



Legislation Text

File #: 220297, Version: 1

ORDINANCE NO. 220297

Approving the Twenty-First Amendment to the KCI Corridor Tax Increment Financing Plan and directing the City Clerk to send a copy of this ordinance to Platte County.

WHEREAS, pursuant to the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended (the "Act"), the City Council of Kansas City, Missouri (the "Council") by Ordinance No. 54556 passed on November 24, 1982, and thereafter repealed and amended in certain respects by Committee Substitute for Ordinance No. 911076, as amended, passed on August 29, 1991, Ordinance No. 100089, passed on January 28, 2010, Ordinance No. 130986, passed on December 19, 2013, and Committee Substitute for Ordinance No. 140823, as amended, passed on June 18, 2015 (the "Authorizing Ordinances") created the Tax Increment Financing Commission of Kansas City, Missouri (the "Commission"); and

WHEREAS, on March 11, 1999, the Council passed Ordinance No. 990256, which accepted the recommendations of the Commission as to the approval of the KCI Corridor Tax Increment Financing Plan (the "Redevelopment Plan" or "Plan") and the designation of the Redevelopment Area described thereby as an economic development area, and authorized the Commission to take all such action as may be needed to effectuate the Redevelopment Plan; and

WHEREAS, the First Amendment to the Plan provided for clarifying procedures in the Plan for the acquisition of property necessary for the construction of street and intersection improvements; and

WHEREAS, the Second Amendment to the Plan provided for the collection and distribution of surplus Payments in Lieu of Taxes; and

WHEREAS, the Third Amendment to the Plan provided for modifications to the Budget of Redevelopment Project Costs; and

WHEREAS, the Fourth Amendment to the Plan provided for (a) the expansion of the boundaries of the Redevelopment Area to encompass an area bounded by Tiffany Springs Road on the South and Skyview on the West, encompassing an area of approximately 50.24 acres and (b) modification to the Budget of Redevelopment Project Costs; and

WHEREAS, the Fifth Amendment to the Plan provided for (a) modifications to the Budget of Redevelopment Project Costs and (b) modifications to the description of public improvements; and

WHEREAS, the Sixth Amendment to the Plan provided for modifications to the Budget of Redevelopment Project Costs; and

WHEREAS, the Seventh Amendment to the Plan provided for (a) modifications to the Budget of

Redevelopment Project Costs and (b) the removal of the Commission Representative from the Advisory Committee, placing him/her as an ex-officio member; and

WHEREAS, the Eighth Amendment to the Plan provided for modifications to the Budget of Redevelopment Projects Costs and was later amended by Ordinance No. 100497; and

WHEREAS, the Ninth Amendment to the Plan provided for modifications to the Budget of Redevelopment Project Costs and specifically for costs related to road improvements, including the Roundabouts of Tiffany Springs Road at Ambassador Drive, Skyview Avenue and NW 88th Street; and

WHEREAS, the Tenth Amendment to the Plan provided for (a) modifications to the expansion of the boundaries of the Redevelopment Area (b) the addition of Redevelopment Projects, (c) modifications to the Budget of Redevelopment Projects and (d) modifications to the composition of the KCI Corridor Advisory Committee; and

WHEREAS, the Eleventh Amendment to the Plan provided for modifications to the Budget of Redevelopment Project Costs, including costs that relate to Tiffany Springs Parkway Interchange, NW Prairie Road and N Congress Avenue; and

WHEREAS, the Twelfth Amendment to the Plan provided for (a) the expansion of the boundaries of the Redevelopment Area, (b) modifications to the Budget of Redevelopment Project Costs and (c) modifications to the Projected Economic Activity Taxes; and

WHEREAS, the Thirteenth Amendment to the Plan provided for modifications to the Budget of Redevelopment Project Costs; and

WHEREAS, the Fourteenth Amendment to the Plan provided for modifications to the Budget of Redevelopment Project Costs and modifications to the Sources of Funds; and

