions means the tax increment financing commissions created by code section 74-54(b).

East Side Investment Zone means all areas within the geographic boundaries depicted in Exhibit A to Second Committee Substitute for Ordinance No. 170962, As Further Amended.

EDC means the Economic Development Corporation of Kansas City.

IDA means the Industrial Development Authority of Kansas City, Missouri.

Kansas City TIF Commissions means the tax increment financing commissions created by code section 74-54(a).

LCRA means the Land Clearance Redevelopment Authority of Kansas City, Missouri.

PIEA means the Planned Industrial Expansion Authority of Kansas City, Missouri.

Port means the Port Authority of Kansas City, Missouri.

Sec. 74-4. Outside Agencies.

(a) That the EDC shall make recommendations on economic development projects to the city council for the capture and redirection, or abatement or exemption of real property taxes on the basis of the following:

- (1) The EDC shall have evaluated the project using the AdvanceKC Scorecard for the purposes of determining the extent to which the project aligns with the City Council's priorities as set forth therein.
- (2) The EDC shall have prepared, or caused a third party to prepare, a financial return analysis for the purposes of comparing the leveraged and unleveraged internal rate of return to determine whether and to what extent the project warrants public assistance consistent with incentivizing the project to an appropriate market benchmark. That analysis shall specifically include a review of the project's economic viability were the real property tax incentives limited to that which is provided herein.

(b) The City and any economic development agency created by the City shall complete the initial review of any application for economic development incentives within eight weeks of receipt of a completed application and necessary supporting documentation.

Section 74-5. AdvanceKC.

(a) The City has adopted the AdvanceKC Strategic Plan, an AdvanceKC Process, and created an AdvanceKC Scorecard to evaluate incentive projects against Council priorities to ensure positive economic growth for our community and responsible fiscal stewardship of public resources.

(b) All AdvanceKC plans, processes, and scorecard are to be implemented in a manner consistent with the following:

- (1) Make economic development equitable/inclusive;
- (2) Make economic development more effective for small scale and incremental neighborhood and community developers and development;
- (3) Ensure that projects eligible for incentives fulfill an adopted economic development policy goal and create desired community outcomes;
- (4) Ensure economic development tools are accessible to developers and businesses of all sizes without the need for legal representation;
- (5) Ensure that projects are evaluated based on a consistent set of criteria that is appropriate for the type of development being proposed;
- (6) Make the process and review of economic development applications/proposals transparent and accountable;
- (7) Ensure that applications and approvals are considered in a timely manner;
- (8) Provide relevant and reliable project information to encourage strategic investment of resources;
- (9) Focus incentives on projects that address economic inequities or where there is a historic lack of investment activity, which is inhibiting economic growth of the surrounding neighborhood or the City overall; and
- (10) Ensure that the positions of any contributing taxing districts are considered for all projects seeking incentives

(c) The EDC shall have evaluated the project using the AdvanceKC Scorecard for the purposes of determining the extent to which the project aligns with the City Council's priorities as set forth in this section. Projects shall comply with these General Requirements:

- (1) Projects should support the City Council's priorities for economic development, align with the Citywide Business Plan, the City's Comprehensive Plan, the City's Capital Improvements Plan, the AdvanceKC Purpose and Value Statement, and adhere to the appropriate State of Missouri statute(s) to be eligible for City incentives.
- (2) Projects should strengthen the economy of the City of Kansas City, preserve and enhance the local tax base, and provide opportunities for increased income and income equality for residents, especially in areas of high unemployment and underemployment through sustainable and equitable place-based development and redevelopment, business attraction, expansion and retention and entrepreneurial support activities.

Sec. 74-6. Maximum Incentives.

(a) The following conditions shall apply to all applicable incentivized development projects in the City:

- (1) TIF Commission. That, in the absence of Extraordinary Qualifications, as hereinafter defined, the City Council shall not approve any redevelopment plan providing for, with respect to payments in lieu of taxes (“PILOTS”) pursuant to Section 99.845.1(2)(a), RSMo, the redirection of such sums in an amount that would exceed seventy percent (70%) of the PILOTS captured by the special allocation fund for a term of up to ten (10) years and thirty percent (30%) for up to five (5) additional years. The City Council shall accomplish the same by excluding from any pledge of funds in and to be deposited in the special allocation fund an amount equal to thirty percent (30%) of the PILOTS for years one through ten and seventy (70%) for years eleven through fifteen, and shall, to the extent permitted by law, annually surplus such sums for distribution by the applicable county collector in accordance with Section 99.850.1, RSMo.
- (2) PIEA. That, in the absence of Extraordinary Qualifications, as hereinafter defined, the City Council shall not grant its approval to any plan, or substantial modification thereto, recommended by the PIEA unless such plan shall provide for not greater than a seventy percent (70%) abatement of real property taxes for up to ten (10) years and thirty percent (30%) for up to five (5) additional years, and which taxes shall, for the entire term, be measured by the assessed valuation thereof, inclusive of any improvements, as assessed by the applicable county assessor. The inclusion of such a term shall be regarded as a substantial element of any plan so approved and shall be incorporated as a material term of any applicable contract.
- (3) LCRA. That, in the absence of Extraordinary Qualifications, as hereinafter defined, the City Council shall not grant its approval to any redevelopment plan, urban renewal plan, or substantial modification thereto, recommended by the LCRA unless such plan shall provide for not greater than a seventy percent (70%) abatement of real or personal property taxes for the duration of the public incentives, and which taxes shall, for the entire term, be measured by the assessed valuation thereof, inclusive of any improvements, as assessed by the applicable county assessor. The inclusion of such a term shall be regarded as a substantial element of any plan so approved and shall be incorporated as a material term of any applicable contract.
- (4) Chapter 353. That, in the absence of Extraordinary Qualifications, as hereinafter defined, the City Council shall not its approval to any development plan or substantial modification thereto recommended by the Kansas City Chapter 353 Advisory Board, unless such plan shall provide for not greater than a seventy percent (70%) abatement of real or personal property taxes for up to ten years and thirty percent (30%) for up to five additional years, and which taxes shall, for the

entire term, be measured by the assessed valuation thereof, inclusive of any improvements, as assessed by the applicable county assessor. The inclusion of such a term shall be regarded as a substantial element of any plan so approved and shall be incorporated as a material term of any applicable contract.

- (5) Chapter 100. That the City Council reaffirms its policies as established by Committee Substitute for Resolution No. 041033. In the absence of Extraordinary Qualifications, as hereinafter defined, any leaseback structure pursuant to the provisions of Sections 100.010 through 100.200, RSMo, shall ensure that the lessee thereunder be contractually obligated to tender payments in lieu of taxes in an amount not less than fifty percent (50%) of the amount of real property taxes that would have been due and payable but for the public ownership of the real property for the duration of the public incentives, and which taxes shall, for the entire term, be measured by the assessed valuation thereof, inclusive of any improvements, as assessed by the applicable county assessor. Such requirement shall be incorporated as a material term of any applicable contract.
- (6) EEZ. That, in the absence of Extraordinary Qualifications, as hereinafter defined, the City Council shall not grant its approval to any plan, or substantial modification thereto, recommended by an Enhanced Enterprise Zone board unless such plan shall provide for not greater than a seventy percent (70%) abatement of the value of improvements for up to ten (10) years and thirty percent (30%) for up to five additional years. The inclusion of such a term shall be regarded as a substantial element of any plan so approved and shall be incorporated as a material term of any applicable contract.

(b) That in the event any provision of subdivision (a) of this section is deemed unenforceable by reason that it conflicts with a provision of state law providing for a differing level of abatement for all or any portion of the term of the public incentives, or providing that the assessed valuation be determined by some other measure than is set forth therein, then the LCRA, PIEA or City, as applicable, shall, to the maximum extent permitted by law, contractually require payments in lieu of taxes structured to achieve the objectives of this ordinance, such payments to be distributed pro rata to the affected taxing jurisdictions. Such requirement shall be included within the body of the redevelopment plan, urban renewal plan, plan, or development plan, as applicable, and shall be regarded as a substantial element of any plan so approved.

(c) Extraordinary Qualifications. Notwithstanding the foregoing provisions of this ordinance, the City Council and any economic development agency created by the City shall retain the discretion to authorize the abatement, redirection or exemption, in whole or in part, of ad valorem real property taxes to the full extent authorized by any provision of law. The City Council shall give particular consideration to the following exception to the above policies ("Extraordinary Qualifications") in determining whether to authorize any abatement/exemption structure, or approve any development plan providing for incentives to be conveyed on a project-specific basis at any level other than what has been provided for herein. Any economic

development agency created by the City shall only grant an exception to this policy if the Project meets an extraordinary qualifications. The Extraordinary Qualifications are:

- (1) Projects located in a severely distressed census tract that has continuously maintained such status for not less than ten (10) years immediately prior to the effective date of the request; or
- (2) Projects that support affordable housing and extremely affordable housing by meeting the requirements of Section 74-11.
- (3) Projects that connect residents living in continuously distressed census tracts to new employment opportunities by:
 - (i) providing at least 100 new entry-level jobs to Kansas City with an annual salary of at least \$32,000, or \$42,000 inclusive of wages and benefits; and
 - (ii) Incorporating options for mass public transportation or locating in an established high-frequency transit corridor.
- (4) Projects that involve the renovation or rehabilitation of a building that has been designated by a government entity as a local or national historic landmark or contributes to a historic district, or projects that have filed an application with the National Park Service to be placed on the National Register of Historic Places, in which case the exclusion would be subject to such designation being approved.
- (5) Projects that are industrial in nature and support manufacturing or serve as a distribution center.

(d) Determination of eligibility for Extraordinary Qualifications shall be made upon receipt by the City or any economic development agency created by the City including Port KC of an application or request for ad valorem real and personal property tax abatement, exemption or redirection.

(e) the City Manager shall annually update and publish maps indicating the locations of continuously distressed census tracts utilizing comparisons of American Community Standards 5-Year Estimates for the most recently published 5-Year range and the two prior but non-overlapping 5-Year ranges.

74-7. The Shared Success Fund

(a) The Shared Success Fund, as initially constituted by Ordinance No. 160383, shall be funded from certain payments in lieu of taxes distributed to and retained by the City, and which are derived from projects benefiting from tax abatements or tax redirections through an economic development agency or program (“Shared Success PILOTS”).

(b) The direction of any one-time revenues to the Shared Success Fund shall be deemed an appropriate use pursuant to Section 2-1970(g), Code of Ordinance.

(c) The Shared Success PILOTS shall be deposited to the Shared Success Fund and shall be appropriated at the direction of the City Council only to Shared Success Projects located within Shared Success Fund Eligible Areas. The City Council's Planning, Zoning and Economic Development Committee shall make such recommendations to the City Council as it determines appropriate in consultation with such representatives as the City Manager and the Economic Development Corporation of Kansas City, Missouri may identify for such purposes.

(d) That the Shared Success Projects shall be located in a severely distressed census tract that has continuously maintained such status for not less than ten (10) years immediately prior to the effective date of the request meeting.

(e) the following limitations shall apply with respect to the Shared Success Fund:

- (1) In the event that the emergency reserve portion of the committed general fund balance shall fall below one month of general fund operating expenditures, then the Director of Finance shall be authorized, without further City Council action, to suspend the direction of Shared Success PILOTS to the Shared Success Fund until such time as such minimum fund balance shall have been restored.
- (3) In the event that the emergency reserve portion of the committed general fund balance shall fall below one month of general fund operating expenditures, then no one-time revenues shall be directed to the Shared Success Fund until such time as such minimum fund balance shall have been restored.
- (3) In the event that the City Council shall have adopted a budget that estimates and appropriates revenues which might otherwise be categorized as Shared Success PILOTS somewhere other than the Shared Success Fund, then only such portion of the actual revenues which exceeds the estimated revenues shall be directed to the Shared Success Fund.

Sec. 74-8. Compliance with contracting program and workforce regulations.

All projects seeking city incentives shall comply with all City Code requirements, including but not limited to Chapter 3, Article IV, Contracting Program Requirements and Chapter 38, Civil Rights.

74-9. Revive the East Side.

(a) The Revive the East Side Initiative was first created by Second Committee Substitute for Ordinance No. 170962, As Amended.

(b) Any proposed economic development project located within the boundaries of the East Side Investment Zone and receiving a total job-based score as "Standard Impact" or "High Impact" under Section 74-5, shall not be subject to a financial return analysis required by Section 74-4. The EDC shall not require such an analysis as a condition of any AdvanceKC related process or procedure. However, the EDC may elect to require and prepare an in-house financial

return analysis for any proposed economic development project if the EDC has cause to believe that one or more of the incentives authorized in this section should not be extended, or that the extension of the same might cause the proposed development project to be incentivized in excess of the appropriate market benchmark.

(c) The Reinvestment in Economic Growth Program (the "Reinvestment Program") was established by Second Committee Substitute for Ordinance No. 170962, As Amended. The Reinvestment shall be governed as follows:

- (1) The following definitions shall apply for purposes of the Reinvestment Program
 - i. Allocable Earnings Tax shall mean, with respect to a given fiscal year (May 1 through April 30), an amount equal to not less than fifty percent (50%) nor more than one hundred percent (100%) of the incremental increase in the Earnings Tax over the fiscal year having expired immediately prior to the effective date of the applicable Reinvestment in Economic Growth Agreement which is due for work done or services performed or rendered for an Employer within the East Side Investment Zone by those employees whose wages, or portions thereof, the Employer has been approved by the Missouri Department of Economic Development to claim as a federal tax credit under the federal Work Opportunity Tax Credit ("WOTC") program, or who were hired through the services of the Full Employment Council, Inc., in its capacity as the strategic workforce organization/fiscal agent for the Kansas City & Vicinity ("KCV") and Eastern Jackson County ("EJC") Local Workforce Development Boards, or who is currently attending or has graduated from a public high school located in the East Side Investment Zone or in lieu thereof has successfully obtained high school equivalency credentials through General Educational Development ("GED") or High School Equivalency Test ("HiSET") testing, or who is currently attending or has graduated from Metropolitan Community College ("MCC") with an associate's degree or technical certificate, or who is currently attending or has completed an educational certificate program.
 - ii. Allocable Electrical Utility License Fees shall mean, with respect to a given fiscal year (May 1 through April 30), an amount equal to not less than fifty percent (50%) nor more than one hundred percent (100%) of the incremental increase in the Electrical Utility License Fees over that which was recouped by the electrical utility provider from an Energy-Intensive Business in the form of a franchise or city license fee with respect to a facility located within the East Side Investment Zone during the fiscal year having expired immediately prior to the effective date of the applicable Reinvestment in Economic Growth Agreement.

- iii. Earnings Tax shall mean the City's tax on earnings levied pursuant to Section 68- 382 of the Kansas City, Missouri Code of Ordinances, as the same may be amended, or any successor thereto.
 - iv. Electrical Utility License Fees shall mean the City's license fees and emergency license taxes on the gross receipts of electrical utility providers levied pursuant to Sections 40-344 and 40-345 of the Kansas City, Missouri Code of Ordinances, as the same may be amended, or any successors thereto.
 - v. Employer shall be an individual, corporation (including a corporation not for profit), partnership, governmental administration agency, arm, authority, board, body, branch, bureau, department, division, subdivision, section or unit, or any other entity, who or that employs one or more persons on a salary, wage, commission or other compensation basis within the East Side Investment Zone.
 - vi. Energy-Intensive Business means a business within the East Side Investment Zone that uses significant quantities of electrical energy in the performance of its primary economic activities, which shall include information technology, including data centers containing electrical equipment used in processing, storing, and transmitting digital information; and the bulk manufacturing of aluminum, chemicals, forest and paper products, metal casting, glass, petroleum refining, mining and steel.
 - vii. Reinvestment in Economic Growth Agreement shall mean a written agreement between the City and an Employer or Energy-Intensive Business with respect to the reinvestment of certain Allocable Earnings Tax and Allocable Electrical Utility License Fees, individually or collectively, for the purpose of promoting economic development within the East Side Investment Zone.
- (2) Except as otherwise provides in this section, an Energy-Intensive Business or Employer proposing to expand its operations within the East Side Investment Zone and engaged with the EDC for purposes of identifying those incentives which might be available shall be eligible for consideration as a participant under this Reinvestment Program as the same is applicable to their respective operations. The EDC shall make its written recommendation to the City Manager with respect to such participants and the portion of the Allocable Electrical Utility License Fees and/or Allocable Earnings Tax that it recommends to be committed, and the City Manager shall thereafter be authorized to execute such Reinvestment in Economic Growth Agreement as he shall determine to be the City's best interest.

- (3) Notwithstanding the provision of subsection 74-9 (c)(2), the following exceptions shall be applicable:
- i. No Employer or Energy- Intensive Business electing to compensate any employee at a rate less than fifteen dollars (\$15.00) per hour, exclusive of benefits, shall be eligible to receive any incentive under this Reinvestment Program.
 - ii. No Employer or Energy- Intensive Business shall be eligible to receive any incentive under the Reinvestment Program if they are otherwise deemed ineligible for incentives under the provisions of Section 74-5, AdvanceKC.
 - iii. No business located within the geographical boundaries of Kansas City, Missouri, as of the effective date of this ordinance and subsequently relocating to the East Side Investment Zone shall be eligible to receive any incentive under the Reinvestment Program unless the City Manager shall have designated the Employer of the Energy- Intensive Business as being the subject of an effort to retain the same.

(d) No individual or business located in the East Side Investment Zone and having received or directly benefitting from the capture and redirection, or abatement or exemption of taxes, within the ten (10) year period immediately preceding November 15, 2018, shall be eligible for any incentive hereunder.

(e) This section shall expire November 25, 2028.

74-10. Reserved.

Sec. 74-11. - Affordable housing set aside.

(a) The following definitions shall apply to this section:

Affordability offset value means the estimated financial gap between revenues from market-rate units and affordable units. This amount shall be calculated annually by the city manager's office, by adjusting the current estimated \$100,000.00, by an amount equal to any increase in the construction cost index for Kansas City published by the Engineering News Record.

Affordable housing means housing that a household having an income at or below 60 percent of the HUD MFI ("60% MFI") for all households within the Kansas City metropolitan area would be able to afford if they were to expend not more than 30 percent of such income for the mortgage or rent, including utilities

City incentives means economic incentives granted by the city or any economic development agency created by the city, including Port KC, in the nature of the capture and

redirection, abatement, or exemption of taxes or the issuance of bonds or grants by the city or other city-backed financing.

Deeper levels of affordability means housing priced such that households at lower incomes than 60% MFI within the Kansas City metropolitan area would be able to afford it if they were to expend not more than 30 percent of such income for the mortgage or rent, including utilities

Sources of income means the lawful manner by which an individual supports themselves and their dependents, including tenant-based rental assistance.

(b) For all development projects primarily providing multi-family housing available for rent and including 12 or more residential units across all sites and phases of the development project that are seeking city incentives, at least 20 percent of the total residential units shall be affordable housing. The requirements of this section shall not apply to projects that benefit from no city incentive other than the reimbursement of costs of for public improvements eligible for reimbursement pursuant to section 99.825.3 RSMo that are located in a redevelopment plan for any redevelopment area that has been found by the city council to constitute an economic development area pursuant to RSMo. § 99.800 et seq.

(c) A project developer may make a payment to the city in lieu of the affordable housing unit provision in an amount equal to the affordability offset value multiplied by the number of units needed to meet the requirements of subsection (b). Such payment shall be deposited into the city's housing trust fund. For the purposes of calculating this payment, in any case where the number of units required by subsection (b) results in a number that is not a whole number, the number of units required shall be rounded down to the nearest whole number.

(d) That for purposes of this ordinance, affordable housing shall comply with the following criteria:

- (1) That all units qualifying as affordable housing shall be on the principal development project site and shall not be off site from the project.
- (2) That affordable housing units shall be mixed with, and not clustered together or segregated in any way, from market-rate units.
- (3) That all units qualifying as affordable housing shall either be at least one-bedroom units in size or be equal to or share the same size as at least 25 percent of units to be constructed on the project site.
- (4) That if the project development contains a phasing plan, the phasing plan shall provide for the development of affordable housing units concurrently with the market-rate units. No phasing plan shall provide that the affordable housing units built are the last units in a housing development.

