

SECOND AMENDMENT TO THE WEST BOTTOMS TAX INCREMENT FINANCING PLAN

KANSAS CITY, MISSOURI

TIF COMMISSION APPROVAL:

DATE: **RESOLUTION No.**

CITY COUNCIL APPROVAL:

DATE: **ORDINANCE No.**

SECOND AMENDMENT
TO THE
WEST BOTTOMS TAX INCREMENT FINANCING

I. Introduction

The Second Amendment to the West Bottoms Tax Increment Financing Plan (the “First Amendment”) shall amend the West Bottoms Tax Increment Financing Plan, as approved by Ordinance No. 240256 (the “Plan”) and subsequently amended by the First Amendment to the Plan, as approved by Ordinance No. 240600.

The Second Amendment to the Plan provides for (1) modifications to the Budget of Redevelopment Project Costs, (2) modifications to the Anticipated Sources of Funds and (3) the inclusion of all conforming changes within the Exhibits to the Plan that are in furtherance of the foregoing modifications.

II. Specific Amendments

The Plan shall be amended as follows:

Amendment No. 1: Section I of the Plan, entitled “Summary,” shall be deleted in its entirety and replaced with the following:

SUMMARY

The West Bottoms Tax Increment Financing Plan (the “Plan”) provides for the construction of public infrastructure improvements, including, without limitation, sanitary and storm sewers, utilities, sidewalks, and any other required or desirable infrastructure, as described in **Section IV.D.** and **Exhibit 2C** (collectively, the “Public Improvements”) that will encourage the construction of approximately 108,000 square feet of office space, 108,300 square feet of retail space, 589 multifamily units, which may include affordable units (the “Affordable Units”), and 40 hotel rooms, as described in **Section IV.C.** and **Exhibit 2C** (the “Project Improvements”).

The proposed Redevelopment Area described by the Plan in which the Public Improvements and Project Improvements shall be constructed is located on an approximately 26-acre site that is generally bounded by Union Pacific Rail Road tracks and the Forester Viaduct to the north, 12th street viaduct to the south, Liberty street to the west and the Kansas City Terminal Railway's tracks to the east in Kansas City, Jackson County, Missouri and consists of seven (7) Redevelopment Project Areas described on **Exhibit 1B** and depicted on **Exhibit 2B**.

The estimated Redevelopment Project Costs to implement the Public Improvements and Affordable Units is \$62,062,500. The estimated Redevelopment Project Costs related to certain of the Public Improvements and Affordable Units may be funded with approximately \$30,887,500 of Economic Activity Taxes and \$21,525,000 of Additional City EATs, certain other Public Improvements permitted by the CID Act may be funded with \$3,000,000 of CID Revenues, and the remaining Redevelopment Project Costs shall be funded with the EPA Grant and sources provide by

the Water Department of the City. The Redevelopment Project Costs are identified on **Exhibit 5** attached to this Plan and the estimated Economic Activity Taxes, Additional City EATs, CID Revenues to be generated are identified on **Exhibit 6** attached to this Plan.

The total initial equalized assessed valuation of the property within the Redevelopment Area, which is to be subjected to Payments in Lieu of Taxes and Economic Activity Taxes, according to the 2023 tax records at the Jackson County Assessor's Office, is approximately \$1,475,520. Following the completion of the Project Improvements, it is estimated that the assessed value of the real property within the Redevelopment Area will increase to approximately \$20,700,683.

Pursuant to the Act, Economic Activity Taxes and Payments in Lieu of Taxes generated and collected within each Redevelopment Project Area for a twenty-three (23) year period after each such Redevelopment Project Area is designated by an ordinance approved by the City Council, may be used to pay Reimbursable Project Costs.

The Economic Activity Taxes and Additional City EATs generated while tax increment financing shall remain in effect are estimated to be \$79,803,695. Such Economic Activity Taxes and Additional City EATs, upon annual appropriation or upon being budgeted and transferred by the City Council, shall be deposited into the Special Allocation Fund for the payment or reimbursement of certain Reimbursable Project Costs.

The CID Revenues estimated to be generated is \$6,647,539. Such CID Revenues, upon annual appropriation by the CID, shall be utilized for the payment or reimbursement of certain Reimbursable Project Costs.

The Economic Activity Taxes, Additional City EATs, and CID Revenues estimated to be generated on an annual basis and used to pay Redevelopment Project Costs are shown on **Exhibit 6**, attached hereto.

The Water Department of the City, pursuant to an amendment to U.S. Environmental Protection Agency Amendment, dated September 7, 2023, received a grant of which the City intends to allocate \$785,000 toward the West Bottoms stormwater improvements, which shall consist of constructing the West Branch of the Central Industrial Storm Water Sewer and for storm sewer improvements in the area between 13th Street and 8th Street and between Liberty Street and Beardsley Road (the "EPA Grant").

The Private Developer, as defined herein, has been granted benefits under The Planned Industrial Expansion Law (the "PIEA Benefits"), which would exempt real property taxes within the Redevelopment Area. The requested PIEA Benefits provide for 90% ad valorem tax abatement for ten (10) years, to be followed by a 75% ad valorem tax abatement for ten (10) years on real property located in each Redevelopment Project Area designated by an Ordinance where certain of the Project Improvements are commenced before December 31, 2029; and a 75% ad valorem tax abatement for ten (10) years, to be followed by a 30% on real property located in each Redevelopment Project Area designated by an Ordinance where certain Project Improvements are commenced after December 31, 2029. It is anticipated that no Payments in Lieu of Taxes generated from real property within the Redevelopment Project Area will be utilized to pay for any Reimbursable Project Costs.

