

BOARD MEETING MINUTES

DATE: March 28, 2018
TIME: 8:30 a.m.
PLACE: Town Pavilion, Jackson Room
1100 Walnut, 17th Floor, Kansas City, Missouri

1. **Roll Call.**

Present: Daniel Edwards
Steve Hamilton
Gabriel Okafor (*via telephone*)

Absent Faiza Alhambra
Pat Contreras

Staff: Greg Flisram, 353
Susan Tumey, 353
Robert Long, EDC

Chapter 353 Legal Counsel Marti Schach, Schach Law Offices

Guests: Jerry Helmick, City of Kansas City, Human Relations Dept.
Kevin Masters, City of Kansas City, School District
Bruce Eddy, Community Mental Health Fund
Brandon Keller, Jackson County
Charles Miller, Lewis Rice
Kellee Madinger, White Goss
Aaron March, White Goss
Chris Mattix, White Goss

Chairman Hamilton called to order the meeting of the Chapter 353 Advisory Board and declared a quorum as Commissioners Edwards and Hamilton were present in person and Commissioner Okafor was present by telephone.

2. **Administrative** - *Review and approval of Meeting Minutes (Ex. 2)*

Minutes of the August 17, 2017 meeting were provided for review prior to the meeting.

ACTION TAKEN: APPROVED THE MINUTES FOR AUGUST 17, 2017 AS PRESENTED. MOTION MADE BY MR. EDWARDS, SECONDED BY MR. OKAFOR, AND CARRIED UNANIMOUSLY.

3. **Front Street & I-435 Redevelopment Area** - *Consideration of Approval of the proposed Eighth Amendment of the Front Street & I-435 Redevelopment Area (Ex. 3)* (Bob Long)

» **Board Considerations**

- Plan/Amendment Continuity (*Hamilton/March/Long*)
 - Original 1987 Plan was amended 6 times for various redevelopment projects
 - 7th Supplementary Contract was approved by the City Council and is of record (*Correction by Mr. Mattix after meeting – 7th Supplementary Contract was not signed and is not of record*)
 - 7th Amendment was approved by the City Planning Commission but not the City Council because the project fell through
 - Staff recommended that developer number the proposed amendment and supplementary contract as the 8th to avoid confusion and maintain continuity
 - 8th Amendment recites what happened to cause disconnect in plan and amendments
- Commencement/Completion Deadlines (*Edwards/Hamilton/Schach/March/Eddy*)
 - 7th Supplementary Contract approved by City Council extended dates for all remaining phases to 2016, with a stipulation that the 353 tax abatement would terminate in 2019 if no projects were initiated by that date
 - Proposed 8th amendment would extend project completion dates for all remaining phases (Phase IVb, IVc and IVd) to 2024
 - State Statute and City Ordinance require developer to acquire the property within 3 years of the time designated for the project to be completed but there are no statutory requirements regarding construction
 - City Council is ultimate authority on timelines detailed in the Plan and Redevelopment Contract
- Plan/Site Development (*Hamilton/March*)
 - Front Street & 435 Redevelopment Corporation has been the master developer since 1987
 - Remaining sites have been difficult to sell in today's industrial market because of their size, shape, and location and no prospects are currently interested
 - Marketing for the sites has been on hold pending City Council approval of the proposed amendment
- Exhibits (*Hamilton/March*)
 - Exhibits to 8th Amendment are required by State law or local ordinance to provide notice and notice to taxing jurisdictions
 - Certificate of Incorporation and Articles were included in the original Plan
- Public Hearing Tax Abatement (*Hamilton/Okafor/Edwards/Schach/March/Masters/Eddy*)
 - Original grant of tax abatement was 10 year/100% and 15 year/50%, which has remained unchanged through each amendment
 - Abatement for each project in a 353 plan area is initiated separately for that project on their completion date

- 353 Board cannot legally require the developer to begin abatement prior to completion of each site's development
- Ordinance 160383 does not apply because the plan is in a continually distressed tract and has also been grandfathered in
- Overall development is not speculative because the majority of the site has been built out
- Lengthy abatements, such as the 25-year grant by 353, should be mitigated to ease their impact on taxing jurisdictions (*Masters/Eddy/Edwards*)

ACTION TAKEN: APPROVED THE EIGHTH AMENDMENT OF THE FRONT STREET & I-435 REDEVELOPMENT PLAN AND FORWARD IT TO CITY COUNCIL WITH A RECOMMENDATION OF APPROVAL. MOTION MADE BY MR. OKAFOR, SECONDED BY MR. EDWARDS, AND CARRIED UNANIMOUSLY. (*RES. No. 3-1-18*)

4. **Administrative** – *Executive Director's Report (Ex. 5)* (Greg Flisram)

- LaQuinta Hotel/2321 Troost
 - City Council has approved
 - Developer is asking for another delay because of apparent difficulties getting their designs approved by the Homeowners Association
- 2nd & Delaware project is still being delayed by litigation

ACTION TAKEN: NONE; DISCUSSION PURPOSES ONLY

ADJOURN

There being no further business, the meeting adjourned at 9:10 a.m.

Greg Flisram, Secretary