- (5) That the quality and cost of in-unit finishes, systems, appliances, and square footage of all units deemed as affordable housing shall be comparable with that of the remaining units on the project site.
 - (6) That the exterior appearance of affordable housing units shall be made similar to market-rate units by the provision of exterior building materials and finishes substantially the same in type and quality.
 - (7) That the project developer must covenant with the city and successors in interest that the designated units remain affordable for a period of not less than the period of the incentive awarded.
 - (8) That the project developer must covenant with the city and successors in interest that the appropriate number of units be rented to individuals or families whose household incomes are at or below 60% MFI, in accordance with subsection (b).
 - (9) That the project developer must covenant with the City and successors in interest that the developer will not engage in any discriminatory housing practices as defined in section 38-105(d) of the city's Code of Ordinances, including discrimination based on lawful sources of income.
 - (10) That the project developer must covenant with the city and successors in interest that developer will use a procedure deemed acceptable by the city to determine income eligibility of residents qualifying for the affordable housing units and that the city or its designee shall have the right to audit any such income verification procedure records. Any required determinations of income eligibility shall occur at the time an initial lease with the resident is entered into.
- (e)The following shall be exempt from the requirements of this section:
- (1) Any project that has been awarded federal or state low-income housing tax credits from the Missouri Housing Development Commission; and
 - (2) Any project that involves the renovation or rehabilitation of a building that has been designated by a government entity as a local or national historic landmark.

Sec. 74-12. Incentivized project construction timeline.

- (a) The following definitions shall apply to this section:

City incentive agency means any economic development agency created by the city, including the industrial development authority of Kansas City, Missouri, the land clearance redevelopment authority of Kansas City, Missouri ("LCRA"), the planned industrial expansion authority of Kansas City, Missouri ("PIEA"), the port authority of Kansas City Missouri, and tax increment finance commissions for property in Kansas City, Missouri (the "TIF commission").

City incentives means economic incentives granted by the city or any city incentive agency in the nature of the capture and redirection, abatement, or exemption of taxes or the issuance of bonds or grants by the city or other city-backed financing.

Development commitment means any document committing the city or any city incentive agency to provide a city incentive, including development agreements, predevelopment agreements, redevelopment agreements, contribution agreements, and funding agreements, or any amendment to a development agreement, predevelopment agreement, redevelopment agreement, contribution agreements, funding agreement, or other document committing the city or any city incentive agency to provide a city incentive.

Incentive approval date means:

- (1) For a city incentive granted pursuant to RSMo 99.800 et seq. through the TIF commission, the date the redevelopment agreement is executed for the project.
- (2) For a city incentive granted pursuant to RSMo 100.300 et seq. through the PIEA, the date the tax abatement is approved by the PIEA board of commissioners.
- (3) For a city incentive granted pursuant to RSMo 99.300 et seq. through the LCRA, the date the tax abatement is approved by the LCRA board of commissioners.
- (4) For a city incentive granted pursuant to RSMo 353.010 et seq., the date the tax abatement is approved by city council.
- (5) For a city incentive granted pursuant to RSMo 100.010 et seq., the date the plan for the project is approved by city council.
- (6) For enhanced enterprises zones abatement in excess of the statutory minimum provided in RSMo 135.950 et seq., the date the tax abatement is approved by city council.
- (7) For other city incentives, the date the incentive amount is approved by the final governing body required by statute or city ordinance to approve the applicable city incentive.

Incentive plan means any tax increment finance plan, urban renewal plan, urban redevelopment plan, redevelopment plan, industrial development plan, or any other similar plan required by statute for the grant of city incentives.

Incentivized project means any new construction or rehabilitation projects receiving city incentives valued at or above \$300,000.00.

Materially conflict means that a development commitment contains timelines for the substantial completion of the project that differ from those provided in this section in a manner that would cause the development commitment to be substantially impaired.

Substantial completion/substantially complete means the issuance of a certificate of occupancy or temporary certificate of occupancy for the project, whichever is issued first.

(b) All incentivized projects shall substantially complete construction within three years of the incentive approval date or the awarded incentive shall expire, unless the city council has specifically modified the time period for completion by ordinance or resolution. If more than 20 percent of the total residential units provided in a project qualify as affordable housing, as defined in section 74-11, and comply with the criteria in section 74-11(d), the timeline for substantial completion is extended from three years to five years.

(c) The requirements outlined in this section shall be included in all development commitments and incentive plans approved or executed by the city or any city incentive agency after May 31, 2023.

(d) For incentivized projects for which a development commitment has been fully executed but substantial completion has not occurred by May 31, 2023:

- (1) If the relevant development commitment or incentive plan does not materially conflict with the provisions of subsection (b), subsection (b) shall apply. If the incentive approval date is prior to June 1, 2021, the project must be substantially complete by June 1, 2024. If the incentive approval date is from June 1, 2021 to June 1, 2022, the project must be substantially complete by June 1, 2025.
- (2) If the relevant development commitment or incentive plan does materially conflict with the provisions of subsection (b), the relevant development commitment or incentive plan shall control, but if any modifications or amendments are made to any such development commitment or incentive plan, the requirements of this section as outlined in (d)(1) shall apply.

(e) Every city incentive agency shall review each incentive plan five years after it is established and every five years thereafter to evaluate the performance of the plan and shall report to the city manager and council as to the status of the plan. Each report shall include the status of each project in the plan and a recommendation whether any projects that have not yet been approved should be removed from the plan.

Secs. 74-13—74.34. Reserved.

ARTICLE II. LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY.

Sec. 74-35. Land clearance for redevelopment authority.

- (a) *Findings.* The city council hereby finds that:
- (1) One or more blighted or insanitary areas, as defined in RSMo 99.320, exist in the city; and

- (2) The redevelopment of such areas is necessary in the interest of the public health, safety, morals or welfare of the residents of the city.

(b) *Approval.* Therefore, the city hereby authorizes and approves the exercise by the Land Clearance for Redevelopment Authority of Kansas City, Missouri, within the corporate limits of the city, of all of the powers, functions and duties of such an authority under and pursuant to the provisions of the Land Clearance for Redevelopment Authority Law, set out in RSMo 99.300—99.660, inclusive.

(c) *Contract authorized.* The director of public works is hereby authorized and directed to enter into a contract with such authority on behalf of the city, to the end that such authority shall take over, assume, continue and carry out all undertakings, obligations, rights, powers, plans and activities related to planned or existing land clearance projects.

Secs. 74-36—74-50. Reserved.

ARTICLE III. TAX INCREMENT FINANCING ORDINANCE

Sec. 74-51. Title of article.

This article shall be known as the tax increment financing ordinance.

Sec. 74-52. History of the commissions.

(a) The council hereby acknowledges that immediately subsequent to the Missouri General Assembly's 1997 Amendments to the Real Property Tax Increment Allocation Redevelopment Act, (the "Act") the tax increment financing commission of Kansas City, Missouri has been comprised of 11 persons for the purpose of convening public hearings in accordance with the Act and such membership has been as follows:

- (1) Six members have been appointed by the mayor, with the consent of the majority of the city council;
- (2) School districts in whose boundaries the redevelopment plan or redevelopment area is located have been notified in accordance with the Act and invited to appoint two representatives to serve as members of the commission;
- (3) The counties in whose boundaries the redevelopment plan or redevelopment area is located have been notified in accordance with the Act and invited to appoint two representatives to serve as members of the commission and such appointments shall be made by the county's chief elected official, with the consent of the majority of the governing body of such county;
- (4) All other districts levying ad valorem taxes within the area selected for a redevelopment project or the redevelopment area, excluding representatives of the

city have been notified in accordance with the Act and invited to appoint, in any manner agreed upon by the affected districts, one representative to serve on the commission.

(b) In 2008, the Act was amended to provide for a 12-member commission in a county with a charter form of government and more than 250,000 but fewer than 300,000 inhabitants, to be comprised as follows:

- (1) Six members appointed either by the county executive or presiding commissioner;
- (2) Three members appointed by the cities, towns, or villages in the county which have tax increment financing districts in a manner in which the chief elected officials of such cities, towns, or villages agree;
- (3) Two members appointed by the school districts whose districts are included in the county in a manner in which the school boards agree;
- (4) One member appointed in the manner agreed upon by the ad valorem taxing districts within the area selected for a redevelopment project or the redevelopment area.

Sec. 74-53. Confirmation of the activities of the commission.

The council has previously confirmed the activities of the commission in establishing the composition of the commission following the 1997 amendments and affirmed that the school district representatives, the county representatives and the taxing districts representative shall continue to serve on the commission for the purpose of conducting public hearings to consider for recommendation to the council approval of redevelopment plans and redevelopment projects, the designation of redevelopment areas within their specific jurisdictions, as well as all amendments thereto, and all other matters related to specific plans, projects, areas and amendments thereto, within their specific jurisdictions. The council has further confirmed that, prior to the date of the passage of Ordinance No. 100089, the terms of the school district representatives, county representatives and taxing districts representative have coincided with the commission's consideration of such redevelopment plans, redevelopment projects and redevelopment areas and terminated upon the city's final approval of a redevelopment plan, redevelopment project or designation of a redevelopment area.

Sec. 74-54. Establishment of the commissions.

(a) Kansas City TIF Commissions have and will consider for recommendation to the council approval of redevelopment plans and redevelopment projects, the designation of redevelopment areas, as well as all amendments to redevelopment plans, projects and the designation of redevelopment areas, within Kansas City and Jackson, Platte, or Cass County. The members appointed by the mayor to the Kansas City TIF Commissions will serve a term of four years. Members of the Kansas City TIF Commissions appointed by the mayor may give the school districts, the counties and the other taxing districts the option of either designating

representatives to the Kansas City TIF Commission for a term of a period of time or designating the terms of their representative(s) to coincide with the commission's consideration of specific redevelopment plans, redevelopment projects and redevelopment areas within their specific jurisdictions, which terms shall then terminate upon the city's final approval of the corresponding redevelopment plan, redevelopment project or designation of a redevelopment area. Such county representatives, school district representatives and taxing districts representative will serve on the commission to consider amendments to a redevelopment plan, redevelopment project or designation of redevelopment area within their specific jurisdictions. The members of the Kansas City TIF Commissions shall be as follows:

- (1) Six members appointed by the mayor, with the consent of the majority of the city council;
- (2) Two members appointed by the school board(s) of the district(s) included within the redevelopment plan or redevelopment area;
- (3) Two members appointed by the chief elected official of the county in whose boundaries the redevelopment plan or redevelopment area is located with the consent of the majority of the governing body of such county;
- (4) One member appointed in the manner agreed upon by all other districts levying ad valorem taxes within the area selected for a redevelopment project or the redevelopment area.

(b) Clay County KC TIF Commissions will consider for recommendation to the council approval of redevelopment plans and redevelopment projects, the designation of redevelopment areas within their specific jurisdictions, as well as all amendments to redevelopment plans, projects and the designation of redevelopment areas, within Kansas City and Clay County. Members of the Clay County KC TIF Commissions, other than the members appointed by the county executive or presiding commissioner, shall serve for a term coinciding with the commission's consideration of the specific redevelopment plans, redevelopment projects and redevelopment area, which terms shall then terminate upon the Clay County KC TIF Commission's final recommendations to the city of the corresponding redevelopment plan, redevelopment project or designation of a redevelopment area. The members of the Clay County KC TIF Commissions shall be as follows:

- (1) Six members appointed by the county executive or presiding commissioner;
- (2) Three members appointed by the mayor;
- (3) Two members appointed by the school board(s) of the district(s) in the county;
- (4) One member appointed in the manner agreed up by all other districts levying ad valorem taxes within the area selected for a redevelopment project or the redevelopment area.

(c) If a proposed redevelopment plan, redevelopment project, or designation of a redevelopment area falls within the jurisdiction of the Clay County KC TIF Commission and the jurisdiction of the Kansas City TIF Commission, each commission shall consider the proposal and make an independent recommendation to the city council.

(d) The city does not approve the exercise of any powers by a Kansas City TIF Commission or a Clay County KC TIF Commission, except those required to make recommendations to the city council.

Sec. 74-55. Convening a Clay County KC TIF Commission.

Upon receiving a complete application for a TIF plan, project, or redevelopment area in Clay County and Kansas City, the TIF executive director, shall send notice by certified mail to the city, the county executive or presiding commissioner, the school districts whose boundaries include any portion of the proposed redevelopment area, and the other taxing districts whose boundaries include any portion of the proposed redevelopment area. If the county, school board, or other taxing district fails to provide the executive director with their designated appointees within 30 days of the mailing of the notice, or within 30 days of the expiration of the terms of a county appointed member, the remaining duly appointed members of the Clay County KC TIF Commission may exercise the full powers of the commission. The mayor may choose to provide the executive director with a standing list of those members that they appoint to all Clay County KC TIF Commissions or may appoint members upon notification by the executive director of the formation of a Clay County KC TIF Commission. The executive director will then provide notice of a meeting of a Clay County KC TIF Commission in the manner provided in the Act.

Sec. 74-56. Failure to appoint Kansas City TIF Commission members.

If any school district, county, or other taxing district fails to appoint members to a Kansas City TIF Commission within 30 days of receipt of written notice of a proposed redevelopment plan, redevelopment project, or designation of a redevelopment area, the remaining members may proceed to exercise the power of the commission.

Sec. 74-57. Reserved.

Sec. 74-58. Administrative commission.

(a) The council delegates all of the powers delegable under the Act, in particular the powers enumerated in RSMo 99.820.1, including but not limited to, the approval of agreements to implement redevelopment plans and redevelopment projects, certification of redevelopment project costs identified in tax increment financing plans, and processing the reimbursement of the same, for all plans and projects in Kansas City, Missouri, to the administrative commission, along with the authority to oversee those matters which do not relate to specific plans and projects. The administrative commission shall not consider recommendations to the council regarding redevelopment plans and redevelopment projects and the designation of redevelopment areas.

(b) The administrative commission shall meet regularly and shall adopt such rules and regulations for operation as shall enable it to maintain an orderly procedure for its business and to effectively and efficiently exercise the powers authorized by the statute and delegated to it by the council, including but not limited to, the adoption of bylaws.

(c) The administrative commission shall be comprised of:

- (1) The six representatives appointed by the city to the Kansas City TIF Commissions pursuant to Code section 74-54;
- (2) Two representatives of the counties in which the city is situated, selected in any manner agreed upon by the counties;
- (3) Two school district representatives of the school districts in which the city is situated, selected in any manner agreed upon by the affected school districts;
- (4) One taxing district representative of the other taxing districts in which the city is situated, selected in any manner agreed upon by the affected taxing districts.

(d) Notwithstanding anything to the contrary herein, any development agreement, however denominated, or amendment thereto, executed by the administrative commission, after the effective date of committee substitute for Ordinance No. 140823, shall contain therein a provision allowing the administrative commission to assign and the city to assume, at the city's sole election, in whole or in such parts as the city shall elect, the rights, duties, interests and obligations of the administrative commission thereunder, and the administrative commission shall execute such documentation as may reasonably be required for such purposes. The failure of any development agreement, however denominated, to incorporate the requirements of this section or previously codified section 74-57 shall not preclude any assignment or assumption as the requirements of this section shall be deemed incorporated by operation of law and shall supplant any provision to the contrary.

Sec. 74-59. Records; reports.

The Kansas City TIF Commissions, Clay County KC TIF Commissions, and administrative commission shall keep records and minutes of its meetings and shall report annually to the council respecting its activities.

Sec. 74-60. Officers.

The Kansas City TIF Commissions, Clay County KC TIF Commissions, and administrative commission shall elect from its number a chair, vice chair, treasurer and secretary, each to serve for one-year terms or until their successors are elected.

Sec. 74-61. Alternate city representatives.

The mayor, with the consent of the majority of the city council, shall be empowered to appoint one or more alternate members to the Kansas City TIF Commissions who shall be designated as such (the "alternate city representatives") and who shall serve for a term of four years. Alternate city representatives to the Kansas City TIF Commissions may be sitting in the capacity of city members due to the absence of one or more city member from any meeting of the commission, and no action of a Kansas City TIF Commission shall be invalidated or called into question by virtue of the participation of such alternate city representatives in compliance with this section. In no event shall the city be represented by more than six persons in any matter pending before a Kansas City TIF Commission. In the event that the number of alternate city representatives attending any meeting of a Kansas City TIF Commission shall exceed the number of absent city representatives, then a simple majority of the city members in attendance shall determine which of the alternate city representatives shall serve in the capacity of city member for the duration of the meeting or until the absent city member shall be in attendance.

Sec. 74-62. Administrative costs.

The commission comprised of the city representatives and the county representatives, school district representatives, and taxing districts representative within their specific jurisdictions has, in accordance with RSMo 99.820.1(14), recommended to the city council that certain costs incurred by the city and other officials, including but not limited to such commission and the economic development corporation of the city, each of which provides services related to the administration of redevelopment projects, should be reimbursed in an amount equal to five percent of the payment in lieu of taxes ("PILOTS") and economic activity taxes ("EATS") paid into the special allocation fund (collectively, the "standard reimbursement"), and the city council hereby determines such charges to be necessary, reasonable and appropriate. The powers granted to such administrative commission as codified in section 74-57, Code of Ordinances, to enter into any development agreement with a developer for the implementation of any plan, project, or amendment to either, shall be subject to and conditioned upon such redevelopment agreement including a term allowing for the standard reimbursement. Notwithstanding the foregoing, such administrative commission may, from time-to-time, recommend that a lesser amount is appropriate with regards to one or more specific projects, and the city council shall consider such recommendation and may determine, with respect to such one or more specific projects, that recoupment in an amount less than the standard reimbursement is appropriate, and in such event, the power granted to such administrative commission to enter into any development agreement with a developer for the implementation of any plan, project, or amendment to either, shall be subject to and conditioned upon such development agreement including a term allowing for such reduced reimbursement as the city council may have determined to approve by ordinance.

Sec. 74-63. Special allocation fund.

In the event that the city shall have received the funds residing within each special allocation fund established and existing pursuant to the terms of the Real Property Tax Increment Allocation Redevelopment Act as contemplated by Committee Substitute for Resolution No. 140826, then upon such occurrence, any special allocation fund established and existing pursuant

to the terms of the Real Property Tax Increment Allocation Redevelopment Act shall thereafter be maintained solely by the city.

Secs. 74-64—74-69. Reserved.

ARTICLE IV. LAND BANK AGENCY

Sec. 74-70. Creation as a Separate Public Body

There is hereby established the Land Bank of Kansas City, Missouri (“land bank agency”) pursuant to the RSMo Sections 141.210 to 141.810 and Sections 141.980 to 141.1015 (“Land Tax Collection Law”). The land bank agency created pursuant to this Article IV shall be a public body corporate and politic, and shall have permanent and perpetual duration until terminated and dissolved in accordance with the provisions of RSMo Section 141.1012, and as set forth in Section 74-89.

Sec. 74-71. Purpose

(a) *Purpose to be Served.* The land bank agency shall manage, sell, transfer and dispose of interests in real estate owned by such land bank agency in accordance with this Chapter 74. The use of property conveyed by such land bank agency shall be for the purposes of creating: (i) opportunities for revitalization of deteriorating residential, retail and commercial neighborhoods, (ii) safe, decent and affordable housing for existing and future residents, (iii) retail and commercial areas on vacant or deteriorated properties within neighborhoods, (iv) the assemblage of property for future development in a manner consistent with the purposes of the City’s consolidated plans, particularly in any low to moderate income area designated by the City as a target area for revitalization, (v) creation or expansion of side yards with unimproved vacant lots in neighborhoods densely constructed for the benefit of abutting residences, (vi) space for use as urban agriculture, community gardens, or other similar uses consistent with healthy eating by residents, including restoring ground through alternative vegetative cover to build-back the soil for future use for food production, (vii) public spaces and places for parks, green spaces and other public purposes and (viii) use as wildlife conservation areas; and otherwise returning land in a nonrevenue-generating, nontax-producing status, to beneficial uses through private (for-profit or non-profit), or public ownership, with such relative priority among these stated purposes as set forth in Section 74-80(e), as further considered and applied by the board of commissioners governing such land bank agency.

