

## ORDINANCE NO. 160237

Accepting the recommendations of the Tax Increment Financing Commission as to the Tenth Amendment to the Briarcliff West Tax Increment Financing Plan; and approving the Tenth Amendment to the Briarcliff West Tax Increment Financing Plan.

WHEREAS, pursuant to the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865, RSMo, as amended (the "TIF Act"), the City Council of Kansas City, Missouri (the "City Council") by Ordinance No. 54556 passed on November 24, 1982, and thereafter repealed and amended in certain respects by Committee Substitute for Ordinance No. 911076, as amended, passed on August 29, 1991, Ordinance No. 100089, passed on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, created Tax Increment Financing Commission of Kansas City, Missouri (the "Commission"); and

WHEREAS, on May 3, 1990, the City Council passed Ordinance No. 65497, which accepted the recommendations of the Commission as to the Briarcliff West Tax Increment Financing Plan ("Redevelopment Plan") and designated the Redevelopment Area therein to be a blighted area; and

WHEREAS, the City Council, by its passage of a series of ordinances, has amended the Redevelopment Plan on numerous occasions since it was first approved; and

WHEREAS, said Commission has been duly constituted and its members appointed; and, after all proper notice was given, the Commission met in public hearing and after receiving the comments of all interested persons and taxing districts, closed said public hearing on January 13, 2016 and adopted Resolution No. 01-06-16 (the Resolution) recommending that the City Council approve the Tenth Amendment; and

WHEREAS, the Tenth Amendment renames certain Redevelopment Project Areas, which include real property that was platted after each such Redevelopment Project Area was designated by an ordinance passed by City Council.; NOW, THEREFORE,

### BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. The recommendations of the Commission concerning the Tenth Amendment are hereby accepted and the Tenth Amendment as presented to and recommended by the Commission is hereby approved and adopted.

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

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Section 3. The Council hereby finds that:

- (a) Good cause has been shown for amendment of the Redevelopment Plan, and that all previous findings of the Council with respect to the Redevelopment Plan, as amended, are not affected by the Tenth Amendment and apply equally to the Tenth Amendment;
- (b) The Redevelopment Area, as amended, is a blighted area, as a whole, and 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, and the Tenth Amendment;
- (c) The Redevelopment Plan, as amended, conforms to the comprehensive plan for the development of the City as a whole;
- (d) The areas selected for Redevelopment Projects include only those parcels of real property and improvements therein which will be directly and substantially benefited by the Redevelopment Project improvements;
- (e) The estimated dates of completion of the respective Redevelopment Projects and retirement of obligations incurred to finance Redevelopment Project Costs, have been stated in the Redevelopment Plan, as amended, and are not more than 23 years from the adoption of any ordinance approving a Redevelopment Project within the Redevelopment Area, as amended;
- (f) A plan has been developed for relocation assistance for businesses and residences;
- (g) The Tenth Amendment does not include the initial development or redevelopment of any gambling establishment.

Section 4. Pursuant to the provisions of the Redevelopment Plan, as amended, the City Council approves renaming Redevelopment Project Areas X, XVI and XVII as Redevelopment Project Areas 10a, 10b and 10c, respectively.

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Approved as to form and legality:

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Brian T. Rabineau  
Assistant City Attorney