



Legislation Text

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File #: 240944, Version: 2

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[COMMITTEE SUBSTITUTE FOR]ORDINANCE NO. 240944

Sponsor: City Manager's Office  
**COMMITTEE SUBSTITUTE**

Approving the Fourteenth Amendment to the North Oak Tax Increment Financing Plan.

WHEREAS, pursuant to the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended (the "Act"), the City Council of Kansas City, Missouri (the "City Council") by Ordinance No. 54556 passed on November 24, 1982, and thereafter amended in certain respects by Committee Substitute for Ordinance No. 911076, as amended, passed on August 29, 1991, Ordinance No. 100089, as amended, passed on January 28, 2010, and Ordinance No. 130986, passed on December 19, 2013, Committee Substitute for Ordinance No. 140823, as amended on, June 18, 2015 and Committee Substitute for Ordinance No. 230524, passed on June 22, 2023, created a commission constituted pursuant to Section 99.820.2 (the "Kansas City TIF Commission") and Section 99.820.3 of the Act (the "Clay County KC TIF Commission"); and

WHEREAS, the City created the Administrative TIF Commission and has delegated all powers delegable under the Act, in particular powers enumerated in Section 99.8210.1, RSMo, in connection with administering tax increment financing plans and projects to the Administrative TIF Commission, as provided in Code § 74-58; and

WHEREAS, on February 24, 2005, the City Council passed Ordinance No. 050104, which accepted the recommendations of the then applicable Kansas City Commission and approved the North Tax Increment Financing Plan (the "Redevelopment Plan") and designated the Redevelopment Area described therein to be a Blighted Area (the "Redevelopment Area"); and

WHEREAS, on July 20, 2006, the Council passed Committee Substitute for Ordinance No. 060534 approving the First Amendment to the North Oak Tax Increment Financing Plan, which provides for (A) the expansion of the Redevelopment Area by adding a 32 acre parcel for development into retail space and (B) a change in designation of the Redevelopment Area from a blighted area to a conservation area; and

WHEREAS, the Redevelopment Plan has been amended multiple times, by Ordinance No. 060534 on July 20, 2006, by Ordinance No. 070996 on October 11, 2007, by Ordinance No. 090832 on October 1, 2009, by Ordinance No. 100083 on February 11, 2010, by Ordinance No. 100705 on September 30, 2010, by Ordinance No. 120172 on March 1, 2012, by Ordinance No. 160670 on September 8, 2016, by Ordinance No. 170739 on October 5, 2017, by Ordinance No. 180053 on February 1, 2018, by Ordinance No. 190925 on August 27, 2020, by Ordinance No. 220665 on September 30, 2010, and by Ordinance No. 230212 on March 9, 2023; and

WHEREAS, a Fourteenth Amendment to the Redevelopment Plan ("Fourteenth Amendment") was

proposed to the Clay County KC TIF Commission, which having been duly constituted and its members appointed, after proper notice was given, met in a public hearing on October 9, 2024, and after receiving the comments of all interested persons and taxing districts, closed the public hearing, approved the Fourteenth Amendment to the Redevelopment Plan and recommended that the City Council approve the Fourteenth Amendment; and

WHEREAS, the Fourteenth Amendment (a) modifies Façade and Site Improvement Guidelines, (b) modifies the Budget of Redevelopment Project Costs, (c) modifies the Sources of Funds, and (d) modifies certain exhibits to and sections of the Plan that are in furtherance of the foregoing; and NOW THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. The Fourteenth Amendment (the “Fourteenth Amendment”) to the North Oak Tax Increment Financing Plan (the “Plan” or “Redevelopment Plan”) is hereby approved and adopted as valid.

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

Section 3. That the City Council hereby finds that good cause has been shown for the Fourteenth Amendment of the Plan and that the findings of the Council in Ordinance No. 050104, Ordinance No. 060534, Ordinance No. 070996, Ordinance No. 090832, Ordinance No. 100083, Ordinance No. 100705, Ordinance No. 120172, Ordinance No. 160670, Ordinance No. 170739, Ordinance No. 180053, Ordinance No. 190925, Ordinance No. 220665, Ordinance No. 230212, except as expressly modified by the Fourteenth Amendment, are not affected by the Fourteenth Amendment and apply equally to the Fourteenth Amendment.

Section 4. That the Council hereby finds that:

- a. The Redevelopment Area, as amended, is a conservation 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 Fourteenth Amendment.
- b. The Redevelopment Plan, as amended by the Fourteenth Amendment, includes a detailed description of the factors that qualify the Redevelopment Area as a conservation area and an affidavit as required by Section 99.810.1(1), RSMo
- b. The Plan, as amended by the Fourteenth Amendment, conforms to the comprehensive plan for the development of the City as a whole.
- c. The areas selected for Redevelopment Projects include only those parcels of real property and improvements thereon which will be directly and substantially benefited by the Redevelopment Project Improvements.
- d. The estimated dates of completion of the Redevelopment Projects and retirement of obligations incurred to finance Redevelopment Project Costs have been stated in the Plan, as amended by the Fourteenth Amendment, and are not more than 23 years from the passage of any ordinance approving a Redevelopment Project within the Redevelopment Area.

e. The Plan, as amended by the Fourteenth Amendment, includes a plan for relocation assistance for businesses and residences.

f. A cost-benefit analysis showing the impact of the Plan on each taxing district which is at least partially within the boundaries of the Redevelopment Area has been prepared in accordance with the Act.

g. The Plan, as amended by the Fourteenth Amendment, does not include the initial development or redevelopment of any gambling establishment.

h. A study has been completed and the findings of such study satisfy the requirements provided under Section 99.810, RSMo.

Section 5. That the Administrative Commission is authorized to issue obligations in one or more series of bonds secured by North Oak Tax Increment Financing Plan Account of the Special Allocation Fund to finance Redevelopment Project Costs identified by the Plan, as amended by the Fourteenth Amendment, and, subject to any constitutional limitations, to acquire by purchase, donation, lease or eminent domain, own, convey, lease, mortgage, or dispose of land or other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the Administrative Commission determines, to enter into such contracts and take all such further actions as are reasonably necessary to achieve the objectives of the Plan, as amended by the Fourteenth Amendment. Any obligations issued to finance Redevelopment Project Costs shall contain a recital that they are issued pursuant to Sections 99.800 to 99.865 of the Act, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

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

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Approved as to form:

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Emalea Black  
Associate City Attorney