(b) *Limitations of Authority.* Such land bank agency shall not own any interest in real estate that is located wholly or partially outside the city. Such land bank agency shall not be authorized to sell more than five contiguous parcels to the same entity in the course of a year, provided however, the foregoing shall be construed not to limit the authority to acquire, maintain or convey property pursuant to:

- (1) the Urban Redevelopment Corporation Law under Chapter 353 of the Missouri Statutes;

- (2) the Planned Industrial Expansion Law under Chapter 100 of the Missouri Statutes;
- (3) Chapter 68 of the Missouri Statutes applicable to the creation and powers of a port authority; or
- (4) the Real Property Tax Increment Allocation Redevelopment Act, the Housing Authorities Law or the Land Clearance for Redevelopment Law, all under Chapter 99 of the Missouri Statutes.

Sec. 74-72. Beneficiaries

The beneficiaries of the land bank agency shall be the taxing authorities that held or owned tax bills against the respective parcels of real estate acquired by such land bank agency pursuant to various provisions of the Land Tax Collection Law, including a deemed sale under subsection 3 of Section 141.560, by deed from a land trust under subsection 1 of Section 141.984, or pursuant to a sale under subdivision (2) of subsection 2 of section 141.550 included in the judgment of the court, and their respective interests in each parcel of real estate shall be to the extent and in the proportion and according to the priorities determined by the court on the basis that the principal amount of their respective tax bills bore to the total principal amount of all of the tax bills described in the judgment. Such taxing authorities, other than the city, as beneficiaries are limited to the net proceeds as otherwise specified in subsections 74-81(a)(4) and 74-81(b)(5). This Section 74-72, does not create in any person, entity or taxing authority, by implication or otherwise, any direct or indirect benefit, obligation, duty, promise, right to be indemnified (such as contractually, legally, equitably or by implication) or any right to be subrogated to the city's rights, including the right of reimbursement of costs and expenses borne by the city on behalf of the land bank agency.

Sec. 74-73. Governing Board

(a) *Composition.* The land bank agency shall be composed of a board of commissioners which shall consist of five members, all of whom shall be residents of the city. One commissioner shall be appointed by Jackson County, one commissioner shall be appointed by the school district that is wholly or partially located within the city and Jackson County and then has the largest population according to the last preceding federal decennial census, and the three remaining commissioners shall be appointed by the Mayor pursuant Section 209, Article II of the City Charter. The initial term of the commissioner appointed by Jackson County shall be one year, and thereafter each appointment by the County shall be for a period of four years. The initial term of the commissioner appointed by school district shall be two years, and thereafter each appointment by the school district shall be for a period of four years. The initial terms of the three commissioners appointed by the Mayor, shall be staggered, for one, two or three years, and thereafter four year terms. The purpose of such staggering of the initial terms is to provide ongoing continuity, with a majority of the board of commissioners remaining in office at any one time. Subsequent to the initial term of office of the commissioners, each term shall be for four years. Commissioners shall serve at the pleasure of each commissioner's appointing authority, and no cause need be stated for the removal of a commissioner. Commissioners shall serve

without compensation. Any vacancy shall be filled by the same appointing authority that made the original appointment. Commissioners of the first board of a land bank agency shall be appointed within sixty days after the effective date of Ordinance No. 120779 establishing the land bank agency. If any appointing authority fails to make any appointment within the time the first appointments are required, or within sixty days after any term expires, then the appointment shall be made by the Mayor. Except as otherwise provided in subsection 2 of RSMo Section 141.720, the city or school district, as an appointing authority for this land bank agency, shall not be an appointing authority under RSMo Section 141.720 for the Land Trust of Jackson County ("Land Trust") upon completion of all transfers to the land bank agency from the Land Trust, or one year after the effective date of Ordinance No. 120779, whichever shall first occur.

(b) *Eligibility to Serve as Commissioner.* Notwithstanding any law to the contrary, any public officer shall be eligible to serve as a board commissioner and the acceptance of the appointment shall neither terminate nor impair such public office. For purposes of this section, "public officer" shall mean a person who is elected to a political subdivision office. Any political subdivision employee shall be eligible to serve as a board commissioner. All commissioners shall be at the time of appointment and remain throughout their term residents of the city, and shall resign their appointment effective immediately upon the loss of residency.

(c) *Officers.* The commissioners of the board shall select annually from among themselves a chair, a vice-chair, a treasurer, and such other officers as the board may determine, and shall establish their duties as may be regulated by rules adopted by the board.

(d) *Board Organization.* The board shall have the power to organize and reorganize the executive, administrative, clerical, and other divisions of the land bank agency and to fix the duties, powers, and compensation of all employees, agents, and consultants of the land bank agency. The board may cause the land bank agency to reimburse any commissioner for expenses actually incurred in the performance of duties on behalf of the land bank agency.

(e) *Board Meetings.* The board shall meet in regular session according to a schedule adopted by the board, and shall meet in special session as convened by the chairman or upon written notice signed by a majority of the commissioners. The presence of a majority of the board's total membership shall constitute a quorum to conduct business.

(f) *Voting requirements.* All actions of the board shall be approved by the affirmative vote of a majority of the commissioners of the board present and voting; provided, however, that no action of the board shall be authorized on the following matters unless approved by a roll call vote of a majority of the entire five member board:

- (1) the adoption of bylaws and other rules and regulations for conduct of the land bank agency's business;
- (2) the hiring or firing of any employee or contractor of the land bank agency, provided, however, that this function may, by majority vote, be delegated by the board to a specified officer or committee of the land bank agency, under such terms and conditions, and to the extent, that the board may specify;

- (3) the incurring of debt, including, without limitation, borrowing of money and the issuance of bonds, notes, or other obligations;
- (4) the adoption or amendment of the annual budget;
- (5) the sale of real property for a selling price that represents a consideration less than two-thirds of the appraised value of such property; and
- (6) the leasing, encumbrance, or alienation of real property, improvements, or personal property with a value of more than fifty thousand dollars.

Vote by proxy shall not be permitted. Any member may request a recorded vote on any resolution or action of the land bank agency.

(g) *Bond.* The board commissioners shall each furnish a surety bond, if such bond is not already covered by governmental surety bond, in a penal sum not to exceed twenty-five thousand dollars to be approved by the comptroller or director of finance of the city, issued by a surety company licensed to do business in this state, which bond shall be deposited with the county clerk of such county, and shall guarantee the faithful performance of such commissioner's duties under this Article IV and the Land Tax Collection Law. The bond may be written to cover all the commissioners. The payment of the premium, or the pro rata portion, for or other expense of such bond shall be borne by the appointing authority of such commissioner.

(h) *Oath.* Before entering upon the duties of office, each board commissioner shall take and subscribe to the following oath:

State of Missouri,)
) ss
City of)

I,, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Missouri; that I will faithfully and impartially discharge my duties as a member of the Land Bank of Kansas City, Missouri; that I will according to my best knowledge and judgment, administer such tax delinquent and other lands held by the land bank according to the laws of the State of Missouri and for the benefit of the public bodies and the tax bill owners which I represent, so help me God.

.....

Subscribed and sworn to this . . . day of . . . , 20. .

My appointment expires:

.....

Notary Public

(i) *Non-liability.* Board Commissioners, individually or collectively, shall not be liable personally on the bonds or other obligations of the land bank agency, and the rights of creditors of the land bank agency shall be solely against the assets of such land bank agency. Notwithstanding the foregoing, the land bank agency may obtain such insurance it deems appropriate or prudent for itself, or the board commissioners or staff of the land bank agency in their official capacity with the land bank agency.

Sec. 74-74. Staffing and Intergovernmental Agreements.

A land bank agency may employ a secretary, an executive director, its own counsel and legal staff, and such technical experts, and such other agents and employees, permanent or temporary, as it may require, and may determine the qualifications and fix the compensation and benefits of such persons. The staff of the land bank agency shall be persons who have demonstrated special interest, experience or education in urban planning, community development, real estate, law, finance or related areas; provided, however, clerical, technical or other support staff need not have such demonstrated interest, experience or education. The board may delegate to officers and employees the authority to enter into and execute agreements, instruments of conveyance and all others related documents pertaining to the conveyance of property by the land bank agency. A land bank agency may also enter into contracts and agreements with political subdivisions for staffing services to be provided to the land bank agency by political subdivisions or agencies or departments thereof, or for a land bank agency to provide such staffing services to political subdivisions or agencies or departments thereof. Such an agreement may include, but are not limited to, contracts for the joint exercise of powers, contracts for ownership, management, development, and disposition of real property. A land bank agency may receive funding through grants and loans from political subdivisions, from the state, from the federal government, and from other public and private sources.

Sec. 74-75. Powers.

Subject to the other provisions of Article IV and all other applicable laws, including the Land Tax Collection Law, a land bank agency established under Ordinance No. 120779 shall have all powers necessary or appropriate to carry out and effectuate the purposes and provisions of the Land Tax Collection Law as they relate to this land bank agency, including the following powers:

- (1) to adopt, amend, and repeal bylaws for the regulation of its affairs and the conduct of its business;
- (2) to sue and be sued, in its own name, and plead and be impleaded in all civil actions, including, but not limited to, actions to clear title to property of the land bank agency;
- (3) to adopt a seal and to alter the same at pleasure;

- (4) to receive funds as grants from or to borrow from political subdivisions, the state, the federal government, or any other public or private sources;
- (5) to issue notes and other obligations according to the provisions of this chapter;
- (6) to procure insurance or guarantees from political subdivisions, the state, the federal government, or any other public or private sources, of the payment of any bond, note, loan, or other obligation, or portion thereof, incurred by the land bank agency, and to pay any fees or premiums in connection therewith;
- (7) to enter into contracts and other instruments necessary, incidental, or convenient to the performance of its duties and the exercise of its powers, including, but not limited to, agreements with other land bank agencies and with political subdivisions for the joint exercise of powers under the Land Tax Collection Law;
- (8) to enter into contracts and other instruments necessary, incidental, or convenient to the performance of functions by the land bank agency on behalf of political subdivisions, or agencies or departments of political subdivisions, or the performance by political subdivisions, or agencies or departments of political subdivisions, of functions on behalf of the land bank agency;
- (9) to make and execute contracts and other instruments necessary or convenient to the exercise of the powers of the land bank agency; and any contract or instrument when signed by the chair or vice-chair of the land bank agency, or by an authorized use of their facsimile signatures, and by the secretary or assistant secretary, or, treasurer or assistant treasurer of the land bank agency, or by an authorized use of their facsimile signatures, shall be held to have been properly executed for and on its behalf;
- (10) to procure insurance against losses in connection with the property, assets, or activities of the land bank agency;
- (11) to invest the money of the land bank agency, including amounts deposited in reserve or sinking funds, at the discretion of the board, in instruments, obligations, securities, or property determined proper by the board, and name and use depositories for its money;
- (12) to enter into contracts for the management of, the collection of rent from, or the sale of the property of the land bank agency;
- (13) to design, develop, construct, demolish, reconstruct, rehabilitate, renovate, relocate, equip, furnish, and otherwise improve real property or rights or interests in real property held by the land bank agency;
- (14) to fix, charge, and collect rents, fees, and charges for the use of the property of the land bank agency and for services provided by the land bank agency;

- (15) subject to the limitation set forth in Section 74-71, to acquire property, whether by purchase, exchange, gift, lease, or otherwise, to grant or acquire licenses and easements, and to sell, lease, grant an option with respect to, or otherwise dispose of, any property of the land bank agency;
- (16) subject to the limitation set forth in Section 74-71, to enter into partnership, joint ventures, and other collaborative relationships with political subdivisions and other public and private entities for the ownership, management, development, and disposition of real property;
- (17) to exercise control of such property as fully and completely as if it were a private property owner; and
- (18) subject to the other provisions of this chapter and all other applicable laws, to do all other things necessary or convenient to achieve the objectives and purposes of the land bank agency or other laws that relate to the purposes and responsibility of the land bank agency.

Sec. 74-76. Transfer of Land Trust Property.

As soon as possible, but no later than one year of the effective date of Ordinance No. 120779 title to any real property now held by the Land Trust, or hereafter acquired by such Land Trust, located wholly within the city shall be transferred by deed or deeds to the land bank agency. The land bank agency shall take all reasonable steps to facilitate the prompt transfer of such real property. The land bank agency shall continue to monitor the assets held by the Land Trust, and from time to time request any real property within the city held in the name of the Land Trust that was not previously transferred, even if the one year period has lapsed.

Sec. 74-77. Tax exempt status.

In accordance with RSMo Section 141.984.2, the income of a land bank agency shall be exempt from all taxation by the state and by any of its political subdivisions. Upon acquiring title to any real estate, a land bank agency shall immediately notify the county assessor and the collector of such ownership, and such real estate shall be exempt from all taxation during the land bank agency's ownership thereof, in the same manner and to the same extent as any other publicly owned real estate, and upon the sale or other disposition of any real estate held by it, such land bank agency shall immediately notify the county assessor and the collector of such change of ownership; provided however, that such tax exemption for improved and occupied real property held by such land bank agency as lessor pursuant to a ground lease shall terminate upon the first such occupancy, and such land bank agency shall immediately notify the county assessor and the collector of such occupancy.

Sec. 74-78. Property Acquisition.

(a) *Methods of Acquisition.* Subject to the limitation set forth in Section 74-71, and in addition to the properties acquired pursuant to Section 74-76, a land bank agency may acquire real property or interests in property by:

- (1) gift, devise, transfer, exchange, foreclosure, lease, purchase, or otherwise on terms and conditions and in a manner the land bank agency considers proper;
- (2) purchase contracts, lease purchase agreements, installment sales contracts, and land contracts, and may accept transfers from political subdivisions upon such terms and conditions as agreed to by the land bank agency and the political subdivision;
- (3) bidding on any parcel of real estate offered for sale at a sheriff's foreclosure sale held in accordance with RSMo Section 141.550 provided that if the bid is not a deemed bid under subsection 3 of Section 141.560, such parcel must be located within a low to moderate income area designated as a target area for revitalization by the city, which shall include, but are not limited to those areas designated under its consolidated plan submitted from time to time to the federal government; and
- (4) transfer from any political subdivision to the land bank agency of real property and interests in real property of the political subdivision on such terms and conditions and according to such procedures as determined by the political subdivision.

(b) *Confirmation Process for Competitive Bids.* Upon confirmation under RSMo Section 141.580 of a sheriff's foreclosure sale of a parcel of real estate to a land bank agency under subdivision (2) of subsection 2 of section 141.550, said land bank agency shall pay the amount of the land bank agency's bid that exceeds the amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due thereon. Such excess shall be applied and distributed in accordance with subsections 3 and 4 of Section 141.580, exclusive of subdivision (3) of subsection 3 thereof. Upon such confirmation by the court, the collector shall mark the tax bills included in the judgment as "canceled by sale to the land bank" and shall take credit for the full amount of such tax bills, including principal amount, interest, penalties, attorney's fees, and costs, on his books and in his statements with any other taxing authorities.

(c) *Title.* A land bank agency shall hold in its own name all real property acquired by such land bank agency irrespective of the identity of the transferor of such property.

Section 74-79. Property Maintenance.

To the extent of funds available, the land bank agency shall maintain all of its real property in accordance with the city ordinances. The city has had the burden of paying for the maintenance and demolition of properties held by the Land Trust, and there is much accumulated deferred maintenance on the properties previously held by the Land Trust. The land bank agency shall promptly evaluate the inventory as provided to it by the Land Trust, or pursuant to the

sheriff's foreclosure sale under the Land Tax Collection Law, and develop priorities among those properties for demolition, repairing critical structural envelope elements, such as the roof, if the building is deemed salvageable, and secure the structures from entry to the extent possible.

Sec. 74-80. Sale or Other Disposition of Property

(a) *Public Review of Inventory.* The land bank agency shall maintain and make available for public review and inspection an inventory of all real property held by the land bank agency. This inventory shall be available on the land bank agency website and include at a minimum whether a parcel is available for sale, the address of the parcel if an address has been assigned, the parcel number, if no address has been assigned, and the year that a parcel entered the land bank agency's inventory. The land bank agency is encouraged to use photographs, location maps and other tools that will help the public identify the property, and may include links on its website to other sources for such information.

(b) *Policies for Disposition.* The land bank agency shall determine and set forth in policies and procedures of the board the general terms and conditions for consideration to be received by the land bank agency for the transfer of real property and interests in real property, which consideration may take the form of monetary payments and secured financial obligations, covenants, and conditions related to the present and future use of the property, contractual commitments of the transferee, and such other forms of consideration as determined by the board to be in the best interest of the land bank agency. Such policy shall include a provision that if a land bank agency owns more than five parcels of real property in a single city block and no written offer to purchase any of those properties has been submitted to the agency in the past twelve months, the land bank agency shall reduce its requested price for those properties and advertise the discount publicly; such publication may be on its website and printed lists available at its principal office.

(c) *Authority for Disposition or Pledge as Collateral.* Subject to the limitation set forth in Section 74-71 and subsection (e) below, the land bank agency may convey, exchange, sell, transfer, lease, grant, release and demise, pledge and hypothecate any and all interests in, upon or to property of the land bank agency.

(d) *Authority to Delegate.* The board may delegate to officers and employees the authority to enter into and execute agreements, instruments of conveyance and all others related documents pertaining to the conveyance of property by the land bank agency.

(e) *Priority.* Subject to subsection (f) of this section, the land bank agency shall determine a hierarchical priority ranking for the particular use of a parcel of real property conveyed by such land bank agency, and such priorities may, include, but are not limited to:

- (1) opportunities for revitalization of deteriorating residential, retail and commercial neighborhoods;
- (2) creation of safe, decent and affordable housing for existing and future residents;

- (3) creation of retail and commercial areas on vacant or deteriorated properties within neighborhoods; public spaces and places for parks, green spaces and other public purposes;
- (4) creation or expansion of side yards with unimproved vacant lots in neighborhoods densely constructed, for the benefit of abutting owner-occupied residences;
- (5) the assemblage of property for future development in a manner consistent with the purposes of the city's consolidated plans, particularly in low to moderate income area designated by the city as a target area for revitalization;
- (6) space for use as urban agriculture, community gardens, or other similar uses consistent with healthy eating by residents, including restoring ground through alternative vegetative cover to build-back the soil for future use for food production;
- (7) public spaces and places for parks, green spaces and other public purposes; and
- (8) wildlife conservation areas.

Further, the land bank agency shall adopt a policy specifying for which categories of priority uses parcels need not be listed for sale, and may make such determination on any particular parcel. The foregoing priority uses contemplate that land that is in a nonrevenue-generating, nontax-producing status, may be returned to use in private ownership, contingent upon the recipient's covenants to develop or renovate the property consistent with their plan incorporated into and a part of their accepted offer, which can include additional conditions imposed by the land bank agency, and the recipient's obligations to pay: 1) outstanding real property taxes for any property owned by the recipient, or entities in common control with recipient, within the city, including but not limited to property acquired from the land bank agency, 2) all installments of special assessment for public improvements then due and owing, 3) any outstanding special assessments or liens imposed by the city for municipal services and/or property maintenance violations, and 4) any unsatisfied fines or fees for property maintenance violations or previously issued administrative citations as issued by the city (collectively referred to as "financial obligations"). The land bank agency may request a waiver by the city of financial obligations on a particular parcel if not extinguished pursuant to the Land Tax Collection Law, and the recipient's obligation shall not extend to such waived financial obligation. Payments upon an ancillary parcel, defined I Section 74-87, shall be controlled by such Section. Such covenants and obligations may be secured by a deed of trust or other collateral pledge, with the appropriateness of such pledge and length of that pledge, being a determination delegated to the land bank agency. The land bank agency's determination shall consider that the beneficiaries of its efforts are the city and the taxing authorities in accordance with Section 74-72. The length of the secured pledge shall be for no more than a period of three years, provided the length will be automatically extended upon the then owner's failure to develop or renovate the property, pay property taxes or other financial obligations to the city or maintain the property, with such extension being for whatever period necessary to exercise the land bank agency's rights under

such deed of trust or other pledge of collateral. The land bank agency is empowered to exercise any and all rights under any deed of trust or pledge of collateral as security.