Upon the reimbursement of Reimbursable Project Costs (including Administrative Expenses), tax increment financing will be terminated and the Taxing Districts, subject to Section 99.850 RSMo., will receive all tax revenue generated within the Redevelopment Area.

Amendment No. 2: Delete Exhibit 5 of the Plan entitled “Estimate Redevelopment Project Costs” in its entirety and replace it with Exhibit 5, entitled “Budget of Redevelopment Project Costs,” attached hereto.

Amendment No. 3: Delete Exhibit 7 of the Plan entitled “Anticipated Sources of Funds” in its entirety and replace it with Exhibit 7, entitled “Anticipated Sources of Funds,” attached hereto.

Amendment No. 2

Exhibit 5

ESTIMATED REDEVELOPMENT PROJECT COSTS

WEST BOTTOMS INFRASTRUCTURE

	TIF REIMBURSABLE PROJECT COSTS	STIF REIMBURSABLE PROJECT COSTS	CID REIMBURSABLE PROJECT COSTS	EPA Grant	Other City Sources	TOTAL
Phase 1a (Tranche #1): Public Infrastructure	4,930,000	4,920,000	1,500,000	785,000	4,565,000	16,700,000
i. New water mains along Santa Fe from 9th Street to 12th Street; and along Union Ave. from Mulberry Street to appoint approximately 475 feet east of Santa Fe Street;						
iii. New sanitary sewers along Santa Fe Street from 9th street to 12th street, from Union Ave. from Mulberry to a point approximately 150 east of Santa Fe and along 11th Street from Mulberry to Santa Fe;						
iv. Conversion of existing combined sewer system to separate storm sewer system along Santa Fe from 9th to 12th street with storm sewer trunks at Union Ave. and 11th Street;						
v. Construction of regional detention basins;						
vi. Reconstruction of streets, curbs, sidewalks, alleys, associated streetscape improvements along Santa Fe from 9th to 12th Street, Union Ave. and 11th Street; General Site Prep, Earthwork and Pavers						
Utilities						
Phase 1a (Tranche #2): Public Infrastructure	8,750,000	4,350,000			500,000	13,600,000
vii. Construction of the Public Gathering Open Spaces;						
viii. Installation of modern street light systems; and						
ix. Installation of street trees and other amenities.						
Phase 1a Contingency	1,787,500	1,080,000				2,867,500
Total Phase 1a Infrastructure	15,467,500	10,350,000	1,500,000	785,000	5,065,000	33,167,500
Phase 1b: Public Infrastructure	5,055,000	3,600,000	1,500,000	-	800,000	10,955,000
i. Reconstruction of streets, curbs, sidewalks, driveway and associated streetscape improvements along Mulberry Street, 11th Street, and Liberty Street, including intersection improvements at the intersection of 12th Street and Liberty;						
ii. Rehabilitation of sanitary sewers and storm sewers along the same streets Mulberry Street, 11th Street, and Liberty Street.						
Phase 1b Contingency	750,000	600,000				1,350,000
Total Phase 1b Public Infrastructure	5,805,000	4,200,000	1,500,000	-	800,000	12,305,000
Design	2,365,000	1,600,000				3,965,000
Inspection Fees	375,000	375,000				750,000
Affordable Housing	4,000,000	4,000,000				8,000,000
Demolition	2,600,000					2,600,000
Tenant Improvements (White Box Finishes)		1,000,000				1,000,000
Plan Administration and Staff Time	150,000					150,000
Financial Analysis and Advisory Services	75,000					75,000
Legal	50,000					50,000
Total Other Costs	9,615,000	6,975,000	-	-	-	16,590,000
TOTAL	30,887,500	21,525,000	3,000,000	785,000	5,865,000	62,062,500

* Transfers between budget line items will be allowed for the certification of costs.

30,887,500.00	21,525,000.00	3,000,000.00	785,000.00	5,865,000.00	62,062,500.00
-	-	-	-	-	-

Amendment No. 3

Exhibit 7

ANTICIPATED SOURCES OF FUNDS

SOURCES OF FUNDS:	
Federal and City Funds	\$6,650,000
Amount of Reimbursable Costs from Economic Activity Taxes and Additional City EATs	\$52,412,500
CID Revenues	\$3,000,000
Total	\$62,062,500 ¹

BONDS. The total estimated amount of Economic Activity Taxes, Additional City EATs, and CID Revenues during the period Tax Increment Financing is authorized and available to fund reimbursable Redevelopment Project Costs and Administrative Costs in the Act is approximately \$86,451,234. The Commission may dedicate part or these entire amounts to help support the issuance of bonds.

OTHER SOURCES. The establishment of this Plan is intended to promote economic development within and adjacent to the Redevelopment Area. To that end, the Plan envisions the attraction of other funding, both public and private, sources to enhance funding provided through the TIF Plan.

¹ The total estimated amount of Economic Activity Taxes, Additional City EATs, and CID Revenues and additional Federal and City funds available and contemplated to fund reimbursable Redevelopment Project Costs, Debt Service and Administrative Costs is approximately \$86,451,234.