

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 260027

Authorizing the City Manager or his designee to negotiate and execute a Predevelopment Funding Agreement with EDWARDSESTATES LLC in an amount not to exceed \$1,800,000.00 for predevelopment activities associated with a proposed workforce and attainable housing development project adjacent to United Believers Community Baptist Church located at 11101 US 71 Hwy., Kansas City, Missouri; reducing the Unappropriated Fund Balance of the Shared Success Fund in the amount of \$1,800,000.00 and appropriating a like transfer to the Housing Trust Fund; appropriating \$1,800,000.00 from the Unappropriated Fund Balance of the Housing Trust Fund;; authorizing the Director of Housing and Community Development or their designee to negotiate and execute amendments and related agreements; directing the Director of Housing and Community Development to report back to Council; and recognizing this ordinance as having an accelerated effective date.

WHEREAS, the City Council has identified the need for workforce and attainable housing as a critical priority for Kansas City residents, particularly those households earning at or below sixty percent (60%) of the Area Median Income; and

WHEREAS, EDWARDSESTATES LLC (the “Developer”) is a Missouri limited liability company affiliated with United Believers Community Baptist Church (the “Church”), a faith-based community organization with a demonstrated commitment to community development and improving the quality of life for residents within the Fifth District of Kansas City, Missouri; and

WHEREAS, the Developer has proposed a workforce and attainable housing development project adjacent to the Church’s property located at 11101 US 71 Hwy., Kansas City, Missouri (the “Project”) that will create affordable housing opportunities for working families and individuals in Kansas City; and

WHEREAS, predevelopment funding is essential to advance the Project through critical early-stage activities including, but not limited to, site acquisition and control, architectural and engineering design services, environmental assessments, market studies, financial feasibility analysis, legal services, and other preliminary planning activities; and

WHEREAS, the City Council finds that providing predevelopment funding to the Developer will advance the City's housing policy goals and address the critical need for workforce and attainable housing in Kansas City; and

WHEREAS, the City Council desires to support community-based development that creates housing opportunities for Kansas City's workforce and promotes neighborhood stability and revitalization; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the City Manager or his designee is hereby authorized to negotiate and execute a Predevelopment Funding Agreement (the “Agreement”) with EDWARDSESTATES LLC for predevelopment activities associated with the proposed workforce and attainable housing

development project, in an amount not to exceed \$1,800,000.00 that shall contain the following terms:

- (a) The predevelopment funding authorized in an amount not to exceed \$500,000.00 herein may be used for the following eligible activities: (1) site acquisition, options, and site control activities; (2) architectural and engineering design services; (3) environmental assessments and remediation planning; (4) market studies and financial feasibility analyses; (5) legal services related to project development; (6) survey and title work; (7) permitting and entitlement fees; and (8) other predevelopment costs as approved by the City Manager by an amendment to the Agreement as consistent with the purposes of this ordinance.
- (b) The Project shall comply with all requirements of the Affordable Housing Trust Fund as set forth in Section 2-1693, including but not limited to: (1) a minimum affordability period of thirty (30) years from the date of project completion; (2) targeting households at or below sixty percent (60%) of the Area Median Income for workforce housing units; (3) recordation of a restrictive covenant ensuring long-term affordability.
- (c) The Developer shall comply with the requirements of Section 3-421 through 3-500 regarding Minority-Owned and Women-Owned Business Enterprise (M/WBE) participation. M/WBE participation goals shall be established for each contract related to the Project, based on the size of the project and dollar amount of the contract, among other considerations.
- (d) Participation in a construction employment program shall be required for any construction or redevelopment activities that require more than eight hundred (800) construction labor hours and have an estimated cost over Three Hundred Thousand Dollars (\$300,000.00), unless a waiver is granted by the appropriate City authority.
- (e) The Project shall commence within one (1) year of the date the funding agreement is fully executed. For purposes of this section, "commencement" shall mean the initiation of substantive predevelopment activities as demonstrated through documentation provided to the Director of Housing and Community Development.
- (f) The Developer shall provide quarterly progress reports to the City Manager or his designee, the Housing Trust Fund Board, and the City Council detailing: (1) expenditure of predevelopment funds; (2) progress and obstacles toward project milestones; (3) M/WBE participation and compliance; (4) any anticipated changes to project scope or timeline.
- (g) The Developer shall, to the extent possible and practicable, perform all listed predevelopment activities to determine project feasibility before final site acquisition and deliver the same to the City, including but not limited to,

environmental assessment(s), geotechnical survey, financing plan, market study, development plan, and property appraisal completed by a licensed appraiser. In the event the Project is determined to be unfeasible at this specific site, or the project fails to complete the necessary predevelopment activities before final site acquisition, the Developer shall repay to the City all predevelopment funds disbursed. No funds shall be expended for the purchase of land until predevelopment activities have been completed and full financing for the Project is secured.

- (h) In the event the Project does not proceed to construction within thirty-six (36) months of the execution of the Agreement, or if the Developer fails to meet the affordability requirements, the Developer shall repay to the City all predevelopment funds disbursed, unless the City Manager determines, in writing, that extenuating circumstances warrant an extension or modification of this requirement.
- (i) In the event that the Project seeks additional incentives from the City or affiliated incentivizing agencies, the Developer shall submit applications for those incentives pursuant to the regular policies and procedures established by the agencies.
- (j) The Agreement shall also include, at a minimum, the following provisions: (1) detailed scope of predevelopment activities; (2) Project timeline and milestones; (3) disbursement schedule and documentation requirements; (4) affordability covenants and enforcement mechanisms; (5) M/WBE and workforce participation requirements; (6) reporting and monitoring requirements; (7) default provisions and remedies; (8) indemnification and insurance requirements.
- (k) The Developer shall expend no more than \$1,300,000 of the funds appropriated in this Ordinance on site acquisition.

Section 2. That the sum of \$1,800,000.00 is hereby appropriated from the Unappropriated Fund Balance of the Shared Success Fund, Fund No. 2590, to the following account:

26-2590-129998-902490	Transfer to Housing Trust Fund	\$1,800,000.00
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Section 3. That the revenue in the amount of \$1,800,000.00 is hereby estimated to the following account of the Housing Trust Fund, Fund No. 2490:

26-2490-120000-502590	Transfer from Shared Success Fund	\$1,800,000.00
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Section 4. That the sum of \$1,800,000.00 is hereby appropriated from the Unappropriated Fund Balance of the Housing Trust Fund, Fund No. 2490, to the following accounts:

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26-2490-555996-B-55UBCBC	United Believers Land Acquisition	\$1,300,000.00
26-2490-555996-B-55UBCBC	Predevelopment Expenses	\$500,000.00

Section 5. The Director of Housing and Community Development is hereby designated as the requisitioning authority for Account No. 26-2490-555996-B-55UBCBC.

Section 6. That the Director of Housing and Community Development or their designee is hereby authorized to negotiate and execute amendments to the Agreement and related documents with Developer and/or disbursement agents as is necessary to carry out the purposes of this ordinance.

Section 7. The Director of Housing and Community Development or their designee shall notify the City Council within ten (10) business days of the execution of the Agreement and shall provide a copy of the executed Agreement to the City Clerk for the public record.

Section 8. That this ordinance, appropriating money, 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 that section.

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.



Authenticated as Passed
Ryan Parker
Quinton Lucas, Mayor

Marilyn Sanders
Marilyn Sanders, City Clerk
JAN 29 2026
Date Passed

William Choi

William Choi
Interim Director of Finance

Approved as to form:

Abigail Judah
Abigail Judah
Assistant City Attorney