The city hereby delegates to the board of commissioners governing such land bank agency to determine as to a particular property for which there are competing requests for acquisition with different priority uses which use best serves the residents of the city, first, and then the taxing authorities. But in all events, such priorities shall be consistent with and no more restrictive than municipal planning and zoning ordinances.

(f) *Offers.*

- (1) *What Constitutes an Offer.* Subject to subsections (e) and (f) of this Section, a land bank agency will consider all written offers equal to or greater than fair market value to purchase real property held by the land bank agency. A written offer must be made on the forms available for that purpose from the land bank agency. Further, the land bank agency may adopt policies and procedures as to what constitutes an offer. An offer must state the proposed use for the property, and the land bank agency may consider as a part of the acceptance of such offer whether the proposed use is in compliance with the existing zoning designation and land use regulations of such property and is a use consistent with the priority for that particular parcel. Any transfer for a use that would require a change in the zoning classification, may be conditioned upon the land bank agency's receipt of a written statement from the city registered neighborhood association that it is in support of such changed use. Further, an offer must include at a minimum: a) a certified statement from the proposed purchaser, signed by at least one duly authorized individual officer if an entity, that the proposed purchaser, or the holder of a controlling interest therein, does not have any outstanding delinquent real property taxes for any property owned within the city, is current on all installments of special assessment for public improvements then due and owing, does not have any outstanding special assessments or liens imposed by the city for municipal services and/or property maintenance violations, and does not have any pending property maintenance violations or any unsatisfied fines for previously issued administrative citations as issued by the city, b) a list of all owners, officers, members or partners of an entity which is the proposed purchaser, with their primary residences, and c) for any proposed purchaser that is an entity the offer must include a designation of local agent, with a valid city issued business license, with a principal place of business in the city, authorized to accept on behalf of such entity notices of code violations or other service of process, which designation shall be deemed to remain in full force and effect until written notice to the contrary is provided to the land bank agency, which shall be effective only if a subsequent local agent, similarly qualified, is named in such notice.
- (2) *Fair Market Value.* The land bank agency shall determine the fair market value by reasonable and cost-effective means, including, without limitation: 1) adopting the market value as determined by the Jackson County Assessor, 2) establishing a set value for unimproved vacant residentially zoned property generally in the same area, based on tiers of square footage and on market conditions for that

property, to facilitate the use of such properties for priority uses (4) or (6) of subsection (e) of this Section, 3) relying upon land bank agency or city staff input, which may be based on appraisals or valuations obtained for whatever municipal purpose, or 4) real estate broker's sale price summary of other comparable properties. An appraisal, done by a licensed or certified appraiser pursuant to RSMo Chapter 339, holding a city issued business license, submitted by the person or entity with their offer, will be considered by the land bank agency, but is not determinative as to what constitutes a fair market value.

- (3) *Rejection of an Offer.* If a land bank agency rejects a written offer equal to or greater than fair market value, or does not respond to a written offer equal to or greater than fair market value within sixty days, the land bank agency's action shall be subject to judicial review under chapter 536 or any other applicable provision of law unless the basis for the land bank agency's rejection is that it has accepted another offer equal to or greater than fair market value for that property. Venue shall be in the circuit court of the Jackson County.

Sec. 74-81. Application of Sale Proceeds.

(a) When any parcel of real estate acquired by a land bank agency pursuant to a deemed sale under subsection 3 of RSMo Section 141.560, by deed from a land trust under subsection 1 of RSMo Section 141.984, or pursuant to a sale under subdivision (2) of subsection 2 of RSMo Section 141.550 is sold or otherwise disposed of by such land bank agency, the proceeds therefrom shall be applied and distributed in the following order:

- (1) to the payment of the expenses of sale;
- (2) to fulfill the requirements of the resolution, indenture or other financing documents adopted or entered into in connection with bonds, notes or other obligations of the land bank agency, to the extent that such requirements may apply with respect to such parcel of real estate;
- (3) the balance to be retained by the land bank agency to pay the salaries and other expenses of such land bank agency and of its employees as provided for in its annual budget, provided, however such budget shall be deemed to include: i) all expenses for the staffing and administrative support of the land bank agency provided by the city, and ii) the maintenance, repair and demolition of properties, as accounted for by the land bank agency in cooperation with the city, and the actual costs thereof may exceed the funds budgeted, and all such actual expenses and costs borne by the city on behalf of the land bank agency shall be reimbursed first to the city and shall automatically be deemed a part of the budget for the purposes of this Section 74-81; and
- (4) any funds in excess of those necessary to meet the expenses of the annual budget of the land bank agency in any fiscal year [as set forth in subdivision (3) of subsection (a) of this section pursuant to which a budget is deemed to include the

actual costs borne by the city on behalf of the land bank agency that shall be reimbursed first to the city] including a reasonable sum to carry over into the next fiscal year to assure that sufficient funds will be available to meet expenses for that next fiscal year, exclusive of net profit from the sale of ancillary parcels, shall be paid to the respective taxing authorities that, at the time of the distribution, are taxing the real property from which the proceeds are being distributed. The distributions shall be in proportion to the amounts of the taxes levied on the properties by the taxing authorities. Distribution shall be made on January first and July first of each year and at such other times as the board may determine.

(b) When any ancillary parcel, as defined in Section 74-87, is sold or otherwise disposed of by such land bank agency, the proceeds therefrom shall be applied and distributed in the following order:

- (1) to the payment of all land taxes and related charges then due on such parcel;
- (2) to the payment of the expenses of sale;
- (3) to fulfill the requirements of the resolution, indenture, or other financing documents adopted or entered into in connection with bonds, notes or other obligations of the land bank agency, to the extent that such requirements may apply with respect to such parcel of real estate;
- (4) the balance to be retained by the land bank agency to pay the salaries and other expenses of such land bank agency and of its employees as provided for in its annual budget as set forth in subdivision (3) of subsection (a) of this section, including the obligation to reimburse the city costs and expenses incurred on behalf of the land bank agency; and
- (5) any funds in excess of those necessary to meet the expenses of the annual budget of the land bank agency in any fiscal year and a reasonable sum to carry over into the next fiscal year to assure that sufficient funds will be available to meet expenses for that next fiscal year, shall be paid in accordance with subdivision (3) of subsection (a) of this section.

(c) Except as otherwise provided in subsections (a) and (b) of Section 74-81, a land bank agency may receive and retain payments for services rendered, for rents and leasehold payments received, for consideration for disposition of real and personal property, for proceeds of insurance coverage for losses incurred, for income from investments, and for any other asset and activity lawfully permitted to a land bank agency under the Land Tax Collection Law.

(d) The land bank agency is encouraged to adopt and may revise from time to time a policy as to the percentage of an annual budget that shall be deemed reasonable to carry forward into the next fiscal year, with the understanding that upfront costs of demolition and substantial deferred maintenance on properties acquired from the Land Trust make it difficult to project such percentage in the initial years of operation of the land bank agency.

Sec. 74-82. Payments to Land Bank Agency Subsequent to Disposition.

If a land bank agency sells or otherwise disposes of a parcel of real estate held by it, any land taxes assessed against such parcel for the three tax years following such sale or disposition by such land bank agency that are collected by the collector in a calendar year and not refunded, less the fees provided under RSMo Section 52.260 and this Section and less the amounts to be deducted under RSMo Section 137.720, shall be distributed by the collector to such land bank agency no later than March 1 of the following calendar year; provided that land taxes impounded under RSMo Section 139.031 or otherwise paid under protest shall not be subject to distribution under this Section. Any amount required to be distributed to a land bank agency under this Section shall be subject to offset for amounts previously distributed to such land bank agency that were assessed, collected, or distributed in error. In addition to any other provisions of law related to collection fees, the collector shall collect on behalf of the county a fee of four percent of reserve period taxes collected and such fees collected shall be deposited in the county general fund.

Sec. 74-83. Budgets and audits.

The land bank agency shall prepare an annual budget, and the board shall review and approve a budget for the land bank agency proceeding each fiscal year, which will correspond to the fiscal year of the city. Accounts shall be established and disbursements of funds shall be in accordance with guidelines established by the board, consistent with the recommendations of the city's finance department. While under no obligation to do so, the city may contribute to the annual budget in such manner as approved by the city. Such contribution or the incurring of expenses by the city on behalf of the land bank agency, shall be reimbursed to the city from sale proceeds consistent with subsections 74-81(a)(3) and 74-81(b)(4). There shall be an annual audit of the affairs, accounts, expenses, and financial transactions of a land bank agency by certified public accountants as of April thirtieth of each year, which accountants shall be employed by the commissioners on or before March first of each year, and certified copies thereof shall be furnished to the appointing authorities described in section 74-73, and shall be available for public inspection at the office of the land bank agency. The cost of such audit shall be paid by the land bank agency, and copies shall be made available to the public within 30 days of the completion of the audit. In addition to the annual audit provided for in this subdivision, the state auditor and city auditor may conduct audits of the land bank agency at any time.

Sec 74-84. Authority to Issue Bonds and Other Forms of Indebtedness.

(a) A land bank agency shall have power to issue bonds, with approval of the city, for any of its corporate purposes, which bonds shall be special, limited obligations of the land bank agency, the principal of and interest on which shall be payable solely from the income and revenue derived from the sale, lease, or other disposition of the assets of the land bank agency, or such portion thereof as may be designated in the resolution, indenture, or other financing documents relating to the issuance of the bonds. In the discretion of the land bank agency, any of such bonds may be secured by a pledge of additional revenues, including grants, contributions, or guarantees from the state, the federal government, or any agency or instrumentality thereof, or

by a mortgage or other security device covering all or part of the property from which the revenues so pledged may be derived.

(b) Bonds issued by a land bank agency shall not be deemed to be an indebtedness within the meaning of any constitutional or statutory limitation upon the incurring of indebtedness. The bonds shall not constitute a debt, liability, or obligation of the state or of any political subdivision thereof, except in accordance with subsection (d) of this section, or a pledge of the full faith and credit or the taxing power of the state or of any such political subdivision, and the bonds shall contain a recital to that effect. Neither the members of the board nor any person executing the bonds shall be liable personally on the bonds by reason of the issuance thereof.

(c) Bonds issued by a land bank agency shall be authorized by resolution of the board and shall be issued in such form, shall be in such denominations, shall bear interest at such rate or rates, shall mature on such dates and in such manner, shall be subject to redemption at such times and on such terms, and shall be executed by one or more members of the board, as provided in the resolution authorizing the issuance thereof or as set out in the indenture or other financing document authorized and approved by such resolution. The board may sell such bonds in such manner, either at public or at private sale, and for such price as it may determine to be in the best interests of the land bank agency.

(d) Any political subdivision may elect to guarantee, insure, or otherwise become primarily or secondarily obligated with respect to the bonds issued by a land bank agency subject, however, to the provisions of Missouri law applicable to the incurrence of indebtedness by such political subdivision. No political subdivision shall have any such obligation if it does not so elect.

(e) A land bank agency may from time to time, as authorized by resolution of the board, issue refunding bonds for the purpose of refunding, extending and unifying all or any part of its valid outstanding bonds. Such refunding bonds may be payable from any of the sources identified in subsections (a) and (d) of this section, and from the investment of any of the proceeds of the refunding bonds.

(f) The bonds issued by a land bank agency shall be negotiable instruments pursuant to the provisions of the uniform commercial code of the state of Missouri.

(g) Bonds issued pursuant to this section and all income or interest thereon shall be exempt from all state taxes, except estate and transfer taxes.

(h) A land bank agency shall have the power to issue temporary notes upon the same terms and subject to all provisions and restrictions applicable to bonds under this section. Such notes issued by a land bank agency may be refunded by notes or bonds authorized under this section.

Sec. 74-85. Open Meetings.

Except as otherwise provided under Missouri law, all board meetings shall be open to the public and the board shall cause minutes and a record to be kept of all its proceedings. The land bank agency shall be subject to the provisions of Chapter 610, Chapter 109, and any other applicable provisions of Missouri state law governing public records and public meetings.

Sec. 74-86. Conflicts of Interest and Ethics.

Neither the members of the board nor any salaried employee of a land bank agency shall receive any compensation, emolument, or other profit directly or indirectly from the rental, management, acquisition, sale, demolition, repair, rehabilitation, use, operation, ownership, or disposition of any lands held by such land bank agency other than the salaries, expenses, and emoluments provided for in this Article IV. Neither the members of the board nor any salaried employee of a land bank agency shall own, directly or indirectly, any legal or equitable interest in or to any lands held by such land bank agency. In accordance with RSMo Section 141.1000, a violation of this section is a felony, and any person found guilty of violating this section shall be sentenced to a term of imprisonment of not less than two nor more than five years. The board of a land bank agency shall adopt supplemental rules and regulations addressing potential conflicts of interest and ethical guidelines for members of the board and land bank agency employees, provided that such rules and regulations are not inconsistent with this Article IV or any other applicable law.

Sec. 74-87. Ancillary Parcels.

(a) *Definition.* An “ancillary parcel” shall mean a parcel of real estate acquired by the land bank agency other than: 1) pursuant to a deemed sale under subsection 3 of RSMo Section 141.560; 2) by deed from the Land Trust under Section 74-76; or 3) pursuant to a sale under subdivision (2) of subsection 2 of RSMo Section 141.550.

(b) *Application of Proceeds from Ancillary Parcels.* To the extent that a land bank agency receives payments or credits of any kind attributable to liens or claims for real property taxes owed to a taxing authority for an ancillary parcel, the land bank agency shall remit the full amount of the payments to the collector for distribution to the appropriate taxing authority in accordance with subsection 74-81(b)(1), unless a taxing authority has elected to contribute all or any portion of such taxes. Whenever any ancillary parcel is acquired by a land bank agency and it is encumbered by a lien or claim for real property taxes owed to a taxing authority, such taxing authority may elect to contribute to the land bank agency all or any portion of such taxes that are distributed to and received by such taxing authority.

Sec. 74-88. Quiet Title Action.

A land bank agency shall be authorized to file an action to quiet title pursuant to RSMo Section 527.150 as to any real property in which the land bank agency has an interest. For purposes of any and all such actions the land bank agency shall be deemed to be the holder of sufficient legal and equitable interests, and possessory rights, so as to qualify the land bank agency as adequate petitioner in such action.

(a) *Service of Petition.* Prior to the filing of an action to quiet title the land bank agency shall conduct an examination of title to determine the identity of any and all persons and entities possessing a claim or interest in or to the real property. Service of the petition to quiet title shall be provided to all such interested parties by the following methods:

- (1) registered or certified mail to such identity and address as reasonably ascertainable by an inspection of public records;
- (2) in the case of occupied real property by first class mail, addressed to "Occupant";
- (3) by posting a copy of the notice on the real property;
- (4) by publication in a newspaper of general circulation in the municipality in which the property is located; and
- (5) such other methods as the court may order.

(b) *Affidavit.* As part of the petition to quiet title the land bank agency shall file an affidavit identifying all parties potentially having an interest in the real property, and the form of notice provided.

(c) *Statutory Hearing.* In accordance with subsection 4 of RSMo Section 141.1009, the court shall schedule a hearing on the petition within ninety days following filing of the petition, and as to all matters upon which an answer was not filed by an interested party the court shall issue its final judgment within one hundred twenty days of the filing of the petition.

(d) *Consolidation of Parcels into Single Petition.* The land bank agency shall be authorized to join in a single petition to quiet title one or more parcels of real property.

Sec. 74-89. Dissolution.

The land bank agency may be dissolved as a public body corporate and politic not less than sixty calendar days after an ordinance or resolution for such dissolution is enacted by the city. Not less than sixty calendar days advance written notice of consideration of such an ordinance or resolution of dissolution shall be given to the members of the board of the land bank agency, shall be published in a local newspaper of general circulation within such municipality, and shall be sent by certified mail to each trustee of any outstanding bonds of the land bank agency. No land bank agency shall be dissolved while there remains outstanding any bonds, notes, or other obligations of the land bank agency unless such bonds, notes, or other obligations are paid or defeased pursuant to the resolution, indenture or other financing document under which such bonds, notes, or other obligations were issued prior to or simultaneously with such dissolution. Upon dissolution of a land bank agency pursuant to this section, all real property, personal property, and other assets of the land bank agency shall be transferred by appropriate written instrument to and shall become the assets of the municipality that established the land bank agency. Such municipality shall act expeditiously to return such real property to the tax rolls and shall market and sell such real property using an open, public

method that ensures the best possible prices are realized while ensuring such real property is returned to a suitable, productive use for the betterment of the neighborhoods in which such real property is located. Any such real property that was acquired by the dissolved land bank agency pursuant to a deemed sale under subsection 3 of RSMo Section 141.560, by deed from a land trust under subsection 1 of Section 74-76, or pursuant to a sale under subdivision (2) of subsection 2 of RSMo Section 141.550 shall be held by such municipality in trust for the tax bill owners and taxing authorities having an interest in any tax liens which were foreclosed, as their interests may appear in the judgment of foreclosure, and upon the sale or other disposition of any such property by such municipality, the proceeds there from shall be applied and distributed in the following order:

- (1) to the payment of the expenses of sale;
- (2) to the reasonable costs incurred by such municipality in maintaining and marketing such property; and
- (3) the balance shall be paid to the respective taxing authorities that, at the time of the distribution, are taxing the real property from which the proceeds are being distributed.

Sec. 74-90. Limitation of Powers.

A land bank agency shall neither possess nor exercise the power of eminent domain. A land bank agency shall not have the power to tax.

Sec. 74-91. Interpretation of Ordinance and Severability of Provisions.

All powers granted to the land bank agency under Ordinance No. 120779 shall be interpreted broadly to effectuate the intent and purposes of such Ordinance, and not to serve as a limitation of powers. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion thereof, shall not affect the validity of the remaining provisions of the Ordinance.

Sec. 74-92 – 74-99. Reserved.

**ARTICLE V.
RECLAMATION OF BLIGHTED, SUBSTANDARD OR INSANITARY AREAS**

Sec. 74-100. Title of article.

This article shall be known as the Reclamation of Blighted, Substandard or Insanitary Areas Process ordinance.

Sec. 74-101. Authority.

This article is adopted pursuant to the powers granted and limitations imposed by Section 21, Article VI, MO. Const., RSMo Chapter 523, the City Charter and Kansas City's Home Rule Authority.

Sec. 74-102. Power.

The City may reclaim blighted, substandard or insanitary property by condemnation, negotiation and purchase, or donation, for clearance, replanning, reconstruction, redevelopment and rehabilitation, in accord with Section 21, Article VI, of the Missouri Constitution.

Sec. 74-103. Purposes.

This article is adopted for the purposes of:

- (1) Protecting and promoting the public health, safety and general welfare;
- (2) Enhancing the quality of life of the residents of the City of Kansas City, Missouri;
- (3) Maintaining economically vibrant and visually attractive residential, business and commercial areas;
- (4) Retaining and expanding the city's employment base;
- (5) Conserving property values; and
- (6) Accommodating orderly and beneficial development.

Sec. 104. Compliance required.

(a) Any eminent domain action filed pursuant to the authority of Section 21, Article VI, MO. Const., and/or this article will be in accord with RSMo. Chapter 523 and Rule 86 of the Missouri Rules of Civil Procedure, each as may be amended.