WHEREAS, the Fifteenth Amendment to the Plan provided for (a) modifications to the Budget of Redevelopment Project Costs and (b) the inclusion of additional public improvements, including (i) the design and construction of 108th Street/ Shoal Creek Parkway beginning near Platte Purchase Drive and extending west to the Platte County line and (ii) the construction of trail segments along Route 152 & I-29 beginning at N. Platte Purchase Drive and ending at N. Childress Avenue; and

WHEREAS, the Sixteenth Amendment provided for (a) a modification to the description of the Redevelopment Area and (b) the elimination of all improvements contemplated by or funded with tax increment financing generated by Redevelopment Project Area 21; and

WHEREAS, the Seventeenth Amendment provided for (a) the expansion of the boundaries of the Redevelopment Area, (b) the inclusion of additional public infrastructure improvements and (c) modifications to the Budget of Redevelopment Project Costs; and

WHEREAS, the Eighteenth Amendment provided for (a) the expansion of the Redevelopment Area, (b) the inclusion of additional public improvements, (c) modifications to the Budget of Redevelopment Projects and (d) modifications to the Sources of Funds; and

WHEREAS, the Nineteenth Amendment provided for (a) the removal of certain public infrastructure

improvements, (b) modifications to the Budget Redevelopment Project Costs identified by the Plan and (c) modifications to the Sources of Funds for all estimated Redevelopment Project Costs identified by the Plan; and

WHEREAS, the Twentieth Amendment provided for (a) the addition of public infrastructure improvements, (b) modifications to the Budget Redevelopment Project Costs identified by the Plan and (c) modifications to the Sources of Funds for all estimated Redevelopment Project Costs identified by the Plan; and

WHEREAS, the Twenty-First Amendment provides for (a) modifications to the Budget of Redevelopment Project Costs and (c) modifications to the Sources of Funds; and

NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. The Twenty-First Amendment, a copy of which is attached hereto, is hereby approved.

Section 2. That all terms used in this Ordinance, not otherwise defined herein, shall be construed as defined in the Act.

Section 3. That the Council finds that:

- (a) Good cause has been shown for amendment of the Redevelopment Plan, and that the findings of the City Council in Ordinance Nos. 990256, 040618, 040619, 040620, 040621, 050107, 060326, 080211, 090260, 100497, 101007, 110603, 120485, 120618, 130108, 140092, 140907, 160416, 170970, 190827, 200204 and 200710 with respect to the Redevelopment Plan are not affected by the Twenty-First Amendment and apply equally to the Twenty-First Amendment;
- (b) The Redevelopment Area, as amended, is an economic development area, as a whole, has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of the Redevelopment Plan, as amended by the Twenty-First Amendment, and the utilization of tax increment financing;
- (c) The areas selected as Redevelopment Projects include only those parcels of real property and improvements which will be directly and substantially benefited by the public improvements described by the Redevelopment Plan, as amended by the Twenty-First Amendment;
- (d) The Redevelopment Plan, as amended by the Twenty-First Amendment, and each Redevelopment Project, conform to the comprehensive plan for the development of the City as a whole;
- (e) The estimated dates of completion of the respective Redevelopment Projects and retirement of any obligations incurred to finance Redevelopment Project Costs have been stated in the Redevelopment Plan, as amended by the Twenty-First Amendment, and are not more than 23 years from the passage of any ordinance approving a Redevelopment Project authorized by the Plan, as amended;
- (f) A plan has been developed for relocation assistance for businesses and residences;
- (g) The Twenty-First Amendment does not alter the cost-benefit analysis previously incorporated

within the Redevelopment Plan.

(h) The Twenty-First Amendment does not include the initial development or redevelopment of any gambling establishment; and

(i) A study has been completed and the findings of such study satisfy the requirements set out in subdivision (1) of Section 99.810, RSMo.

Approved as to form and legality:

Emalea Black
Assistant City Attorney