(b) If property acquired pursuant to this article is to be sold or divested, the divestment will be in accord with any applicable administrative regulation and City Charter provision.

Sec. 105. Severability.

If any portion of this article is held to be invalid, that portion is deemed severed from the other provisions and the remainder of this article shall be valid.

Sec. 74-106 – 74-199. Reserved

**ARTICLE VI.
URBAN AGRICULTURAL ZONE**

Sec. 74-200. Title of article.

This article shall be known as the Urban Agricultural Zone ordinance.

Sec. 74-201. Definitions.

(a) The following words, terms and phrases, when used in this Article, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

- (1) *Agricultural products* – an agricultural, horticultural, viticultural, or vegetable product, growing of grapes that will be processed into wine, bees, honey, fish or other aquacultural product, planting seed, livestock, a livestock product, a forestry product, poultry or a poultry product, either in its natural or processed stated, that has been produced, processed or otherwise had value added to it in Missouri.
- (2) *Blighted area* – an area of the City which the City Council determines that by reason of age, obsolescence, inadequate, or outmoded design or physical deterioration has become an economic and social liability, and that such conditions are conducive to ill health, transmission of disease, crime or inability to pay reasonable taxes.
- (3) *Director* – the Director of City Development or his designee appointed for purposes of performing any obligation assigned to the director by this Article.
- (4) *Grower UAZ* – a UAZ that is (1) a qualifying small business approved by the Missouri Department of Agriculture, unless otherwise exempted as provided in Section 74-208 of this Article, and (2) engaged in growing produce; producing value added agricultural products; raising laying hens (not to exceed 50); raising broiler chickens (not to exceed 650); raising cattle, calves, sheep, swine, ratite birds including but not limited to ostrich and emu, llamas, alpaca, buffalo, elk documented as obtained from a legal source and not from the wild, goats, or rabbits raised in confinement for human consumption (not to exceed 30 collectively); or raising aquatic products as defined by Section 277.024, RSMo (no limit).
- (5) *Locally grown* – an agricultural product that was grown or raised in one or more of the following counties as dictated by the county in which the UAZ is located:

Jackson County, MO UAZ: Jackson County, MO; Clay County, MO; Ray County, MO; Lafayette County, MO; Johnson County, MO; Cass County, MO; Wyandotte County, KS; and Johnson County, KS.

Platte County, MO UAZ: Platte County, MO; Buchanan County, MO; Clinton County, MO; Clay County, MO; Wyandotte County, KS; Leavenworth County, KS; and Atchison County, KS.

Clay County, MO UAZ: Clay County, MO; Platte County, MO; Clinton County, MO; Ray County, MO; Jackson County, MO; and Wyandotte County, KS.

Cass County, MO UAZ: Cass County, MO; Jackson County, MO; Johnson County, MO; Henry County, MO; Bates County, MO; Miami County, KS; and Johnson County, KS.

- (6) *Mobile unit* – a motor vehicle as defined in Section 301.010, RSMo.
- (7) *Processing UAZ* – a UAZ that (1) meets federal and state processing laws and standards, (2) is a qualifying small business approved by the Missouri Department of Agriculture, and that (3) processes, for human consumption, any one or more of the following and which shall have been located in the State of Missouri or within 250 miles of the Processing UAZ for not less than ninety (90) consecutive calendar days or the entirety of its life, whichever is shorter, immediately preceding harvesting or slaughter: Produce or any domesticated bird intended for human consumption, cattle, calves, sheep, swine, ratite birds including but not limited to ostrich and emu, aquatic products as defined by Section 277.024, RSMo, llamas, alpaca, buffalo, elk documented as obtained from a legal source and not from the wild, goats, or rabbits raised in confinement for human consumption.
- (8) *Qualifying small business* – a business meeting the smallest size standard applicable to any financial assistance program as established by 13 CFR 121.201.
- (9) *UAZ Act* – Section 262.900, RSMo, as the same may be amended from time to time.
- (10) *UAZ eligible area* – any area located wholly within the corporate boundaries of the City of Kansas City, Missouri.
- (11) *Underutilized urban parcel* – a parcel of land that has been:
 - a. vacant or had less than thirty-five percent (35%) of the real property and improvements thereon, if any, utilized to their highest and best use for at least three (3) continuous years; or
 - b. a lot owned by the City and which the City has identified as being available for urban agriculture use; or
 - c. an economically obsolescent, outdated or failing parcel of land, and which is either:

- i. Located in a census tract or within one mile of a census tract having a poverty rate of twenty percent (20%) or greater or a median family income at or below eighty percent (80%) of the Kansas City Metropolitan Statistical Area's median family income as measured by the most recent American Community Survey; or
 - ii. Located in a census tract in which at least five hundred (500) persons or thirty-three percent (33%) of the population live more than one mile from a supermarket or large grocery store as measured by the most recent American Community Survey.
- (12) *Urban agricultural zone (UAZ)* – an area containing one or more Grower UAZs, Processing UAZs, Vending UAZs, or any combination thereof.
- (13) *Value added agricultural products* – any product or products that are the result of:
 - a. Using an agricultural product grown in Missouri to produce a meat or dairy product, intended for human consumption, in Missouri;
 - b. A change in the physical state or form of the original agricultural product;
 - c. An agricultural product grown in Missouri which has had its value enhanced by special production methods such as organically grown products; or
 - d. A physical segregation of a commodity or agricultural product grown in Missouri that enhances its value such as identity preserved marketing systems.
- (14) *Vending UAZ* – a UAZ that (1) is able to accept food stamps under the provisions of the Supplemental Nutrition Assistance Program as a form of payment, (2) is a qualifying small business approved by the Missouri Department of Agriculture for a UAZ vendor license, and that (3) sells no less than seventy-five percent (75%) locally grown produce, locally grown value added agricultural products, or locally grown edible portion or part of any domesticated bird intended for human consumption, cattle, calves, sheep, swine, ratite birds including but not limited to ostrich and emu, aquatic products as defined by Section 277.024, RSMo, llamas, alpaca, buffalo, elk documented as obtained from a legal source and not from the wild, goats, or rabbits raised in confinement for human consumption.

Section 74-202. Location of UAZ

A UAZ shall fall, in whole or in part, within the UAZ eligible area and include one or more underutilized urban parcels within its boundaries.

Sec. 74-203. Application.

(a) The application to establish a UAZ shall be in such form as the Director may elect to require, but shall include, at a minimum, the following:

- (1) An identification of the type(s) of UAZ the applicant is seeking to establish.
- (2) An identification of the specific agricultural products that the applicant seeks to grow, process or vend.
- (3) The number of jobs anticipated to be created.
- (4) The duration of the ad valorem tax abatement being requested.
- (5) Verification of Missouri Department of Agriculture approval, if applicable.
- (6) Confirmation that the applicant currently possesses the ability to control the site through ownership or leasehold interest.
- (7) A business plan containing sufficient information to enable a meaningful consideration of the proposed UAZ's viability.
- (8) Such financial records as may be required for purposes of establishing that the applicant is a qualifying small business and has a viable plan of financing the implementation of the UAZ.
- (9) Identification of the site improvements the applicant proposes to make and a timeline for the same.
- (10) Identification of those factors that the applicant reasonably believes support a determination of blight and substantiating documentation demonstrating the presence of such factors;
- (11) Written consent of the owners of all the real property included within the proposed UAZ; and
- (12) If the applicant is proposing to establish a Vendor UAZ, documentation that the applicant currently possesses a UAZ vendor license and the ability to accept food stamps under the provisions of the Supplemental Nutrition Assistance Program as a form of payment in selling products to consumers.
- (13) An identification of the objectives the proposed UAZ seeks to further, which shall include one or more of the following: redeveloping or reusing idle and/or blighted urban properties, promoting innovation in agriculture and sustainable land use practices, eliminating food deserts, creating urban agriculture employment opportunities, expanding local agriculture-related business, engaging

in community outreach to promote healthier lifestyles and safe and organic gardening practices, and improving access to locally grown, processed and marketed healthy foods.

(b) The City or such entity as the City may elect to contract with for purposes of assisting it in matters of economic development shall review the application, determine its sufficiency and apprise the applicant of any changes that are required as a condition of its further processing or approval.

Sec. 74-204. Joint applications permissible.

One or more businesses may submit a joint application to establish a UAZ that is proposed to include more than one specific type of UAZ. The application shall identify each business by reference to a specific type of UAZ. The sufficiency of the application shall be separately determined with regard to each specific type of UAZ.

Sec. 74-205. Mixed-use UAZ.

(a) A UAZ shall not be required to include more than one specific type of UAZ for approval. Notwithstanding the foregoing, a business may elect to apply for designation as more than one specific type of UAZ, and the requirements applicable to the specific type of UAZ shall be applied in determining which designations, if any, may be approved. The sufficiency of the application shall be separately determined with regard to each specific type of UAZ.

(b) The non-existence or denial of status as a specific type of UAZ shall not impair a business in its lawful operation. For purposes of illustration only, and without limitation, a business approved as a Grower UAZ but otherwise not seeking approval or qualified to be approved as a Processing UAZ or Vending UAZ shall not be precluded from lawfully processing or selling its agricultural products.

Sec. 74-206. Prioritization of Grower UAZs; excluded activities.

(a) The City encourages the use of Grower UAZs in a manner that primarily supports the expanded availability of healthy foods intended for human consumption. Uses which would result in the production of non-edible agricultural products may be permitted but shall be subjected to increased scrutiny consistent with the objectives of this Article and may receive a shorter term of ad valorem property tax abatement, if approved.

(b) The following uses shall be excluded within any Grower UAZ:

(1) The raising of fish or livestock not intended for human consumption.

Sec. 74-207. Seventy-five percent locally grown; Vending UAZs.

(a) Not less than seventy-five percent (75%) of the agricultural products sold by a Vending UAZ shall be locally grown.

(b) Value added agricultural products shall be regarded as being locally grown only if not less than seventy-five percent (75%) of any components therein were locally grown.

(c) For purposes of determining whether the seventy-five percent (75%) threshold has been satisfied, sales shall be measured by the volume or weight of the agricultural products sold consistent with industry standards.

Sec. 74-208. Small business; Missouri Department of Agriculture approval.

Notwithstanding Section 74-201(a)(4) of this Article, a Grower UAZ shall not be required to be a small business approved by the Missouri Department of Agriculture provided the UAZ includes one or more Processing UAZs or Vending UAZs, each of which satisfies such requirements.

Sec. 74-209. Blight required.

(a) No UAZ shall be established unless the area included therein is a blighted area.

(b) The existence of blighting factors shall be verifiable and substantiated by either a blight study provided by a third party or by other data sufficient for such purposes. Existing blight declarations under any other provision of law or blight studies related thereto may be utilized for such purposes to the extent a predominance of the blighting factors identified therein continue to exist.

(c) The determination of blight may be made at any time prior to receipt of an application to establish a UAZ or contemporaneous with the ordinance establishing the urban agricultural zone board provided for by Section 74-210 of this Article.

Sec. 74-210. Establishment of UAZ board; hearing.

(a) If an application is determined to be eligible for UAZ designation under the provision of this Article and the UAZ Act, then the Director shall introduce an ordinance to establish an urban agricultural zone board. If blight has not yet been determined, such ordinance shall also include provisions for making such determination.

(b) Upon approval of the ordinance, the urban agricultural zone board shall be deemed established and its members shall be appointed in such manner and for such terms as provided by the UAZ Act.

(c) The urban agricultural zone board shall fix a time and place for public hearing and notify each taxing jurisdiction located wholly or partially within the boundaries of the proposed UAZ. The board shall send, by certified mail, a notice of such hearing to all taxing districts and political subdivisions in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the designation at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the

time, location, date and purpose of the hearing. At the public hearing any interested person or affected taxing district may file with the board written objections to, or comments on, and may be heard orally in respect to, any issues embodied in the notice. The board shall hear and consider all protests, objections, comments, and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing.

Sec. 74-211. Ordinance designating UAZ.

(a) An ordinance designating a UAZ shall not be introduced or considered until the public hearing shall have concluded and the urban agricultural zone board shall have made its recommendation. The City Council shall, if it deems designation of the UAZ advisable, adopt an ordinance providing for such designation. The ordinance shall specify the maximum duration of the tax abatement. If the real property upon which the UAZ will be located is leased, the term of the tax abatement shall not extend beyond the term of the lease as the same may be amended. In no event shall the period of tax abatement exceed twenty-five (25) years.

(b) The City Council shall have the discretion to deny or approve such designation with such term of abatement as it shall deem proper notwithstanding the recommendation of the urban agricultural zone board.

Sec. 74-212. Tax Incentives.

The portion of real property used as a UAZ designated by the City Council shall not be subject to assessment or payment of ad valorem taxes on real property for such period of time as was specified by the ordinance provided for by Section 74-211 of this Article, except to such extent and in such amount as may be imposed upon such real property during such period, as was determined by the assessor of the county in which such real property is located, in an amount not greater than the amount of taxes due and payable thereon during the calendar year preceding the calendar year during which the UAZ was designated.

Sec. 74-213. Water Incentives; Grower UAZs.

A business within any Grower UAZ shall pay such water rates and costs as would otherwise be applicable to such business, provided however that the Director of Water Services may, subject to the availability of funds for such purposes, establish and administer, or cause to be administered, a program whereby a business within a Grower UAZ may apply for and, if approved, receive funds that may be applied by such business to offset any amounts otherwise due.

Sec. 74-214. Sales taxes.

Local sales taxes received from the sale of any agricultural product within the boundaries of a UAZ or from a mobile unit associated with a Vending UAZ and transacting the sale within the City's corporate limits shall be directed, deposited and utilized in accordance with the UAZ Act.

Sec. 74-215. Annual reporting.

(a) Those businesses within a UAZ shall submit an annual report to the Director no later than May 1 of each calendar year. The report shall be in such form as the businesses within the UAZ may elect to submit, but shall contain sufficient information to enable the Director to determine whether the businesses within the UAZ complied with the requirements imposed on them by this Article and the UAZ Act and whether they continue to maintain eligibility under the standards applicable to their specific type of UAZ. The failure to submit an annual report within sixty (60) calendar days of its due date shall constitute grounds to terminate a UAZ, in whole or in part.

(b) The receipt and acceptance of an annual report shall not act as a waiver by City of any violation of this Article or the UAZ Act nor shall it preclude the City from enforcing any clawback, terminating a UAZ, or taking any other action permitted under law with regard to a UAZ.

Sec. 74-216. Clawback.

If the Director determines that any business has violated the provisions of this Article or the UAZ Act in such a manner as to render the real property ineligible for the ad valorem property tax abatement, the City shall be entitled to recoup from the business the entirety of the ad valorem property taxes that would have otherwise been due and payable but for their abatement. Any sums collected shall be distributed pro rata to the relevant taxing jurisdictions. This provision shall not be construed in manner that would limit any other lawful remedies otherwise available to City.

Sec. 74-217. Ongoing review.

(a) The Director shall review the operations within a UAZ no less than once every five years commencing with the designation of a UAZ, or with such additional frequency as the Director may elect to require. Those businesses within the UAZ shall make their records available within ten (10) days of written notice.

(b) The Director shall have the right to conduct on-site inspections of any business within the UAZ during regular business hours for purposes of reviewing its compliance with this Article and the UAZ Act.

Sec. 74-218. Termination.

The designation as a UAZ and the benefits flowing therefrom shall expire at such time specified in the ordinance designating the UAZ, which period shall not exceed twenty-five (25) years. Notwithstanding the foregoing, the City Council may, by ordinance, dissolve the UAZ, in whole or in part, at any point in time if it determines that the UAZ, or any portion thereof, is not in compliance with the requirements of the UAZ Act or the provisions of this Article, or is

otherwise no longer in the City's best interests. The approval of a UAZ shall not create any legally cognizable interest in the continuation of a UAZ or any portion thereof.

Sec. 74-219. Laws applicable.

A UAZ shall comply with all federal, state and local laws applicable to the business activities engaged in by the UAZ. Nothing in this Article shall be construed as waiving or otherwise modifying any requirement imposed by any other provision of law.

Sec. 74-220. Severability.

If any portion of this Article is held to be invalid, that portion is deemed severed from the other provisions and the remainder of this Article shall be valid.

**ARTICLE VII.
COMMUNITY IMPROVEMENT DISTRICTS**

Sec. 74-301. Generally.

(a) *Purpose.* A community improvement district ("CID") is a separate legal entity, either a political subdivision or not-for-profit corporation, which is established to pay for public improvements or private projects through a sales and use tax, special assessment, or real property tax.

(b) *Application.* The provisions contained in this article are in addition to any requirements contained in the Community Improvement District Act, RSMo 67.1401 to 67.1571.

Sec. 74-302. Requirements to establish a CID.

(a) *Petition.* The petition shall:

- (1) Inform the property owners of the right to initiate a petition to terminate the proposed CID as provided by RSMo 67.1481.
- (2) Provide that the city auditor shall have the right to examine or audit the records of the CID and shall require that the CID make such records available to the city auditor within ten days after a written request for the same is made.
- (3) Estimate the revenue to be used for benefits to the public and describe such benefits.

(b) *Term.* CIDs shall be limited to a term of 20 years. However, if the petition provides that sales tax revenue will be used to repay debt issued to fund capital improvements, blight removal, or both, the term may be up to 27 years.

(c) *Blight determination.* Any CID requesting a finding of blight or relying on a prior determination of blight for the purposes of exercising the additional powers under RSMo 67.1461.2 shall submit with its petition:

- (1) A blight study, outlining the blighting factors and conditions, which blight study shall have been completed no more than five years prior to the date upon which the petition is submitted to the city clerk, and which shall identify, to the extent reasonably deemed possible by the consultant doing the blight study, the owner(s) of the property at such time as the blighting factors and conditions might reasonably have been determined to first occur and remain unabated;
- (2) Information on the maintenance of the property including, among other things, any capital maintenance outlays, during the five years preceding the submission of the petition;
- (3) Either
 - (i) Official documentation notarized by the county wherein the CID is proposed to be located, denoting the total assessed valuation of each parcel located within the proposed CID for each of the five immediately preceding tax years;
 - (ii) Documentation denoting the total assessed valuation of each parcel located within the proposed CID for each of the five immediately preceding tax years, accompanied by:
 - a. A notarized affidavit attesting to the date and source of such documentation; and
 - b. Evidence demonstrating that reasonable efforts were made to obtain the official notarized documentation required under subsection (i), and that the county declined or failed to provide such notarization;
- (4) A construction budget, with respect to any proposed physical improvements, that is structured to address and remediate the cited blighting factors and conditions identified in the submitted blight study. Such budget shall specify which expenditures are associated with exterior improvements, public improvements, or other improvements; and
- (5) A time schedule clearly setting forth timelines for commencement and completion of remediation of cited blighting factors or conditions.

(d) *City manager execution.* The city manager shall not execute any petition on behalf of the city as a property owner seeking to establish a CID unless authorized by the city council.

(e) *Cooperative agreement.* Each CID shall enter into a cooperative agreement with the city that addresses, among other things, requirements of this article and state statute. If the CID is established as a political subdivision and takes title to any real property, whether by purchase, gift, grant, bequest, devise or otherwise, the agreement shall address, or shall be amended to address, whether and to what extent the CID shall be required to make payments in lieu of taxes.

Sec. 74-303. Criteria for review for establishment of a CID.

(a) Prior to approving a petition to establish a CID, city council shall consider, among other things:

- (1) Alignment with city goals expressed in the city's comprehensive plan, area plans, and economic development policies;
- (2) Benefits to the community with preference for petitions that allocate at least ten percent of the CID's total projected sales tax revenues toward community benefits and services, including blight remediation;
- (3) Whether there are any existing CIDs within the boundaries of the proposed CID and if such existing CIDs support the establishment of the proposed CID as evidenced by a letter or similar evidence of support;
- (4) The current tax rate and a breakdown of taxes being imposed within the proposed CID boundaries, how the proposed overall tax rate compares to neighboring cities in Missouri, and any impact on the city's ability to impose additional taxes. Such information shall be provided by the finance department; and
- (5) Whether a shorter term is desirable based upon the nature of improvements and services and the projected budget.

(b) Prior to approving a petition to establish a CID with the additional powers under RSMo 67.1461.2, related to blighted areas, city council shall consider, among other things:

- (1) Whether the completion of exterior improvements and public improvements is prioritized above all other improvements;
- (2) Whether any petitioner was the owner of property within the proposed CID boundaries at such time as the blighting factors and conditions might reasonably have been determined to first occur and remain unabated. For purposes of this provision, any current property owner sharing one or more common partners, members, directors or officers with the property owner(s) identified as being responsible for the blighting factors and conditions shall be deemed the same owner(s); and

- (3) Whether more than 25 percent of the costs of remediation of blighting conditions located on the interior of any private property shall be funded by public revenues.

(c) Prior to the public hearing to establish a proposed CID, petitioners or their representatives shall provide a detailed letter or memorandum to city council addressing the criteria contained in this section and city staff shall review submitted materials to verify their satisfaction of the requirements set forth in this article.

Sec. 74-304. Reporting requirements.

(a) Annual reports and proposed annual budgets submitted to the City as required by Section 67.1471, RSMo., shall, among other things, provide a detailed breakdown of the CID revenue used or to be used toward public infrastructure improvements, exterior improvements, interior improvements, and other improvements and services.

- (1) Annual reports shall also include the name, term start and expiration dates, and contact information of each current board member to be entered into the City's board and commissions electronic database.
- (2) Annual reports shall also include a copy of any bylaws adopted during the applicable fiscal year, including revisions to existing bylaws.

(b) The City Clerk shall notify the City Council by communications to be included on the City Council's agenda each time a CID files its proposed annual budget and annual report with the City Clerk.

(c) City staff shall submit to the City Council, or through one of its committees, on or around November 1 of each year a report indicating the degree of compliance of all CIDs related to their submission of proposed annual budgets and annual reports within the time limits required by Section 67.1471, RSMo., whether the work performed conformed to previously submitted budgets, and whether the CID adhered to the terms of its cooperative agreement with the City. At the time of this report's presentation, a representative of each CID will be given the opportunity to provide a brief report on its activities.

Sec. 74-305. Costs and fines.

(a) *Costs.*

- (1) *Annual reimbursement.* Within 30 days of the receipt of an invoice from the City, each CID shall reimburse the City for the reasonable and actual expenses incurred by the City to:
 - a. Review budgets and reports of the CID required to be submitted to the City annually and report to City Council regarding such review.
 - b. Review and approve the petition of a CID.

- c. Review and approve the amended petition of an existing CID.

(2) *Annual reimbursement amount.*

- a. For a CID established pursuant to this article, the initial reimbursement amount shall be no less than \$1,000.00 nor exceed \$1,500.00 except, however, no reimbursement amount shall exceed one and one-half percent (1.5%) of the revenues collected by the CID in the preceding year.
- b. For a CID whose reimbursement amount is only for review of annual submissions, the reimbursement amount shall be no less than \$500.00 nor exceed \$1,000.00 except, however, no reimbursement amount shall exceed one and one-half percent (1.5%) of the revenues collected by the CID in the preceding year.
- c. For an existing CID that amends its petition, the initial reimbursement amount after such amendment shall be no less than \$750.00 nor exceed \$1,250.00 except, however, no reimbursement amount shall exceed one and one-half percent (1.5%) of the revenues collected by the CID in the preceding year.

(3) *Termination hearing notices.* A CID that petitions to terminate prior to the expiration of its term shall reimburse the City for the costs incurred for the publishing and mailing of the notices for the public hearing required by Section 67.1481, RSMo.

(b) *Fines.* Any CID that fails to submit its proposed annual budgets and annual reports within the timeframe required by Section 67.1471, RSMo., shall be subject to a fine of \$1,000 for every thirty (30) days delinquent, up to a maximum total fine of \$3,000.

(1) *Administrative citation.*

- a. Upon a violation, the City Manager or their designee may issue an administrative citation that includes the name of the CIDs a description of the violation, the amount of the fine, and notice of the appeal process.
- b. A CID must request an administrative hearing to appeal an administrative citation within 20 days of the issuance of said administrative citation.
- c. Payment of the administrative citation shall be made within 20 days unless a hearing is requested within the 20-day period.

(2) *Administrative hearing.*

- a. The City Manager or their designee shall designate a hearing officer to hear appeals of the administrative citation.
- b. The hearing shall occur pursuant to rules prescribed by the City Manager or their designee.
- c. After considering all the testimony and evidence submitted at the hearing, the hearing officer shall issue a written decision to uphold or cancel the administrative citation with reasons for such action. The decision of the hearing officer shall be final without any further right of administrative appeal other than as provided in chapter 536, RSMo.

(c) Ineligibility. Any CID with unpaid costs or fines pursuant to this section may be deemed by the City Manager or their designee to be ineligible to:

- (1) Amend its petition, including the extension of its term; and
- (2) Enter into new City contracts.

Section 74-306 -74-349. Reserved.

ARTICLE VIII. CHAPTER 353.

Section 74-350. Title of Article.

This article shall be known as the Chapter 353 Ordinance.

Sec. 74-351. Kansas City Chapter 353 Advisory Board.

(a) The city council hereby establishes the Kansas City Chapter 353 Advisory Board which board shall consist of five members. The members thereof shall be appointed by the mayor from those persons serving as commissioners of the Land Clearance for Redevelopment Authority of Kansas City, Missouri. If one or more of the commissioners is unable or unwilling to serve such that that Kansas City Chapter 353 Advisory Board shall have less than five members at any point in time, then the mayor shall appoint such other persons as he shall determine proper for the purpose of filling the vacancies. Any member drawn from the commissioners of the Land Clearance for Redevelopment Authority shall serve a term that is congruent with his or her term on the Land Clearance for Redevelopment Authority. All other members shall serve for a term of three years or until his or her successor shall have been appointed.

(b) The Kansas City Chapter 353 Advisory Board shall function as provided for in these sections 74-350 through 74-399 with regard to any development plan or amendment to any development plan submitted after the effective date of this section. Those development plans or amendments to development plans approved by the city council prior to the effective date of this

section shall continue to be governed as provided for by the provisions of Chapter 74 in effect at the time such development plan or amendment thereto was approved by ordinance, which provisions shall be retained on file with the Director of City Development and the City Clerk and shall be deemed incorporated herein by reference.

Section 74-352. Definitions.

The terms used in these sections 74-350 through 74-399 shall be defined as provided in section 353.020, RSMo. as amended.

Sec. 74-353. Application for approval of development plan; amendments.

(a) Any urban redevelopment corporation proposing a development plan shall simultaneously submit the following documents, together with the required filing fee, to the Kansas City Chapter 353 Advisory Board:

- (1) Blight study, which study shall exclude consideration of any condition caused by the urban redevelopment corporation;
- (2) Development plan;
- (3) Tax impact analysis to each political subdivision within the area encompassed by the development plan;
- (4) Certification that the urban redevelopment corporation has given written notice of the development plan and a copy of the tax impact analysis to each political subdivision within the area encompassed by the development plan;
- (5) Certification that the urban redevelopment corporation has given written notice to each person or entity having any recorded property interest and to each occupant and business in the project area at the address of such occupant or business within the area encompassed by the development plan;
- (6) Certification that the urban redevelopment corporation will pay, or cause to be paid, prevailing wages as established by Sections 290.210 to 290.340, RSMo, provided however that the payment of prevailing wages shall not be required for the construction or rehabilitation of single-family housing, attached or detached, which will be owner-occupied after the completion of the construction or rehabilitation;
- (7) Certification that the urban redevelopment corporation will comply, and cause its contractors to comply, with the requirements of City's minority and women's business enterprise program as contained within sections 3-421 to 3-469 of this Code, and construction employment program as contained within sections 3-501 to 3-525 of this Code, as the same may be amended and recodified from time-to-time;

- (8) Budget and sufficient financial information to enable the Kansas City Chapter 353 Advisory Committee to determine whether the development plan being proposed would be economically viable without the assistance being requested and the amount of financial assistance needed, if any, to fill any gap in financing and make the development financially feasible; and
- (9) Any other documentation that may be required by the board.

(b) Any urban redevelopment corporation proposing an amendment to a previously approved development plan shall submit those documents required by subsection (a) hereof as are relevant to the proposed amendment, together with the required filing fee, to the Kansas City Chapter 353 Advisory Board.

(c) Each document required to be submitted to the Kansas City Chapter 353 Advisory Board shall be submitted in such format and contain such information as may be required by the board. The board shall develop a list of the items to be contained in a development plan but such plan shall include, at a minimum, the following:

- (1) Legal description. The plan shall contain a legal description of the development area by metes and bounds or other definite designation.
- (2) Stages of project. The plan shall contain a statement of the various stages, if more than one is intended, by which the development is proposed to be constructed or undertaken, and the approximate time limit for the commencement and completion of each stage, together with a description of the real property to be included in each stage so as to reasonably identify the various stages. The statement shall also set forth a time schedule clearly setting forth reasonable times for commencement and completion of:
 - a. Acquisition of properties.
 - b. Demolition of buildings.
 - c. New construction or building renovation.
- (3) Property to be demolished. The plan shall contain a statement of existing buildings or improvements in the development area to be demolished immediately, if any, and the approximate period of time during which demolition, if any, of each such building or improvement is to take place.
- (4) Property not to be demolished. The plan shall contain a statement of existing buildings or improvements in the development area not to be demolished immediately, if any, and the approximate period of time during which demolition, if any, of each such building or improvement is to take place.

- (5) Building renovation. The plan shall contain a statement of the proposed improvements, if any, to each building not to be demolished immediately, any proposed repairs or alterations to such buildings, and the approximate period of time during which such improvements, repairs or alterations are to be made.
- (6) New construction. The plan shall contain a statement of the type, number and character of each new residential, commercial and industrial building or other type of improvement to be erected or made.
- (7) Amenities. The plan shall contain a statement of those portions, if any, of the blighted area which shall be determined to be amenities to the project, including but not limited to permanent residential open space for recreation, streetscape, plaza areas and other similar visual effects.
- (8) Property for public agencies. The plan shall contain a statement of those portions, if any, of the blighted area which are proposed to be sold, donated, exchanged or leased to the board of education, public library board, art commission or other public agency and an outline of the terms of such proposed sale, donation, exchange or lease.
- (9) Zoning changes. The plan shall contain a statement of the proposed changes, if any, in zoning ordinances or maps, necessary or desirable for the redevelopment, and its protection against blighting influences.
- (10) Street changes. The plan shall contain a statement of the proposed changes, if any, in streets or street levels and alleys, any proposed street closings, and any changes which would have to be made to streets or alleys adjoining or near the redevelopment project, including the plan for financing these changes.
- (11) Dwelling accommodations. The plan shall contain a statement of the character of the existing dwelling accommodations, if any, in the blighted area, and the approximate number of occupants residing therein, together with the schedule of the rentals being paid by them, a schedule of the vacancies in such accommodations, if any, together with the rentals demanded therefor, and the names and addresses of occupants if the information is available.
- (12) Housing and business relocation. The plan shall contain a statement of the housing accommodations available in other locations in the city for those occupants who will be displaced by the redevelopment project. The development plan shall set forth a feasible plan for the relocation of all occupants and businesses and any other entities displaced, including adequate reimbursements for reasonable relocation cost.
- (13) Proposed housing. The plan shall contain a statement of the character, type and quality of construction, approximate number of units, approximate rentals and approximate date of availability of the proposed dwelling accommodations, if

any, to be furnished during construction and upon completion of the redevelopment.

- (14) **Financing.** The plan shall contain a statement of the proposed method of financing the costs of the development plan. Included as a part of the financing statement shall be reasonable estimates on the costs of acquisition, demolition, construction and rehabilitation, if any. Further, the financing statement shall identify the amount of equity capital which shall be required and how that equity will be raised. Evidence shall also be submitted that the project is financially feasible based on a financial feasibility and marketability study satisfactory to the city. Further, evidence shall be submitted that sufficient funds are available, or will be available upon approval of the development plan, to provide for the cost of acquisition within the area and relocation benefits.
- (15) **Management.** The plan shall contain a statement of the names of the individuals who it is proposed will be active in or associated with the management of the redevelopment project during the period of at least one year from the date of the approval of the development plan, and the name and address of the registered agent for the corporation.
- (16) **Property ownership.** The plan shall contain a statement giving the legal description of the real property owned, or proposed to be purchased or to be acquired by eminent domain, and the reasons why acquisition by condemnation is proposed.
- (17) **Eminent domain on behalf of proponents of plan.** The plan shall contain a statement giving the legal description of the real property, if any, proposed to be purchased or acquired by eminent domain by the city in behalf of the proponents of the development plan or by any other body authorized to acquire by eminent domain, and the reasons why the aid of the city or other body is sought for that purpose.
- (18) **Assignment of plan.** Appropriate controls shall be provided over the right of assignment of the development to any other entity in order that the city council is assured that the intention and purpose of the redevelopment project will, in fact, be carried out.
- (19) **Certificate of incorporation.** The corporation shall include in its plan a copy of the certificate of incorporation from the secretary of state.
- (20) **Affirmative action plan.** The plan shall contain a program to encourage the participation of all individuals regardless of race, color, creed, sex or age in all aspects of the redevelopment project.

- (21) Other information. The development plan, and any application for amendment thereto, shall contain such other statements or exhibits as may be deemed relevant.

(d) The Kansas City Chapter 353 Advisory Board shall establish such filing fees as it shall determine proper for purposes of fulfilling its obligations hereunder. No document submitted without the required filing fee shall be accepted or considered by the board in making its recommendation to the city council.

Sec. 74-354. City Plan Commission review.

(a) In the event that a development plan or amendment thereto requires any changes to the zoning in effect for the area encompassed by the development plan, the urban redevelopment corporation shall submit a copy of the development plan or amendment to the City Plan Commission. The commission shall thereupon provide for a public hearing upon such development plan or amendment and cause notice of the hearing thereon to be given by at least one publication in the newspaper doing the city printing not less than ten days before the date of the hearing. All interested parties may be heard at such hearing. After such hearing, the City Plan Commission may make such other investigations as it deems proper, and thereafter submit a report on any such plans to the city council.

(b) Any public hearing required to be held before the City Plan Commission shall be held before any public hearing before the Kansas City Chapter 353 Advisory Board.

Sec. 74-355. Hearing; Notice; Recommendation.

(a) The Kansas City Chapter 353 Advisory Board shall provide for a public hearing upon a completed application for approval of a development plan or amendment and shall cause notice of such hearing thereon to be given by at least one publication in the newspaper doing the city printing not less than ten days before the date of the hearing. The board shall also distribute, or cause to be distributed, notice to each political subdivision within the area encompassed by the development plan or amendment. All interested parties may be heard at such hearing and may also elect to provide a response in writing. If more than one development plan or amendment is filed for all or any part of the same area, there shall be a public hearing on each plan or amendment. Notwithstanding the foregoing, no hearing shall be scheduled or held before by the board until such time as the City Plan Commission shall have made its recommendation to the city council for those development plans or amendments the implementation of which necessitates review by that body.

(b) The Kansas City Chapter 353 Advisory Board shall review the development plan or amendment and shall make a recommendation to the city council following the conclusion of the public hearing. In arriving at its recommendation, the board shall consider the blight study, the development plan and the type of development which is physically desirable for the area concerned. After fully considering the development plan or amendment, the board shall forthwith transmit its recommendation thereon to the city council.

Sec. 74-356. City Council consideration.

(a) The recommendation of the Kansas City Chapter 353 Advisory Board shall be filed with the Director of City Development, accompanied by an ordinance providing for the approval of the development plan or amendment. The ordinance shall thereafter be introduced and referred to a committee for a hearing thereon, in accordance with the Charter and the rules of the council relative to city ordinances. The city council may thereafter approve the development plan or amendment subject to such conditions, exceptions or restrictions as the council may deem to be in the public interest, disapprove the development plan or amendment, or refer the matter back to the Kansas City Chapter 353 Advisory Board for further consideration.

(b) The approval of any development plan or amendment by the city council shall serve to:

- (1) Establish that the area included within a development plan as the same may be amended has been determined to be a blighted area the clearance, redevelopment, replanning, rehabilitation or reconstruction of which is necessary for the public convenience and necessity, and that implementation of the development plan as the same may be amended is necessary for the preservation of the public peace, property, health, safety, morals and welfare;
- (2) Authorize the Director of City Development to execute or amend a development agreement with the urban redevelopment corporation, which agreement shall grant to the urban redevelopment corporation the right and obligation to implement the development plan as the same may be amended in accordance with the terms of the development agreement. Notwithstanding any term of such development agreement to the contrary, the failure to acquire the fee interest and any lesser interest in the name of the urban redevelopment corporation or on behalf of the urban redevelopment corporation by a designated person within three years after the date specified in the development agreement between the city and the urban redevelopment corporation for each phase of the development plan shall result in an automatic loss of the development rights, including any tax abatement, and the development plan as the same may be amended and development agreement shall become null and void as to the respective and all subsequent phases.

Sec. 74-357. Tax agreements.

(a) In the course of considering any development plan or amendment for approval, the Kansas City Chapter 353 Advisory Board and the city council shall give particular recognition to any agreement, in writing, on behalf of the urban redevelopment corporation presenting such plan or amendment that, notwithstanding the provisions of the Missouri Redevelopment Corporations Law, it will make payments in lieu of real property taxes to the appropriate political subdivisions.

(b) Payments in lieu of taxes shall be distributed to all political subdivisions levying taxes on the area to be redeveloped on the same pro rata basis and in the same manner as the ad valorem real property tax revenues received by each taxing authority from such property in the year such payments are due.

(c) As part of the consideration of any development plan or amendment, there shall be a full report on any agreement for payments in lieu of taxes.

(d) If any urban redevelopment corporation, or its successors or assigns, fails to tender the payments in lieu of taxes to the appropriate political subdivision as required by any contract or amendment thereto, interest shall be due thereon at the same rate and in the same manner commencing on January 1 of the calendar year following the year in which payment is due. Any action by the city to declare the redevelopment project in default or abandoned shall not release the urban redevelopment corporation, or its successors or assigns, from the liability under this subsection.

Sec. 74-358. Ongoing monitoring; tax exemption.

(a) The Kansas City Chapter 353 Advisory Board shall monitor the urban redevelopment corporation's compliance with the development agreement authorized by the city council and shall notify the Director of City Development in the event that there is cause to believe that the urban redevelopment corporation has failed to comply with such agreement, the development plan as the same may be amended, or the terms of any document submitted as part of its application to the board. The board may require such periodic reporting as it deems appropriate to enforce such obligation.

(b) The terms of any tax exemption which the urban redevelopment corporation may be entitled to and the duration thereof shall in no event exceed that which is authorized by section 353.110, RSMo as amended.

Sec. 74-359. Remedies for failure to follow development plan.

In the event that an urban redevelopment corporation fails to substantially comply with the development plan as the same may be amended within the time limits and in the manner for the completion of each phase thereof, or any development agreement entered into pursuant thereto, then the city council may terminate the development plan, including the tax exemption or tax abatement, and may require the repayment of the amount of taxes which would have been payable to the taxing jurisdictions. The city council also may, whether in addition to or in lieu of the foregoing, authorize the city attorney to commence such legal proceedings and request such relief, whether legal or equitable, as the city council may deem proper.

Sec. 74-360. Chapter 353, RSMo.

The provisions of the Urban Redevelopment Corporations Law, Sections 353.010--190, RSMo, as the same may be amended from time to time, are incorporated herein by reference and shall control to the extent of any inconsistency with any provision of this Chapter.

Sec. 74-361- Section 74-399. Reserved.

**ARTICLE IX.
CHAPTER 100 BONDS.**

Section 74-400. Title.

This article shall be known as the Chapter 100 Bond Ordinance.

Section 74-401. Policy.

Chapter 100 Bonds are designed as a financial incentive, primarily for business retention projects, to encourage new jobs and investment in Kansas City.

Section 74-402. Industrial Development Plan.

(a) For all proposed Chapter 100 Projects, a plan shall be submitted to the City Council, including:

- (1) statement identifying each property tax jurisdiction affected by such project, except property assessed by the state tax commission;
- (2) The most recent equalized assessed valuation of the real property and personal property included in the project, and an estimate as to the equalized assessed valuation of real property and personal property included in the project after the development.

(b) Statutory notice.

- (1) A cost benefit analysis of the project on each school district, county or city; and
- (2) Identification of any PILOTS expected to be made by any lessee of the project, and the disposition of any such payments by the City.

(c) Prior to the introduction of the plan with the council for approval, a community impact statement shall be performed. The community impact statement shall address the following issues:

- (1) the project's integration with the FOCUS development priority zones;
- (2) Cost-benefit of the project with respect to the expected revenue the project will generate, compared to the property taxes abated for the City and the other impacted taxing jurisdictions. The cost-benefit analysis shall include an estimate of the students likely to be generated by the project.

- (3) The project's projected use of affirmative action policies in construction and hiring.
- (4) a checklist of :
 - a. Substantial increase in job creation and/or retention of a substantial number of existing employees
 - b. real and personal property investment
 - c. average wages of present/future employees
 - d. capability to attract sales from outside the City
 - e. financial strength of the business
 - f. additional residents to the area
 - g. potential for future expansion
 - h. existing versus new business to the city
 - i. general environmental impact on the area
 - j. use of federal and state incentives for the project
 - k. evidence of the need for the Chapter 100 bonds in recruitment projects
 - l. evidence of support for the Chapter 100 bonds by the affected taxing jurisdictions.
 - m. estimated impact to proximate businesses, or to businesses selling similar products or services located in the City.

(d) In accordance with section 100.059 RSMo, the City shall, not less than twenty (20) days before approving the plan for a project, provide written, certified mail, notice of the proposed project to the county in which the project is located, the school district in which the project is located and any other property taxing jurisdiction in which the project is located. Such notice shall state the date on which the City Council will first consider approval of the plan, and shall invite such school districts, counties or other taxing jurisdictions to submit comments. Such notice shall also include the following information:

- (1) A description of the project;
- (2) An estimate of the cost of the project;
- (3) A statement of the source of funds to be expended for the project;

- (4) A statement of the terms upon which the facilities to be provided by the project are to be leased or otherwise disposed of by the municipality.

Section 74-403- 74- 449. Reserved.

**ARTICLE X.
PLANNED INDUSTRIAL EXPANSION AUTHORITY**

Section 74-450. PIEA Created.

Pursuant to Section 100.320 RSMo. the City created The Planned Industrial Expansion Authority of Kansas City, Missouri on February 9, 1968, with Ordinance No. 34677.

Section 74-451. PIEA Board of Commissioners.

The PIEA shall be governed by a board of fifteen commissioners, appointed by the Mayor. A majority of the commissioners shall constitute a quorum of such board for the purpose of conducting business and exercising the powers of the authority and for all other purposes.

74-452 – 74-499. Reserved.

**ARTICLE XI.
ENHANCED ENTERPRISE ZONES**

Sec. 74-500. Title of Article.

This article shall be known as Enhanced Enterprise Zones.

74-501. Definition.

For purposes of this Article, the following words shall have the following meanings

- (1) Speculative Industrial or Warehouse Building means any newly constructed facility which is neither owner occupied nor built-to-suit, and which is eligible for and being marketed to one or more qualified business enterprises which are primarily of an industrial or warehouse character.
- (2) Initial Tax Abatement means a two year, 50% abatement of ad valorem tax on improvements consisting of a Speculative Industrial or Warehouse Building.
- (3) Longer Tax Abatement means 50% abatement of ad valorem tax on improvements consisting of a Speculative Industrial or Warehouse Building for the eight year period following the two year period described in subsection (2) above, provided that at the end of such two year period the Speculative Industrial or Warehouse Building is at least 20% occupied by an eligible business.

- (4) Eligible Business means a business occupying space within a Speculative Industrial or Warehouse Building and eligible for incentives under the Enhanced Enterprise Zone program pursuant to Section 135.950(9)(b), RSMo, as codified under Ordinance Nos. 051411, 051412, and 051413 of the City of Kansas City, Missouri. The determination of whether a business is eligible shall be limited solely to Chapter 135, as codified, and in no event will the determination of eligibility require a certification under the Missouri Works Program.
- (5) Longer Deeper Abatement means a tax abatement longer than 10 years or exceeding 50%.
- (6) Opportunity Zone means an area in Kansas City, Missouri which has been designated an opportunity zone by the US Department of the Treasury.
- (7) EEZ Board
- (8) Eastside Investment Zone

74-502. Policy for use.

(a) All subsequent improvements to real property constructed in accordance with applicable City Codes and Ordinances, located within an Enhanced Enterprise Zone and eligible for incentives under the Enhanced Enterprise Zone program pursuant to Section 135.950(9)(b), RSMo, as codified under Section 74-453, shall become and remain exempt from assessment and payment of 50% of the ad valorem taxes of the City of Kansas City, Missouri for a period of ten (10) years upon application and approval. The determination of whether a business is eligible shall be limited solely to Chapter 135, as codified, and in no event will the determination of eligibility require a certification or receipt of tax credits under the Missouri Works Program.

(b) Projects seeking Longer and Deeper Tax Abatement shall first be presented to the EEZ Board for its hearing and recommendation to the City Council, except the Opportunity Zone projects located in both an EEZ Zone and an East Side Investment Zone may be administratively approved by the Executive Director of the EEZ for up to 100% tax abatement for up to 20 years ("OZ Administrative Approval"). This Authorization for OZ Administrative Approval shall expire July 18, 2021.

74-505. Eligible businesses.

The following types of businesses as eligible for state and local incentives under Senate Bill No. 1155 in Enhanced Enterprise Zone 1 NAICS Sector Name:

- (1) Construction (23)
- (2) Manufacturing (31-33)
- (3) Wholesale Trade (42)

- (4) Transportation & Warehousing (48-49)
- (5) Information (51)
- (6) Finance & Insurance (52)
- (7) Professional & Technical Services (54)
- (8) Enterprise Management (55)
- (9) Administrative, Support, Waste Management & Remediation Services (56)
- (10) Arts, Entertainment, and Recreation (71), not including gaming.
- (11) Other Services (81)
- (12) Real Estate, Rental & Leasing (53), not including Industry 531110, Lessors of Residential Buildings and Dwellings
- (13) Health Care & Social Assistance (62)

74.506 –74-549. Reserved.

**ARTICLE XII.
TAX REDIRECTION AGREEMENTS.**

Sec. 74-550. Title of Article.

This article shall be known as Tax Redirection Agreements.

74-551 –74-559. Reserved.

Section 6. That Second Committee Substitute for Ordinance No. 160383, as Amended, Ordinance No. 190563, Second Committee Substitute for Ordinance No. 200497, as Amended, Committee Substitute for Resolution No. 140861, and Second Committee Substitute for Ordinance No. 211025 are hereby repealed.

..end

Approved as to form:

Emalea Kohler
Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: Resolution 251058

Submitted Department/Preparer: Mayor/Council's Office

Revised 6/10/24

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Directing the City Manager to undertake certain actions to ensure economic development projects in Kansas City promote equitable economic development, align with City policy priorities, achieve efficiency in the economic development process, and effectively evaluate performance; directing the City Manager to request the input and participation from economic development agencies; directing the City Manager to incorporate public feedback and engagement opportunities prior to the final policy recommendations; directing the City Auditor to conduct a comprehensive review of City economic development entities to ensure policy alignment; repealing Chapter 74, Code of Ordinances, by enacting a new Chapter 74 entitled "Economic Development Incentive Policies and Procedures Code;" and repealing Second Committee Substitute for Ordinance No. 160383, as Amended, Ordinance No. 190563, Second Committee Substitute for Ordinance No. 200497, as Amended, Committee Substitute for Resolution No. 140861, and Second Committee Substitute for Ordinance No. 211025.

Discussion

On October 25, 2012, the City Council adopted Committee Substitute for Resolution No. 120836 expressing its support for the AdvanceKC Strategic Plan and the related underlying planning process. The City Council then passed Ordinance No. 120966 adopting the AdvanceKC Strategic Plan as the Economic Development Strategic Plan for the City of Kansas City and directing the City Manager to proceed with supporting the planning and development of the implementation phase of the project; and

The implementation phase began with the April 11, 2013, adoption of Committee Substitute for Resolution No. 130274 which provided a single point of entry for development projects through the Economic Development Corporation of Kansas City Missouri (the "EDC"); and

The process continued on February 20, 2014, when the Council passed Committee Substitute for Ordinance No. 140031, which adopts the Economic Development and Incentives Policy. A sound economic development and incentive policy must identify objectives supported by the City Council, which evolve and adapt over time, to provide clarity to developers and businesses seeking incentives, stakeholders impacted by economic development policy decisions, and policy guidance to staff responsible for advancing economic development projects; and

Section 807 of the City Charter provides that the City Council shall enact policies that reflect best practices for, among other things, the use of economic incentives. The Citywide Business Plan's goal for Inclusive Growth and Development aims to strategically and intentionally support development in a comprehensive manner that respects the needs of neighborhoods throughout Kansas City, to grow the economy through inclusion by developing strategies focused on areas traditionally underserved by economic development and redevelopment efforts, and to make it easier to operate businesses within the City by creating a more efficient, solutions-oriented environment; and

On March 28, 2024, the City Council authorized the City Manager to enter into a contract with Angelou Economics for the creation of an updated economic development strategic plan. In late 2024 and early 2025, Angelou Economics conducted a series of roundtable focus groups to gather insight from the Council as well as a broad section of community stakeholders for the preparation of the strategic plan. Angelou Economics has provided extensive recommendations (the "AE Report"), a copy of which is attached hereto, to the Council on best practices and strategic goals to achieve equitable economic development, create an efficient and transparent process, provide accountability and transparency and effectively evaluate performance. The Council desires to begin the implementation process of certain recommended strategic goals and provide a timetable for implementation. It is anticipated that additional strategic goals recommended by Angelou Economics will be implemented in the future

Fiscal Impact

1. Is this legislation included in the adopted budget? ☐ Yes ☒ No
2. What is the funding source?
No appropriations in this ordinance
3. How does the legislation affect the current fiscal year?
No appropriations in this ordinance
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
No appropriations in this ordinance
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
No appropriations in this ordinance

Office of Management and Budget Review (OMB Staff will complete this section.)

1. This legislation is supported by the general fund. ☐ Yes ☒ No
2. This fund has a structural imbalance. ☐ Yes ☒ No

3. Account string has been verified/confirmed.

☐ Yes ☒ No

Additional Discussion (if needed)

No appropriations in this ordinance

Citywide Business Plan (CWBP) Impact

1. View the [Adopted 2025-2029 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?
Inclusive Growth and Development (Press tab after selecting.)
3. Which objectives are impacted by this legislation (select all that apply):
 - ☒ Align the City's economic development strategies with the objectives of the City Council to ensure attention on areas traditionally underserved by economic development and redevelopment efforts.
 - ☐ Ensure quality, lasting development of new growth.
 - ☐ Increase and support local workforce development and minority, women, and locally owned businesses.
 - ☒ Create a solutions-oriented culture to foster a more welcoming business environment.
 - ☐ Leverage existing institutional assets to maintain and grow Kansas City's position as an economic hub in the Central United States.
 - ☐

Prior Legislation

Second Committee Substitute for Ordinance No. 160383, Amended, Ordinance No. 190563, Second Committee Substitute for Ordinance No. 200497, as Amended, Committee Substitute for Resolution No. 140861, and Second Committee Substitute for Ordinance No. 211025. Committee Substitute for Resolution No. 120836, Committee Substitute for Resolution No. 130274, Committee Substitute for Ordinance No. 140031

Service Level Impacts

None

Other Impacts

1. What will be the potential health impacts to any affected groups?
n/a
2. How have those groups been engaged and involved in the development of this ordinance?
Ongoing
3. How does this legislation contribute to a sustainable Kansas City?
Ongoing determination.
4. Does this legislation create or preserve new housing units?
No (Press tab after selecting)

Click or tap here to enter text.

Click or tap here to enter text.

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting)

Please provide reasoning why not:

Click or tap here to enter text.

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

Click or tap here to enter text.

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?
No(Press tab after selecting)



File #: 250553

RESOLUTION NO. 250553

Sponsor: Mayor Quinton Lucas

RESOLUTION - Expressing the need for and desire to implement a software grant management system.

WHEREAS, the City actively seeks and manages multiple federal, state, and private grants to support municipal operations and community programs; and

WHEREAS, the use of dedicated grant management software systems is recognized as a best practice by municipal governments and grant-making organizations to ensure efficient and compliant grant administration; and

WHEREAS, effective grant management is essential for maximizing funding opportunities, ensuring compliance with grant requirements, and maintaining proper documentation and reporting; and

WHEREAS, the current manual grant management processes are time-intensive and may not provide optimal tracking, reporting, and compliance capabilities; and

WHEREAS, the current political climate has created uncertainty regarding federal funding priorities and grant program stability, necessitating improved local capacity for strategic grant management and diversified funding approaches; and

WHEREAS, a comprehensive software grant management system would enhance the City's ability to:

- Identify and pursue relevant grant opportunities
- Streamline the grant application process
- Monitor grant compliance and reporting requirements
- Track grant expenditures and budgets
- Generate required reports for grantors
- Maintain comprehensive grant records and documentation; and

WHEREAS, the City has access to a National Cooperative Agreement with Omnia Carahsoft, which is the owner of the eCivis grant management platform; and

WHEREAS, staff has identified the eCivis platform as a comprehensive software solution that could significantly improve the City's grant management capabilities; and

WHEREAS, implementing such a system would improve operational efficiency, reduce administrative burden, and potentially increase the City's success in securing grant funding; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY:

Section 1. The City Council hereby acknowledges the need for and expresses its desire to implement a comprehensive software grant management system to enhance the City's grant-seeking and management capabilities.

Section 2. The City Council directs the City Manager to:

- A. Evaluate the eCivis grant management platform available through the National Cooperative Agreement with Omnia Carahsoft.
- B. Analyze costs, benefits, and implementation requirements for the eCivis platform.
- C. Collaborate with the Grants Strategy Officer in the Mayor's office on migration and implementation of the eCivis program.

Section 3. The City Council authorizes staff to utilize the National Cooperative Agreement with Omnia Carahsoft to purchase the eCivis grant management system without requiring a separate procurement process, subject to final Council approval of any contractual agreements and associated budget appropriations.

..end

**No Docket Memo
Provided for
Resolution No.**

250553



File #: 251027

ORDINANCE NO. 251027

Sponsor: Mayor Quinton Lucas

Providing for submission to the qualified voters of the City for their approval at an election called for April 7, 2026, the question of authorizing the issuance of waterworks revenue bonds of the City in the principal amount of \$750,000,000.00 for the purpose of rehabilitating, improving and extending the waterworks system of the City, including acquiring necessary land and rights of way, in order to provide for its continuing operation and to maintain compliance with federal, state and judicial requirements; directing the City Clerk to notify the responsible election authorities of this election; declaring the City's intention to set rates; declaring the City's intention to reimburse itself from revenue bond proceeds for bond related expenditures; recognizing this ordinance to have an accelerated effective; and establishing an effective date for the voter authorization.

WHEREAS, an election may be held throughout Kansas City on April 7, 2026; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. ELECTION CALLED. An election is hereby called and shall be held in Kansas City, Missouri, on April 7, 2026, at which election there shall be submitted to the qualified electors of Kansas City, Missouri, the question of authorizing the issuance of waterworks revenue bonds by the City in the principal amount of \$750,000,000.00 for the purpose of rehabilitating, improving and extending the waterworks system of the City, including acquiring necessary land and rights of way.

Section 2. BALLOT LANGUAGE. The ballot language shall be in substantially the following form:

QUESTION _____ SHALL THE FOLLOWING BE APPROVED?

Shall the City of Kansas City, Missouri issue waterworks revenue bonds in the principal amount of \$750,000,000.00 for the purpose of rehabilitating, expanding and improving of the City's waterworks system, including acquiring necessary land and rights of way, in order to provide for its continuing operation and to maintain compliance with federal, state and judicial requirements, with the principal of and interest on said revenue bonds to be payable solely from the

revenues derived by the City from the operation of its waterworks system, including all future rehabilitations, improvements and expansions thereto?

_____ Yes
_____ No

The voter who desires to vote in favor of this proposition shall place an X in the box opposite Yes. The voter who desires to vote against this proposition shall place an X in the box opposite No.

Section 3. DELIVERY OF ORDINANCE BY CITY CLERK TO ELECTION AUTHORITIES. The City Clerk shall deliver certified copies of this ordinance and notice of election to the Board of Election Commissioners of Kansas City, Missouri, to the Board of Election Commissioners of Clay County, Missouri, to the Board of Election Commissioners of Platte County, Missouri, and to the County Clerk of Cass County, Missouri, which shall be the authority of the respective election authorities of the City to submit the question to the electors of Kansas City as herein provided and to give public notice thereof as provided by law.

Section 4. ELECTION NOTICE. That the notice of election shall read as follows:

NOTICE OF ELECTION
CITY OF KANSAS CITY, MISSOURI

Notice is hereby given that the City of Kansas City has called an election to be held in the City on April 7, 2026, between the hours of 6:00 a.m. and 7:00 p.m. C.D.T., at which election all qualified voters residing within the City of Kansas City, Missouri, will be given the opportunity to vote.

The official ballot will be in substantially the following form:

QUESTION _____
SHALL THE FOLLOWING BE APPROVED?

Shall the City of Kansas City, Missouri issue waterworks revenue bonds in the principal amount of \$750,000,000.00 for the purpose of rehabilitating, expanding and improving the City's waterworks system, including acquiring necessary land and rights of way, in order to provide for its continuing operation and to maintain compliance with federal, state and judicial requirements, with the principal of and interest on said revenue bonds to be payable solely from the revenues derived by the City from the operation of its waterworks system, including all future rehabilitations, improvements and expansions thereto?

_____ Yes
_____ No

[Instructions to voters will be supplied by the election authorities.]

A full and complete copy of Ordinance No. _____, submitting the above question to the electorate is on file in the office of the City Clerk of Kansas City, Missouri, where the same is open for inspection and copying.

The polling places for the election will be *[insert list of polling places in last publication only.]*

I hereby certify that the foregoing is the legal notice to be published pursuant to Section 115.127, RSMo.

Given under my hand and the official seal of the City of Kansas City, Missouri, this _____ day of _____, 2025.

(SEAL)

Marilyn Sanders
City Clerk, City of Kansas City, Missouri

Before me, a notary public, personally appeared Marilyn Sanders, to me known to be the City Clerk of the City of Kansas City, Missouri, and the person who acknowledged to me that she executed the same for the purposes therein stated.

Notary Public

My Commission Expires: _____

Section 5. RATE SETTING. The authorization of the waterworks revenue bonds will authorize the City to fix, establish, maintain and collect rates and charges for the services provided by the City through its waterworks system, including all rehabilitations, extensions and improvements thereto hereafter constructed or acquired by the City, in addition to the other rates and charges for such services provided by law, as will produce income and revenues sufficient to provide funds to pay the costs of operation and maintenance of said waterworks system and the principal of and interest on the waterworks revenue bonds as they become due and to provide for the establishment of reasonable reserves therefor. The Council states its intention to structure the

issuance of the bonds so as to minimize the impact on ratepayers, while continuing to make necessary improvements and extensions to the waterworks system.

Section 6. REIMBURSEMENT. The City has made and expects to make expenditures on and after the date of passage of this Ordinance in connection with the rehabilitations, improvements and extensions to the waterworks system of the City, and the City intends to reimburse itself for such expenditures with the proceeds of the waterworks revenue bonds. The maximum principal amount of waterworks revenue bonds expected to be issued is \$750,000,000.00.

Section 7. ACCELERATED EFFECTIVE DATE RECOGNIZED. This ordinance, calling for an election and providing for the submission of a question to the people of Kansas City, Missouri, is hereby recognized to have an accelerated effective date within the meaning of Section 503(a)(3)(A) of the Charter because it calls an election and provides for the submission of proposals to the people, and as such take effect in accordance with Section 503.

Section 8. EFFECTIVE DATE. If a majority of the qualified voters voting at said election shall vote in favor of the question, then the authority of the Council to sell said waterworks revenue bonds shall become effective immediately upon certification of the election results by the election authorities.

..end

Approved as to form:

Samuel Miller
Assistant City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 251027

Submitted Department/Preparer: Water

Revised 6/10/24

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

After the March 27th, 2025 water revenue bond sale, the Water Utility has only \$15 million in remaining authorization from the April 8th, 2014 Revenue Bond Authorization. In order to continue to finance debt at low interest rates for Water Utility capital projects, the utility needs to obtain a new \$750 million revenue bond authority from the voters of Kansas City, Missouri. This ordinance would put that initiative on the ballot on April 7, 2026.

Discussion

For a capital intensive utility, revenue bond financing is the lowest cost method of financing capital projects that BOTH current and future ratepayers will realize the benefits from. It also enables a utility to plan for and stabilize rate increases by spreading costs out over longer periods of time.

The Water Utility's Plan of Finance (long term financial model) projects the use of revenue bond financing as a low cost method to pay for future capital projects that rehabilitate, improve and extend the drinking water system. In addition, water revenue bond authorization enables the Water Utility to use the State of Missouri's State Revolving Fund program and borrow at reduced market interest rates.

KC Water's Water Capital Plan calls for over \$1 billion in capital projects (not including the South Water Supply Resiliency Project) between now and FY2031. Approximately 75% (\$750 million) of those projects will need to be financed with water revenue bonds.

However, in order to utilize water revenue bond financing, the voters of Kansas City, Missouri must approve it. In the last water revenue bond authority election (April 8, 2014), 79% of the voters (20,330 out of 25,605 cast) approved the request.

Fiscal Impact

1. Is this legislation included in the adopted budget? ☐ Yes ☒ No
2. What is the funding source?
There is no funding source as this ordinance calls for an initiative to be put on the April 7, 2025 ballot.
3. How does the legislation affect the current fiscal year?
The legislation does not affect the current year.
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
No because it puts an initiative on the ballot to the voters of Kansas City. However, each time the Water Utility needs to issue water revenue bonds in the future, it will have to submit an ordinance to the Council requesting a specific amount for a bond sale against the outstanding authorization. In addition, the Water Utility will need to include in each water revenue bond sale ordinance, the projects in the capital plan that will be financed with revenue bond proceeds each time a sale needs to be approved by the Council. The fiscal impact of each bond sale will be different because it will be based on the interest rate and the size of the bond at the time of sale.
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
This legislation does not generate revenue. Rather it puts an initiative on the ballot to the voters for permission to issue future water revenue bonds against a set authorized amount.

Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund. ☐ Yes ☒ No
2. This fund has a structural imbalance. ☐ Yes ☒ No
3. Account string has been verified/confirmed. ☐ Yes ☒ No

Additional Discussion (if needed)

N/A

Citywide Business Plan (CWBP) Impact

1. View the [Adopted 2025-2029 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?
Infrastructure and Accessibility (Press tab after selecting.)
3. Which objectives are impacted by this legislation (select all that apply):
 - ☐ Engage in thoughtful planning and redesign of existing road networks to ensure safety, access, and mobility of users of all ages and abilities.
 - ☐ Enhance the City's connectivity, resiliency, and equity through a better-connected multi-modal transportation system for all users.
 - ☐ Build on existing strengths while developing a comprehensive transportation plan for the future.
 - ☐ Develop environmentally sustainable infrastructure strategies that improve quality of life and foster economic growth.
 - ☒ Ensure adequate resources are provided for continued maintenance of existing infrastructure.
 - ☐ Focus on delivery of safe connections to schools.

Prior Legislation

Water Revenue Bond Authorization Ordinance for April 8, 2014 Ballot Initiative

Service Level Impacts

This ordinance calling for a Water Revenue Bond Authorization ballot initiative, if passed by the voters of Kansas City, Missouri, will enable the Water Utility to continue to meet customer service levels and rehabilitate, improve and extend the drinking water system at the lowest cost possible to ratepayers.

Other Impacts

1. What will be the potential health impacts to any affected groups?
This ordinance for a ballot initiative will allow the citizens of Kansas City, Missouri to have a direct positive impact on the Water Utility's ability to continue to deliver clean drinking water in a low cost manner and make improvements to the drinking water system that continue positive health benefits for all citizens of Kansas City, Missouri.
2. How have those groups been engaged and involved in the development of this ordinance?

The Water Utility plans to engage the public in a series of community meetings on the benefits of utilizing water revenue bond authorization as a low cost form of financing projects in the Utility's capital plan.

3. How does this legislation contribute to a sustainable Kansas City?
This ordinance for a ballot initiative for water revenue bond authorization, if approved by the voters, will help the Utility continue to meet its environmental obligations of delivering clean drinking water while utilizing low cost financing.

4. Does this legislation create or preserve new housing units?
No (Press tab after selecting)

Click or tap here to enter text.

Click or tap here to enter text.

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting)

Please provide reasoning why not:

This ordinance calls for a ballot initiative to be put the voters for approval.

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?
No(Press tab after selecting)



File #: 251029

ORDINANCE NO. 251029

Sponsor: Mayor Quinton Lucas

Calling for submission to the voters of Kansas City, at an election to be held on the general municipal election day of April 7, 2026, a question of whether to continue Kansas City's current one-percent earnings tax for five years; directing the City Clerk to provide notice of the election; and recognizing an accelerated effective date.

WHEREAS, the earnings tax has been part of the City's financial structure since Kansas City voters passed a Charter amendment in 1963 authorizing the City to enact a tax of one-half percent; and

WHEREAS, in 1970, Kansas City voters approved a Charter amendment to increase the earnings tax to one percent; and

WHEREAS, Section 92.115 of the Revised Statutes of Missouri requires Kansas City voters to approve the continuation of the earnings tax at "the next general municipal election date immediately following November 2, 2010 and once every five years thereafter"; and

WHEREAS, Kansas City voters most recently approved renewal of the earnings tax in the general municipal election held on April 6, 2021; and

WHEREAS, the next general municipal election day is April 7, 2026; and

WHEREAS, Section 92.125 of the Revised Statutes of Missouri provides that if the City fails to place the issue on the April 2026 ballot, the earnings tax will be automatically phased out over ten years; NOW THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. ELECTION CALLED. That a general municipal election is called and shall be held on Tuesday, April 7, 2026, for the purpose of submitting to the voters the question of whether to continue the imposition of the City's current one-percent earnings tax for a period of five (5) years beginning January 1, 2027.

Section 2. BALLOT TITLE. The ballot title shall be:

QUESTION NO.

(Continuation of the Earnings Tax)

Shall the earnings tax of 1%, imposed by the City of Kansas City, be continued for a period of five (5) years commencing January 1 immediately following the date of this election?

_____ Yes _____ No

Section 3. ELECTION NOTICE. That the notice of election shall read as follows:

NOTICE OF ELECTION
CITY OF KANSAS CITY, MISSOURI

Notice is hereby given to the qualified voters of the City of Kansas City, Missouri, that the City Council of the City has called a general municipal election to be held in the City on April 7, 2026, commencing at 6:00 A.M. and closing at 7:00 P.M., on the question contained in the following sample ballot:

OFFICIAL BALLOT
CITY OF KANSAS CITY

GENERAL MUNICIPAL ELECTION, APRIL 7, 2026

QUESTION
(Continuation of Earnings Tax)

Shall the earnings tax of 1%, imposed by the City of Kansas City, be continued for a period of five (5) years commencing January 1 immediately following the date of this election?

_____ Yes _____ No

Instructions to voters will be supplied by the election authorities.

A complete copy of Ordinance No. _____ (as it may be amended) submitting the above question to the electorate is on file in the Office of the City Clerk of Kansas City, Missouri, and is open for inspection and copying.

The election will be held at the following polling places in the City of Kansas City, Missouri: [insert list in last publication only].

I hereby certify that the foregoing is the legal notice to be published pursuant to Section 115.127, RSMo., as amended.

Given under my hand and the official seal of the City of Kansas City, Missouri this ____ day of _____, 2026.

(SEAL)

Marilyn Sanders
City Clerk of Kansas City, Missouri

Before me, a notary public, personally appeared Marilyn Sanders, to me known to be the City Clerk of Kansas City, Missouri, and the person who acknowledged to me that she executed the same for the purposes therein stated.

Notary Public

My commission expires: _____

Section 4. NOTICE TO ELECTION AUTHORITIES BY CITY CLERK. That following the passage of this ordinance, the City Clerk shall deliver certified copies of this ordinance and notice of election to the Clerk of Cass County, Board of Election Commissioners of Clay County, Board of Election Commissioners of Kansas City, and Board of Election Commissioners of Platte County, not later than January 27, 2026, which shall be the authority of each election authority of the City to submit the question to the electors of Kansas City and to give public notice as provided by law.

Section 5. ACCELERATED EFFECTIVE DATE. This ordinance, providing for the submission of the continuation of the earnings tax to the people of Kansas City, Missouri, is hereby recognized to be an ordinance with an accelerated effective date within the meaning of Section 503(a)(3)(A) of the Charter because it calls for an election and provides for the submission of a question to the people; and as such shall become effective immediately following approval by the Mayor, or five days after passage if no action is taken by the Mayor to approve or veto the ordinance.

..end

Approved as to form:

Samuel Miller
Assistant City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 251029

Submitted Department/Preparer: City Clerk's Office

Revised 6/10/24

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Calling for submission to the voters of Kansas City, at an election to be held on the general municipal election day of April 7, 2026, a question of whether to continue Kansas City's current one-percent earnings tax for five years; directing the City Clerk to provide notice of the election; and recognizing an accelerated effective date.

Discussion

The earnings tax has been part of the City's financial structure since Kansas City voters passed a Charter amendment in 1963 authorizing the City to enact a tax of one-half percent. In 1970, Kansas City voters approved a Charter amendment to increase the earnings tax to one percent. Section 92.115 of the Revised Statutes of Missouri requires Kansas City voters to approve the continuation of the earnings tax at "the next general municipal election date immediately following November 2, 2010 and once every five years thereafter."

Kansas City voters most recently approved renewal of the earnings tax in the general municipal election held on April 6, 2021. The next general municipal election day is April 7, 2026. Section 92.125 of the Revised Statutes of Missouri provides that if the City fails to place the issue on the April 2026 ballot, the earnings tax will be automatically phased out over ten years.

Fiscal Impact

1. Is this legislation included in the adopted budget? ☒ Yes ☐ No
2. What is the funding source?
This ordinance has no direct fiscal impact.
3. How does the legislation affect the current fiscal year?
This ordinance has no direct fiscal impact.

4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
Failure to renew the Earnings Tax would result in a phasing out of Earnings Tax collections over a period of 10 years which would materially decrease General Fund revenue.
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
Yes, this ordinance authorizes the ballot measure to renew the Earnings Tax.

Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund. ☒ Yes ☐ No
2. This fund has a structural imbalance. ☒ Yes ☐ No
3. Account string has been verified/confirmed. ☐ Yes ☒ No

Additional Discussion (if needed)

Appropriations associated with municipal elections and election boards are included in the Adopted FY 2025-26 Budget.

Citywide Business Plan (CWBP) Impact

1. View the [Adopted 2025-2029 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?
Finance and Governance (Press tab after selecting.)
3. Which objectives are impacted by this legislation (select all that apply):
 - ☒ Ensure the resiliency of a responsive, representative, engaged, and transparent City government.
 - ☐ Engage in workforce planning including employee recruitment, development, retention, and engagement.
 - ☐ Foster a solutions-oriented, welcoming culture for employees and City Partners.
 - ☐
 - ☐
 - ☐

Prior Legislation

Ordinance No. 200854

Service Level Impacts

Failure to renew the Earnings Tax would impact the City's ability to provide services supported by the General Fund such as public safety and solid waste.

Other Impacts

1. What will be the potential health impacts to any affected groups?
N/A
2. How have those groups been engaged and involved in the development of this ordinance?
N/A
3. How does this legislation contribute to a sustainable Kansas City?
This ordinance ensures the sustainability of revenue to support critical services.
4. Does this legislation create or preserve new housing units?
No (Press tab after selecting)

Click or tap here to enter text.

Click or tap here to enter text.

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting)

Please provide reasoning why not:

This ordinance does not authorize an agreement that requires CREO review.

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

Click or tap here to enter text.

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?
No(Press tab after selecting)



File #: 251033

ORDINANCE NO. 251033

Sponsor: Director of Parks and Recreation Department

Waiving the limitations established by the Fund Balance and Reserve Policy in Section 2-1954 of the Code of Ordinances; appropriating \$2,031,975.00 from the Unappropriated Fund Balance of the Parks and Recreation Fund for maintenance projects at Gregg/Klice Community Center pool, Penguin Park, and the Parks and Recreation Administration building; designating requisitioning authority; and recognizing this ordinance as having an accelerated effective date.

WHEREAS, in August of 2012 the voters of Kansas City, Missouri approved a half-cent sales tax increase, in perpetuity, to benefit parks and community centers; and

WHEREAS, the pool at Gregg/Klice Community Center has been out of order since October of 2024, and the City has placed a priority on ensuring aquatic programs and opportunities to residents in all areas of the city; and

WHEREAS, Penguin Park is one of the busiest parks in the City and is used by thousands of children each year, and the protective safety surface that covers that land underneath the playground is damaged in sections and is reaching the end of its usable lifespan; and

WHEREAS, the Parks and Recreation Administration Building is the primary work location for over eighty (80) employees, and the HVAC system has been failing since 2019, creating an untenable work environment for City employees; and

WHEREAS, the Parks and Recreation Fund balance reserve will go below the threshold of 16% of the annual operating budget, as established by City ordinance, requiring a council waiver; and

WHEREAS, the Board of Parks and Recreation Commissioners passed Resolution No. 32990 on October 21, 2025, approving the use of \$2,031,975.00 from the Parks and Recreation Fund to fund these improvements; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the City Council hereby waives Section 2-1954(f)(4)(B)(i), Code of Ordinances, entitled “Fund Balance and Reserve Policy” to authorize the appropriation of funds bringing the reserve of the Parks and Recreation Fund below recommended levels.

Section 2. That the sum of \$2,031,975.00 is hereby appropriated from the Unappropriated Fund Balance of Fund No. 2030, the Parks and Recreation Fund, to the following accounts:

| | | |
|---------------------------|-----------------------------------------|----------------|
| 26-2030-707704-B-70260102 | Gregg/Klice Pool repair | \$ |
| 735,250.00 | | |
| 26-2030-707704-B-70260103 | Penguin Park safety surface replacement | |
| 770,000.00 | | |
| 26-2030-707704-B-70260104 | Parks & Rec Admin Building HVAC | |
| 342,000.00 | | |
| 26-2030-707704-B-70260105 | Projects' Contingency fund | |
| <u>184,725.00</u> | | |
| | TOTAL | \$2,031,975.00 |

Section 3. That the Director of Parks and Recreation is hereby designated requisitioning authority for Account Nos. 26-2030-707704-B-70260102, 26-2030-707704-B-70260103, 26-2030-707704-B-70260104, and 26-2030-707704-B-70260105.

Section 4. That this ordinance relating to the appropriation of money and the expenses of government is recognized as an ordinance with an accelerated effective date as provided by Section 503(a)(3)(B) and Section 503(a)(3)(C) of the City Charter and shall take effect in accordance with Section 503, City Charter.

...end

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.

William Choi
Interim Director of Finance

Approved as to form:

Lana K. Torczon
Senior Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 251033

Submitted Department/Preparer: Parks Recreation

Revised 6/10/24

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Waiving the limitations established by the Fund Balance and Reserve Policy in Section 2-1954 of the Code of Ordinances; appropriating \$2,031,975.00 from the Unappropriated Fund Balance of the Parks and Recreation Fund for maintenance projects at Gregg/Klice Community Center pool, Penguin Park, and the Parks & Recreation Administration building; designating requisitioning authority; and recognizing this ordinance as having an accelerated effective date.

Discussion

Appropriating \$2,031,975 from the unappropriated fund balance of the Parks and Recreation Fund to authorize and support the following maintenance investments: Repairing multiple systems that have shut down the Gregg/Klice Community Center pool, repairing part of the HVAC system at the Parks & Recreation Administration building, and replacing the safety surface at Penguin Park.

The Board of Parks and Recreation Commissioners passed Resolution No. 32990 on October 21, 2025 approving the use of \$2,031,975 from the Parks Sales Tax Fund to fund these improvements.

Fiscal Impact

1. Is this legislation included in the adopted budget? ☐ Yes ☒ No
2. What is the funding source?
2030 - Parks and Recreation Fund
3. How does the legislation affect the current fiscal year?
It draws down the Parks and Recreation fund reserve balance.

4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
It will have a positive impact on future fiscal years by decreasing maintenance costs at multiple system facilities.
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
There will be revenue generation at Gregg/Klice Community Center, as the pool is a source of many recreational programs and activities.

Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund. ☐ Yes ☒ No
2. This fund has a structural imbalance. ☒ Yes ☐ No
3. Account string has been verified/confirmed. ☒ Yes ☐ No

Additional Discussion (if needed)

The Parks and Recreation Fund has Unappropriated Fund Balance available to support the proposed amount. The unreserved fund balance of the Parks and Recreation Fund is \$5.4 million as of 11/26/2025. This legislation will bring the Parks and Recreation fund balance below the minimum reserve target of 16% established in the Code of Ordinances. Current 5-year financial models project complete depletion of the Parks and Recreation fund reserves by Fiscal Year 2028.

Citywide Business Plan (CWBP) Impact

1. View the [Adopted 2025-2029 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?
Housing and Healthy Communities (Press tab after selecting.)
3. Which objectives are impacted by this legislation (select all that apply):
 - ☐ Utilize planning approaches in neighborhoods to reduce blight, ensure sustainable housing, and improve resident wellbeing and cultural diversity.
 - ☐ Maintain and increase affordable housing supply to meet the demands of a diverse population.
 - ☐ Address the various needs of the City's most vulnerable population by working to reduce disparities.

- ☐ Foster an inclusive environment and regional approach to spur innovative solutions to housing challenges.
- ☐ Ensure all residents have safe, accessible, quality housing by reducing barriers.
- ☒ Protect and promote healthy, active amenities such as parks and trails, play spaces, and green spaces.

Prior Legislation

Resolution 32990 from the Parks & Recreation Board of Commissioners

Service Level Impacts

This will have a positive service-level impact across multiple KPI. We will be able to increase recreation programming (CWB HH6c), increase the number of facilities passing SHAPE inspection (CWB IA5b), and increase cost recovery in the recreation division (CWB HH6b).

Other Impacts

1. What will be the potential health impacts to any affected groups?
Increased recreational facilities and activities will have a positive impact on the health of the residents.
2. How have those groups been engaged and involved in the development of this ordinance?
Our recent system-wide plan included months of community outreach, in which aquatics facilities and community playground rated as high priorities for the citizens.
3. How does this legislation contribute to a sustainable Kansas City?
These investments increase the usability and life span of department assets and decrease the ongoing maintenance costs of the outdated equipment.
4. Does this legislation create or preserve new housing units?
No (Press tab after selecting)

Click or tap here to enter text.

Click or tap here to enter text.

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting)

Please provide reasoning why not:

Click or tap here to enter text.

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

Click or tap here to enter text.

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?

No(Press tab after selecting)

